

# Most Common Sources of Police Liability/Injuries

## Liability

Stops

Arrests

Searches

Forced entries

Use of force

Pursuit/Emergency

Driving

## Injuries

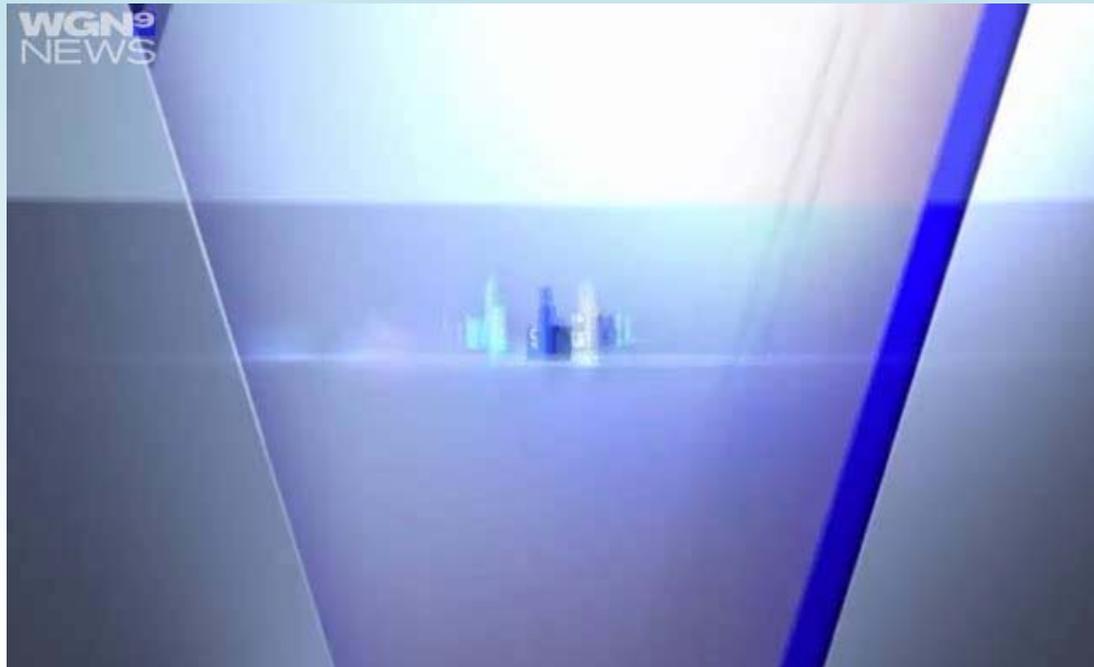
Assaults (attacks, fights)

Car accidents (driving, seat belts)

Over-exertion (fitness)

Stress (fitness)

# *Emergency/Pursuit Driving*

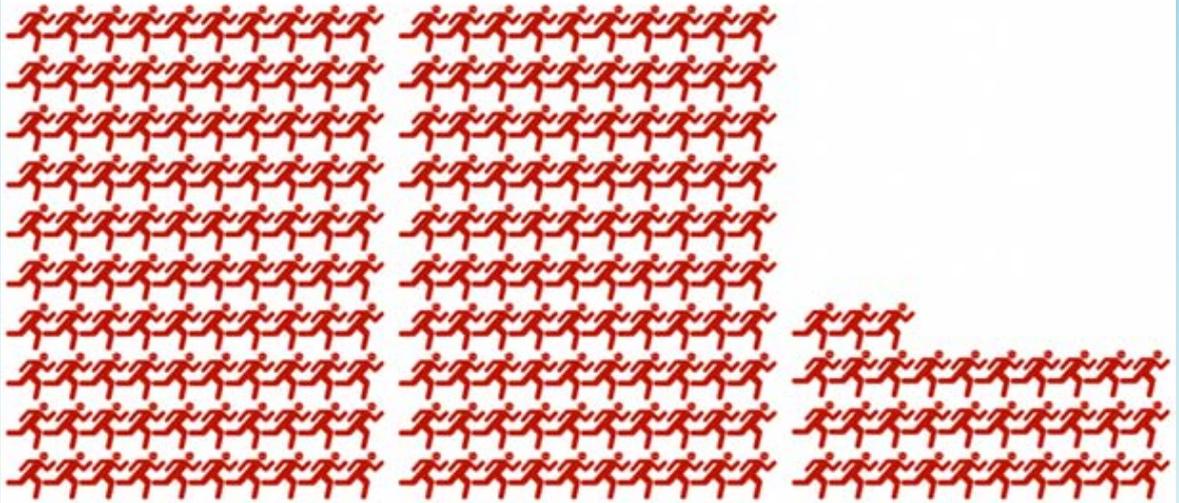


# Emergency/ Pursuit Driving

## Dangerous pursuits

How many people die in police chases in a given year, according to a 2007 study

**233 suspects and passengers in chased vehicles**



**87 innocent bystanders**



**3 law enforcement officers**



# Emergency Driving



When operating an emergency vehicle the operator may:

1. park or stand as necessary
2. proceed through red light or stop signs AFTER SLOWING.
3. exceed the maximum speed limit
4. disregard laws regarding turning

(Tex. Transportation Code §546.001)

# Emergency Driving



## When is this conduct permissible?

1. When responding to an emergency call
2. When pursuing an actual or suspected violator
3. Responding to but not from a fire alarm
4. Directing or diverting traffic for public safety purpose.
5. Conducting a police escort.

(Tex. Transportation Code §546.002)

# Emergency Driving



**Unless there is an exception found under law or policy the operator of an authorized emergency vehicle engaging in emergency driving shall use audible or visual signals.**

**LIGHTS AND SIRENS ARE THE RULE, NOT THE EXCEPTION.**

# Emergency Driving

## Exceptions

Statutory exceptions for lights and sirens include:

1. Destruction or loss of evidence of a felony; will cause the end of a continuing felony before sufficient evidence can be obtained; or will cause a suspect to evade apprehension or identification.
2. Because of traffic conditions lights and sirens may increase potential for collision or extend the duration of the pursuit.
3. Complying with written regulations relating to the use of lights and sirens adopted by the local government.

# Emergency Driving



Meeting one of the exceptions does not relieve the operator from operating the vehicle with the **appropriate regard for the safety of all persons** or from the consequences of **reckless disregard** for the safety of others.

Tex. Transportation Code §546.005

# How Do Departments Prevent Liability?

1. Develop good policies.

2. Train on the policies.

Train in the academy

Train in [briefings](#)

Train in the field

3. Enforce the policies.

Discipline as necessary

Retrain as necessary



# What Is A Good Emergency Driving Policy?

1. Differentiate emergency driving situations (non-emergency/emergency pursuit/emergency non-pursuit)
2. Make sure the policy is clear that engaging in emergency driving should be constantly evaluated by the officer in terms of need versus risk.
3. Clearly state when pursuit can and cannot be continued.
4. Ensure use of lights and sirens is the rule not the exception.
5. Give specifics on exceptions to using lights and sirens. Don't leave it up to them to determine need.