

ROLL CALL

For Law Enforcement/Corrections

February 2026

High Risk Critical Task / Vehicle Pursuits

Name _____ Date _____

Vehicle pursuits cause more unintentional deaths than any other law enforcement activity. According to newly released federal data from the National Highway Traffic Safety Administration (NHTSA), there were 577 deaths during vehicle pursuits in 2022, making it the deadliest year ever recorded for pursuit fatalities. Vehicle pursuits also create substantial legal exposure. Recently in Nebraska, a pursuit that seriously injured an innocent third party resulted in a settlement exceeding \$4 million.

Considering the high risk of vehicle pursuits, it is critical that agencies have a legally defensible pursuit policy that prioritizes public safety while minimizing legal liability to the extent possible. A well-written vehicle pursuit policy provides clear guidelines and directions for the safe operation of law enforcement vehicles during pursuits.

Furthermore, deputies should attempt to anticipate flight and utilize tactics to prevent pursuits where possible. If attempts to prevent a vehicle pursuit fail, tactics should be utilized to minimize the duration of the pursuit. This agency recognizes its responsibility to apprehend criminals and law breakers, but it also recognizes the higher responsibility to protect and foster the safety of all persons when deciding whether to initiate or continue a pursuit.

Deputies operating under pursuit conditions must be constantly aware that no assignment is too important and no task is to be expedited with such emphasis that any of the basic principles of safety are jeopardized. Therefore, deputies must only engage in pursuits when the need for apprehension outweighs the risk to the deputy and the public. In initiating any pursuit, deputies must conduct a “balancing test” analysis, meaning that the deputy shall carefully consider the facts, the driving environment, the seriousness of the offense, the need for apprehension, all the possible consequences, and the safety of all persons.

Scenario: While stopped at a traffic light, you observe a vehicle travelling on the cross street, speeding up to avoid stopping at the impending red traffic signal. Before the vehicle enters the intersection, your light turns green and

the other vehicle proceeds through the clearly visible red light. You activate your emergency lights and siren to stop the vehicle for the red light violation, but the vehicle speeds up even more and begins weaving through the moderate traffic in an effort to flee. You begin to pursue the vehicle and are abiding by all aspects of your agency's pursuit policy. The dispatcher notifies you that the vehicle's registration is registered to an address in your jurisdiction. Shortly after that notification, you observe that the vehicle has significantly increased its speed and is heading in the direction of the local high school, and it is dismissal time at the school.

Question: Under the balancing test, does the need to apprehend the suspect (i.e. seriousness of the offense) outweigh the risk posed to others by the pursuit?

Answer: Deputies should always balance the risk of the pursuit versus the government's need to apprehend the suspect. Here, while the traffic is moderate, the need to apprehend this driver does not outweigh the risks that the driver is currently posing as it speeds away. Additionally, the dispatcher has notified you that the vehicle is actively registered to an address in your jurisdiction. It is likely that discontinuing the pursuit and responding directly to the vehicle's registered address could yield a successful stop and identification of the operator/owner.

Deputies should constantly be evaluating whether the risks outweigh the need to apprehend a violator and if the pursuit should be discontinued in the interest of public safety.

*NOTE: In 2023, the Police Executive Research Forum (PERF) published, [Vehiclular Pursuits, A Guide for Law Enforcement Executives on Managing the Associated Risks](#). In the Guide, **PERF recommends adopting a vehicle pursuit standard that permits pursuits "only for violent crimes and where failure to immediately apprehend the suspect presents an imminent threat to the public based on the suspect's criminal actions (not the danger created from the suspect's driving as they flee from police)."***

A free model vehicle pursuit policy is available through NIRMA by contacting Todd Duncan at tduncan@nirma.info.