



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: November 18, 2024
TO: Scott Wahl, Chief, San Diego Police Department
FROM: Gloria Tran, Chair, Commission on Police Practices *GT*
SUBJECT: Pursuit Policy Recommendations

Overview:

The San Diego Commission on Police Practices (Commission) holds that San Diego Police Department (SDPD) vehicle pursuits should prioritize the protection of human life. Whereas the mission of the SDPD is *to maintain peace and order by providing the highest quality police service in response to community needs*, the Commission maintains that vehicle pursuits, particularly at high speeds, present significant risks to the community, officers, suspects, and property. The Commission has examined SDPD Procedure 1.03 – **Pursuit Procedures** and California Vehicle Code sections 17004.7 and 14602.1 to align SDPD vehicle pursuit policies with California state law. SDPD’s vehicle pursuit purpose, policies, and procedures should prepare officers to effectively respond to high-speed chases while, to the extent possible, minimize the risk of injury or death to San Diego residents and themselves.

The Commission on Police Practices recommends the following:

1. **Revise the Purpose of the SDPD Pursuit Procedures (SDPD Procedure 1.3, Section I):** The purpose of SDPD Pursuit Procedures should be updated to prioritize the protection of life. The Purpose should add “to protect the lives and safety of the public and officers” to read: “This Department procedure establishes guidelines to protect the lives and safety of the public and officers, to enhance the effectiveness of a pursuit, and to reduce the likelihood of incidents that could lead to potential liability.”
2. **Define Pursuit Consistently (SDPD Procedure 1.3, Section IV):** SDPD should seek clear and consistent guidelines on how a pursuit is defined. The SDPD definition of a pursuit should be identical to the CHP definition of a pursuit to ensure uniform reporting standards. The San Diego Police Department’s Pursuit Definition should read: “An event involving one or more law enforcement officers attempting to apprehend a suspect operating a motor vehicle while the suspect is attempting to avoid arrest by using high-speed or other evasive tactics

such as driving off a highway, turning suddenly, or driving in a legal manner but willfully failing to yield to the officer's signal to stop." The recommendation is to remove "who are operating an authorized emergency vehicle" from the current policy.

3. **Restrict Pursuit Justifications (SDPD Procedure 1.3, Section V):** SDPD should add a section that outlines restricted actions and situations that do not justify a pursuit. Certain types of offenses generally should not justify a pursuit. **Pursuits should be avoided for the following circumstances (SDPD Procedure 1.3, Section V):**

Infractions: Officers may not initiate a pursuit for mere infractions.

Property Offenses: Crimes such as automobile theft or the operation of a stolen vehicle typically do not warrant a pursuit unless other aggravating factors, such as armed resistance, are present.

Misdemeanors: Pursuits for misdemeanor offenses, including failure to yield, should be rare unless there is clear evidence that the suspect poses an immediate danger to the public.

Traffic Violations: Unless reckless driving creates a direct and severe threat to public safety, traffic violations should not lead to pursuits. The pursuit of traffic violators often creates more danger than the initial infraction.

Non-Violent Warrants: Pursuing individuals wanted on non-violent warrants should be avoided, as these cases generally lack an immediate threat to public safety.

4. **Verbal and Physical Acknowledgment of Pursuit Termination (SDPD Procedure 1.3, Section VIII (C)):** SDPD should require that all officers involved in a pursuit should acknowledge its termination over the radio while performing an action, such as pulling over to the side of the road, to ensure that every officer is aware of the termination of the pursuit, eliminating any potential confusion.
5. **Establish a Vehicle Pursuit Review Board (SDPD Procedure 1.3, Section V):** SDPD should create a Vehicle Pursuit Review Board that includes at least one member of the Commission. The Board would publish a quarterly public report detailing SDPD vehicle pursuits and conduct a comprehensive review of pursuit data, including trend identification, tactical evaluation, and recommended policy improvements. This review board would conduct post-pursuit reviews and analysis of each Pursuit Report and provide feedback to division Captains where needed and findings to the Commission on Police Practices. SDPD should disseminate quarterly reports that include lessons learned and key

outcomes from high-profile vehicle pursuits that are shared with all personnel and the San Diego City Council's Public Safety Committee to improve future tactics and decision-making.

6. **Inclusion of Terminated Pursuit Accident in Report Analysis (SDPD Procedure 1.3, Section V/ Section VI /Section XVI):** SDPD should ensure that any incident that results in injury, death, or property damage following a pursuit—whether the pursuit was initiated, terminated, or re-engaged—be included in SDPD's traffic accident investigation reports and official CHP187A/SDPD Pursuit Data Sheet form to reflect accurate data collection and accountability. When completing a report for a traffic accident involving a vehicle that had been the subject of or participated in a pursuit—whether active or terminated—prior to the accident, the investigating officer must include that information in the report.
7. **Familiarize and Integrate CPP Staff and Commissioners with SDPD Training Curriculum:** SDPD should develop a system to provide CPP staff and Commissioners with a comprehensive understanding of the SDPD's training curriculum, enhancing their ability to assess and provide oversight on departmental practices.
8. **Explore Advanced Technologies for Pursuit Management:** SDPD should explore the use of technologies such as GPS tracking, drone surveillance, pursuit management software, and training simulations or virtual reality to improve the monitoring, control, and safety of vehicle pursuits.
9. **Pursue Law Enforcement Accreditation:** SDPD should pursue accreditation through the Commission on Accreditation for Law Enforcement Agencies (CALEA).



Gloria Tran, Chair
Commission on Police Practices

cc: Mayor Todd Gloria
San Diego City Council Members
Paul Connelly, SDPD Deputy Chief
Paul Parker, Executive Director, Commission on Police Practices
Duane E. Bennett, Outside Counsel, Commission on Police Practices
Members of the Commission on Police Practices