

I. PURPOSE

This chapter comprises major policy statements that apply to those members of the Pima County Sheriff's Department designated within each subsection.

II. USE OF FORCE

For the purpose of this section, "members" refers to deputies and corrections officers, who have been trained in the use of force, and are expected to utilize force in accordance with this section during the course of their duties.

A. Justification

The department recognizes the sanctity of all human life and department members shall treat all persons with dignity and respect. The department also recognizes each use of force situation is unique and shall be evaluated on the circumstances faced by the member at the time force is applied.

In accordance with A.R.S. § 13-403, A.R.S. § 13-404, and A.R.S. § 13-409, members shall use only that amount of force reasonably necessary to:

1. Make an arrest/detention;
2. Prevent an escape;
3. Protect him/herself or a third person against another's use of unlawful force.
4. In department correctional facilities, members may use force in order to preserve order, or to prevent the commission of any crime.

B. Force Options

Force options are intended to assist members with escalation and de-escalation from the application of one force option to another so that force used is objectively reasonable. Members must consider all factors before using force and choose force options based on the totality of the circumstances reasonably known at the time. The following options provide various types of force or responses available to the member. This is not a comprehensive list.

- Officer Presence: Identification of authority, including uniform

articles, badge or identification card, fully marked vehicle, or any other indicia of office.

- Verbal Communications: Commands or verbal direction.
- Soft Empty Hand Control: Control holds such as wrist locks, or other empty hand techniques designed to control a person with minimal chance of causing injury.
- Pain Compliance: Application of force to pressure points or joint locks to cause discomfort in order to gain compliance.
- Chemical or Inflammatory Agents: Oleoresin Capsicum (OC) and other chemical agents approved for department use.
- Taser: Conducted Energy Weapon (CEW) approved for department use. Includes Remotely Activated Custody & Control (RACC) belt.
- Hard Empty Hand Control: Empty handed strikes including, but not limited to, punches, kicks, or elbow and knee strikes. Also includes take downs or tackling a subject.
- Impact Weapons, including less lethal munitions: Collapsible, side-handle or other department approved baton. Also includes department approved less lethal munitions such as twelve (12) gauge bean-bag munitions and 40 mm foam munitions.
- Canine: Patrol canine approved for department use.
- Deadly Force: Any calculated action that is likely to cause death to the person against whom the action is directed.

C. Deadly Force

1. In accordance with A.R.S. § 13-410, members in the performance of their official duties, are authorized to use deadly force when the member reasonably believes it is necessary to do the following:
 - a. Protect themselves or others from immediate use of deadly physical force.

- b. Prevent a crime in which the suspect's actions place persons in jeopardy of death.
 - c. Apprehend a fleeing felon who has used deadly force in the commission of a crime and where there is substantial risk the fleeing felon will cause death, or injury likely to cause death to others if apprehension is delayed.
2. Prior to using deadly force, the member employing that force shall establish that the person against whom deadly force will be used is the person against whom the deadly force is justified.
3. Deadly force should not be used against persons who pose a danger only to themselves at the time.
4. Members shall not shoot at moving vehicles unless there are no other reasonable means to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the member or others.
5. Warning shots are prohibited unless deadly force is justified.

D. Identification

When time and circumstances permit, members shall identify themselves and should provide verbal warnings of the potential for the use of force, including deadly force, when it is reasonable to give such warnings.

E. Carotid Control Hold

1. Carotid Control Hold is defined as any deliberate action that is likely to restrict the flow of air to a person's lungs or blood to a person's brain by compressing the neck.
2. Use of the carotid control hold is prohibited, except in those circumstances in which deadly force would be justified.

F. De-escalation

1. De-escalation is defined as efforts to defuse volatile situations by utilizing communication skills, tactical positioning and slowing situations down, when reasonably possible.

2. De-escalation is also defined as utilizing lesser means of force when the member is reasonably able to do so without subjecting the member or third party to harm, including cessation of the use of force when the arrest is complete and/or compliance has been achieved.
3. Members are not required to retreat in the face of resistance, but should make every effort to de-escalate volatile situations when reasonably able to do so without subjecting the member or third parties to harm. Members must constantly assess the effectiveness of applied force, and de-escalate as reasonably appropriate.

G. Proportionality

1. Members are not required to utilize the least amount of force necessary, however, force used shall be reasonable and proportional.
2. Decision making factors should include, but are not limited to:
 - a. Severity of the crime being investigated
 - b. Level of resistance exhibited by the subject
 - c. The perceived level of threat to the member and/or third parties.
 - d. Immediacy of the threat to member and/or others.

H. Preclusion

1. Preclusion is defined as when lesser means of force have been attempted, or considered, and ruled out.
2. Use of force events are dynamic and often occur in a matter of seconds, or less, however, members should preclude lesser means of force prior to utilizing a higher level of force.

I. Officer Induced Jeopardy

Officer induced jeopardy occurs when a member recklessly and unnecessarily deviates from established training, tactics, or policies and the member's actions place him/herself, or others, at a greater risk. Officer induced jeopardy should not be considered objectively reasonable in regards to the justification for the use of force.

J. Duty to Render Aid

Members attempting to make an arrest, detain a suspect or person having escaped from custody, and regardless of whether the member uses physical or deadly force, have a duty to render timely aid to persons showing visible injuries, complaining of injuries, or requesting medical attention when it is reasonably possible to do so. Members rendering aid must do so in a manner commensurate with their training and/or by requesting medical assistance. In rendering aid, members must also consider the safety of the member and other persons.

K. Duty to Intervene

Members have a duty to intervene when they reasonably believe another member is using, or about to use, force that is in violation of these policies. Members shall intercede to prevent the use of excessive force, if such intercession can be done safely and reasonably. Members witnessing excessive force shall report such incidents to his/her supervisor as soon as practical.

L. Review Process

1. The Sheriff's Department will review use of force incidents, involving:
 - Pain Compliance, under the following circumstances:
 - a. In conjunction with hard empty hand techniques to strike pressure point targets, or;
 - b. Application resulting in visible injury, or;
 - c. The subject complains of injury

- Chemical or Inflammatory Agents
 - Taser
 - Hard Empty Hand Control
 - Impact Weapons, including less lethal munitions
 - Canine
 - Deadly Force
2. With the exception of deadly force, the process is as follows:
- a. Prior to the end of their shift, the member who used the force shall complete the Use of Force (UOF) Summary (PCSD 295) and submit it to their immediate supervisor.
 - b. The supervisor shall review the UOF Summary, comment on the incident, indicate if force used was reasonable, and recommend any appropriate course of action. The supervisor shall then submit the UOF Summary to his/her commander.
 - c. The commander shall review the UOF Summary, comment on the incident, indicate if force used was reasonable, and recommend any appropriate course of action. The commander shall then submit the UOF Summary to his/her division commander.
 - d. The division commander shall review the UOF Summary, comment on the incident, indicate if force was used reasonable, and make a decision regarding action to be taken, i.e., no further action, new and/or additional training, further investigation required, or disciplinary action. The division commander may also direct that a review board be convened.
 - e. The division commander will forward the UOF Summary to the Specialized Response Division support staff who shall be responsible for the data entry of the incident into a Use of Force Database.

- f. The process to review deadly force incidents is articulated in Chapter 6, Section V.
- M. A department Use of Force Committee will convene on a quarterly basis, or sooner if needed, with selected subject matter experts, to review use of force data and make recommendations regarding training, tracking, and policy issues.
1. The Use of Force Committee will be comprised of the following:
 - One (1) Patrol Division Commander, who will chair the committee
 - Specialized Response Division Commander
 - Inmate Management Division Commander
 - Office of Professional Standards Commander
 - One (1) Patrol Division District Commander
 - Training Section Commander
 - Intake Section Commander
 - Three (3) Training Sergeants; Commissioned, Corrections, and Range Master
 - Lead Firearms Instructor
 - Defensive Tactics Coordinator
 - Any other Subject Matter Expert (Taser, Less Lethal, K9, etc.) as designated by the chair
 - Members of the Sheriff's Community Advisory Council, Use of Force Subcommittee

III. HIGH-RISK STOP

- A. The intent of this section is to offer a recommended guideline to assist an officer in making the appropriate decision for a high-risk stop. This section is not intended to limit the discretion or safety of the officer but to assist in making the appropriate decision.
- B. The stopping of a vehicle when the officer has advanced knowledge or reasonable cause to believe that the vehicle contains a potentially dangerous suspect is considered a high-risk stop. Reasonable cause may be based on personal observation, knowledge of an outstanding felony warrant or want, information received via the police radio, or other means upon which the officer may reasonably rely.

Because judgment calls and decisions are made daily based on information obtained by the officer, this information must clearly justify the actions taken.

IV. VEHICLE PURSUITS

- A. The purpose of this section is to establish a policy guiding commissioned members to safely and effectively pursue suspects who are fleeing in vehicles.
 1. Members shall comply with provisions of Arizona Revised Statutes, Title 28, when involved in pursuits.
 2. During vehicle pursuits, the safety of the public, occupants of the fleeing vehicle, department members, and the violator shall be given a higher priority than the apprehension of the violator(s)/suspect(s).
- B. Definitions
 1. **AUTHORIZED EMERGENCY VEHICLE:** A department vehicle equipped with operable emergency lights and siren as authorized by Arizona Revised Statutes.
 2. **PATROL VEHICLE:** A department vehicle that is equipped with operable emergency lights, siren, and preemption emitter.

3. **VEHICLE PURSUIT:** An active attempt by law enforcement, in authorized emergency vehicles, to capture suspects who by means of speed or other evasive actions, are attempting to avoid apprehension.
 - a. **ACTIVE PURSUIT:** Any pursuit of a suspect vehicle involving the use of lights and siren by authorized emergency vehicles.
 - b. **ACTIVE SURVEILLANCE:** An attempt by law enforcement to use covert strategies to remain in the vicinity of a suspect without their knowledge. The supervisor controlling the pursuit will direct all units appropriately. This strategy involves the use of air support and/or vehicle tracking system technology to track the movement of the suspect, and coordination with ground units to parallel the suspect's movements. When the suspect stops, the supervisor controlling the pursuit shall coordinate the apprehension of the suspect, if practical.
4. **FAILURE TO YIELD:** Failure to yield refers to the actions of a vehicle operator who fails to stop or respond to the emergency light(s) and siren of a law enforcement vehicle. Generally, the vehicle operator continues to travel forward at or below the speed limit, observes traffic control devices, and other applicable rules of the road, without the component of evasive action in an attempt to avoid apprehension.
5. **ROAD SPIKES SYSTEM:** A department authorized device designed to be placed physically across a roadway directly in the path of a vehicle in order to deflate its tires and stop the vehicle in a controlled manner.
6. **VEHICLE TRACKING SYSTEM:** A department authorized device comprised of a global positioning system (GPS) tracker and transmitter that can be deployed on a suspect vehicle, before or during a pursuit, to track and monitor suspect vehicle location.

C. Initiation of Pursuit

1. Initiation of an active pursuit of a vehicle is only authorized when there exists an articulable and reasonable belief that the violator poses an imminent and continuous threat to the safety of the public.

2. Any commissioned member in an authorized emergency vehicle may initiate a pursuit when the above parameters are met.
3. In deciding whether or not to initiate a pursuit, the member will take into consideration:
 - a. Road, weather, and environmental conditions;
 - b. Population density and vehicular and pedestrian traffic;
 - c. The relative performance capabilities of the pursuit vehicle and the vehicle being pursued;
 - d. The seriousness of the offense and observed driving behavior;
 - e. The presence of other persons in the patrol vehicle; and,
 - f. The presence of other persons in the fleeing vehicle.
4. Active pursuit of motorcycles/off-road vehicles is prohibited, unless the rider(s) were involved in the commission of a violent felony or other extraordinary circumstances.

D. Pursuit Strategies

1. Number of Police Vehicles
 - a. Only two (2) ground units shall actively pursue a fleeing suspect vehicle unless the supervisor controlling the pursuit directs otherwise.
2. Department vehicles involved in the pursuit shall assume the following roles:
 - a. Primary Unit: Shall be the authorized emergency vehicle closest to the fleeing suspect.
 - b. Back-Up Unit: This unit shall follow the primary unit at a safe distance and be able to assist when the suspect is stopped. If the primary unit is unable to continue the pursuit, the back-up unit shall assume the role of the primary unit. If circumstances allow, the back-up unit shall take over communication responsibilities for the primary unit.

- c. Support Units: When appropriate, units in the vicinity of the pursuit shall assume the role of support units and, as such, shall remain alert to the direction and progress of the pursuit. The support units shall position themselves at strategic sites along the probable pursuit route or on parallel roadways. They shall not be operated Code 3 unless authorized to do so by the supervisor directing the pursuit.
 - d. The primary unit, back-up unit(s), and any support unit(s) shall operate traffic signal preemption in a manner that should cause the fleeing suspect vehicle to face green signal lights.
3. Use of Air Support for Pursuits
- a. When available, the Pima County Sheriff's Department Air Unit shall be requested to support the pursuit. Requests for other agency air support may be made with a supervisor's approval when the Pima County Sheriff's Department Air Unit is unavailable or has an extended estimated time of arrival (ETA). Communications shall notify and request the Air Unit at the onset of a vehicle pursuit.
 - b. If air support is available to assist in a vehicle pursuit, the following guidelines shall be utilized:
 - (1) Air support personnel shall provide the estimated time required to launch and acquire the vehicle pursuit. This information shall be incorporated into safety considerations by the initiating unit(s) or supervisor(s).
 - (2) If air support is able to acquire the pursuit, upon authorization by the supervisor controlling the pursuit, it shall assume primary communication and visual monitoring of the fleeing/violator vehicle and use the Active Surveillance strategy, unless extraordinary circumstances exist.
 - c. If air support is unable to maintain the pursuit, normal pursuit strategies shall be utilized.

- d. If air support is able to acquire the pursuit, the available video downlink system shall be activated by the air crew to assist the supervisor in managing the pursuit and any subsequent deployment of ground units.

4. Unit Communications Responsibilities

- a. The primary unit and supervisor shall be the only units transmitting during the pursuit unless another emergency situation exists. Support units should refrain from communicating their locations or other information unless necessary for apprehension efforts.
- b. The primary unit shall clearly declare the pursuit on the radio to ensure situational awareness for all involved units.
- c. The primary unit should communicate as much of the following information as possible:
 - (1) The location, speed, direction of travel, and traffic conditions;
 - (2) The specific reason for the pursuit, including the violation, offense, or circumstance that precipitated the pursuit.
 - (3) The vehicle description and license number, if known;
 - (4) The number of occupants in the suspect vehicle;
 - (5) Hazardous traffic violations committed by the violator;
 - (6) Other unsafe conditions or driving behaviors.

E. Safety Considerations

During pursuits, the following procedural guidelines shall be followed:

1. Pursuing units shall not make contact between their car and the suspect's vehicle. They shall not force the pursued vehicle into parked cars, ditches, or other obstacles, nor shall they attempt to head off, ram, or drive alongside the suspect vehicle while it is still

in motion. An exception to this policy may be made in the event there are articulable facts indicating the suspect is an immediate threat to public safety and the likelihood of death or serious physical injury is high. In those cases, intentional contact between a pursuing vehicle and suspect vehicle may be utilized.

2. Support units and back-up units shall not pass the primary unit unless directed to do so by the primary unit or supervisor.
3. Spacing: Units participating in a pursuit shall not follow each other or the suspect vehicle so closely that a collision cannot be avoided if any involved vehicle loses control or stops abruptly.
4. Vehicles that are not equipped with a preemption emitter shall not actively participate in pursuits unless the situation is extremely serious and mandates an immediate response. When a patrol vehicle becomes available, other department vehicles shall discontinue active pursuit.
5. Police motorcycles may be used in a pursuit when weather and related conditions allow. Motorcycles will disengage when support from patrol vehicles become available.
6. Traffic Regulations: Members involved in pursuits shall strictly adhere to all State statutes and Pima County Sheriff's Department Rules and Regulations governing the operation of authorized emergency vehicles.

F. Termination of Pursuits

1. Members are expected to terminate a vehicle pursuit when a reasonable law enforcement officer would conclude that the risk of continuing the pursuit outweighs the value of apprehending the suspect.
2. If any of the following conditions exist, the pursuit **shall** be terminated immediately:
 - a. A supervisor orders the pursuit terminated.
 - b. The pursuit was initiated because of a misdemeanor or non-violent felony and the suspect's identity is known.

- c. The distance between the suspect vehicle and primary unit is so great that further pursuit is futile.
 - d. The primary unit loses visual contact with the suspect for an extended period of time.
 - e. A unit experiences equipment failure that would increase the risk of continuing the pursuit.
 - f. The suspect vehicle proceeds the wrong way on an interstate highway, divided highway, or one-way street, unless the occupants were involved in the commission of a violent felony or other extraordinary circumstances.
 - g. The suspect vehicle enters a residential neighborhood where the posted speed limit is twenty-five (25) miles per hour, unless the occupants were involved in the commission of a violent felony or other extraordinary circumstances.
 - h. The suspect vehicle forces other vehicles off the roadway, unless the occupants were involved in the commission of a violent felony or other extraordinary circumstances.
 - i. The pursuing member believes the fleeing suspect is a juvenile who has committed a misdemeanor or non-violent felony and the suspect's manner of driving indicates he/she does not have the maturity to appreciate the danger involved.
3. Members **should** consider terminating a vehicle pursuit if any of the following conditions exist:
- a. Weather conditions, such as rain or fog, increase the danger of the pursuit.
 - b. The member is in an unfamiliar area and cannot keep Communications apprised of the location and direction of travel.
 - c. The risk to lives and property is increased by congested roads, pedestrian traffic, proximity to schools, or other hazardous conditions.

4. When ordered to terminate a pursuit, all involved members shall immediately:
 - a. Deactivate all emergency lights and sirens and obey all traffic control devices.
 - b. Discontinue actively following the suspect vehicle.
 - c. Department members are prohibited from continuing to follow or parallel, or actively intercept a suspect vehicle once the order to terminate has been given. This does not prohibit follow-up investigation to apprehend the suspect.
 - d. Once a vehicle pursuit is terminated only a sergeant or above may authorize reinitiating pursuit.

G. Interjurisdictional Pursuits

1. If a pursuit enters into another agency's jurisdiction, the primary unit shall advise Communications to notify that agency and specify one of the following:
 - a. Our units need assistance.
 - b. The call is merely a notification and no assistance is needed.
2. Upon receiving a request for assistance from another agency, Communications shall immediately notify an on-duty commander or supervisor, who shall evaluate the request and direct an appropriate response.
3. When Communications receives notification of an inter-jurisdictional pursuit, it shall immediately broadcast pertinent information to patrol units in the affected districts. However, members shall not become actively involved in the pursuit unless:
 - a. Authorized by a supervisor.
 - b. It is apparent that a single unit from the outside agency is involved in the pursuit and has not been able to request Pima County Sheriff's Department assistance.

- c. An obvious emergency exists that mandates an immediate response.

H. Supervisory Responsibility

1. Supervisors shall monitor and direct all pursuits to ensure all actions comply with this policy.
2. The on-duty patrol supervisor for the affected district will have primary responsibility for monitoring a pursuit, unless there is active supervision already taking place by another supervisor.
3. The monitoring supervisor shall communicate via radio that they are aware of and monitoring the pursuit.
4. The monitoring supervisor shall ensure the proper coordination and utilization of available assets.
5. The monitoring supervisor shall ensure that an after-action debrief occurs with appropriate members.
6. All vehicle pursuits shall be reviewed by the primary unit's chain of command:
 - a. Prior to the end of their shift, the member who was the primary unit shall complete a Supervisor's Vehicle Pursuit Summary form (PCSD 264) and submit it to their immediate supervisor.
 - b. The supervisor shall review the form, radio recordings, available video, and associated reports and recommend any appropriate course of action and a determination if the vehicle pursuit was within policy. The form shall be forwarded to the district / section commander.
 - c. The district / section commander shall review the Supervisor's Vehicle Pursuit Summary, radio recordings, available video, and associated reports and recommend any appropriate course of action and a determination if the vehicle pursuit was within policy. The form shall be forwarded to their division commander.

- d. The division commander shall review the Supervisor's Vehicle Pursuit Summary, radio recordings, available video, and associated reports. The division commander will make the final determination regarding any action(s) to be taken and if the vehicle pursuit was within policy and then forward it to the Specialized Response Division support staff for data entry.
- I. Roadblocks or barricades shall not be used to stop suspects when the original offense is a misdemeanor but shall be used only as a last resort in felony cases where the violator is an immediate threat to public safety. Reckless driving alone shall not justify the use of a roadblock or barricade.
 - J. Use of Road Spikes Systems
 1. Only commissioned members who have completed the department approved road spikes training course may deploy road spikes systems.
 2. Communications
 - a. Close coordination between ALL vehicles involved in the pursuit and deploying members is mandatory. The deploying member must be kept informed of the description, direction of travel, and location of the suspect vehicle.
 - b. In multi-agency pursuits, supervisors should ensure that law enforcement personnel from other agencies are informed that road spikes will be used and informed of the location and any specific instructions necessary to ensure safety.
 3. Safety
 - a. The safety of the public, law enforcement personnel, and suspect will have the highest priority when determining where and when to deploy road spikes.
 - b. Deploying members must wear safety glasses and gloves when deploying the road spike device.
 - c. Road spikes shall not be used on vehicles equipped with less than four (4) wheels unless deadly physical force is justified.

d. After Deployment

- (1) The deploying member is responsible for removing the road spike system from the roadway immediately after its use to prevent pursuing units or other traffic from striking the device.
- (2) After termination of the pursuit, the deploying member shall ensure that the system is properly recovered and stored and that any debris or loose spikes on the roadway have been cleared.

K. Use of Vehicle Tracking System

1. Only commissioned members who have completed department approved training may deploy vehicle tracking systems.
2. Users shall comply with operational guidelines for each system, department pursuit policy, and pursuit strategies.
3. Vehicle tracking deployments shall be announced via radio.

V. NATIONAL INCIDENT MANAGEMENT SYSTEM

In accordance with Homeland Security Presidential Directive 5 and the Pima County Board of Supervisors' resolution 2005-179, the Pima County Sheriff's Department will employ the National Incident Management System (NIMS) for all major incidents.