

EMERGENCY VEHICLE RESPONSE AND PURSUITS HANDOUT

Because deputies respond to emergency calls every day, emergency vehicle responses can become a routine act that leads to complacency and carelessness. Deputies must always exercise caution when operating a vehicle under emergency conditions. Further, deputies must evaluate all factors before making a decision to operate as an EVR unit.

The basic objectives of EVR operations are twofold: to permit a swift response to critically dangerous situations or to apprehend a known suspected violator in a vehicle. Appropriately balancing the inherent dangers of emergency driving with the advantage to be gained by such action is the fundamental point that must be evaluated by a deputy in deciding whether to operate a vehicle under emergency conditions.

EVR and pursuit operations may be legal under specific circumstances; however, deputies are not relieved of the duty to drive with “due regard” for the safety of all persons, nor protected from the consequences of any reckless disregard for the public’s safety. Deputies must exercise that degree of care, which a reasonably prudent person under like circumstances would use.

In 2004, emergency vehicle operations resulted in:

- 33,577 accidents
- 8,613 injuries
- 170 fatalities



EVR Deciding Factors

Deciding to operate a vehicle in emergency fashion when life is at stake is, for example, not a difficult choice. However, when physical injury is possible but not certain or when only property loss is expected, the deputy must compare what is to be gained by operating under emergency conditions with the associated dangers. Further, in determining the necessity for arriving promptly at the scene of a crime, the deputy must consider the seriousness of the offense and the probability that timely arrival will result in apprehension of the suspect.

Even response to a disaster or major crime does not automatically necessitate emergency driving. The deputy must reasonably conclude that speed is essential to alleviate a critically dangerous situation. However, if other units have already arrived at the scene, usually there is no need for an additional deputy to speed to the scene. Likewise, when it is known that the perpetrators are no longer at a crime scene, an emergency response may be unnecessary.

The decision to initiate EVR operations depends on the seriousness of the situation and the possible and probable results of the deputy's actions. Unless



fast and immediate action is necessary to save lives, lessen the severity of injuries or prevent further injuries, or apprehend a major offender operating a vehicle, high-speed emergency driving is not justified. When the known facts indicate that immediate action by the deputy is necessary, then EVR driving procedures should be initiated.

Pursuit Deciding Factors

The days of pursuing offenders for any reason or just because they ran, are no longer acceptable. Court decisions and public opinion have changed over the years.

Vehicle pursuits should only be employed when a deputy has reasonable grounds to believe the offender presents a clear and immediate serious threat to the safety of other motorists or the public, which is ongoing and prior to the pursuit beginning, or the offender has committed or is committing a violent felony. A clear and immediate serious threat means, a threat is present prior to the pursuit and which represents a willful disregard by the vehicle occupants of the rights and safety of others, which reasonably places the public in imminent danger of great bodily harm or death.

If the circumstances of a pursuit meet this criterion, a deputy's decision to pursue is supported in case law. However, deputies must continually question whether the seriousness of the crime(s) reasonably warrants continuation of the pursuit. If at anytime, the danger to the public, offender, or deputies outweighs the need for immediate apprehension, the deputy must terminate the pursuit.

