JOHNS HOPKINS UNIVERSITY

POLICE DEPARTMENT

FOOT PURSUITS

OPERATIONAL PROCEDURE #410

Responsible Executive:
Chief of Police

Responsible Office:
Vice President for Public Safety

Approved by:
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Table of Contents

Policy Statement

The Johns Hopkins Police Department (JHPD) recognizes that foot pursuits are inherently dangerous police actions. Foot pursuits can significantly increase the risk of injuries to officers and increase the likelihood that force may be used to resolve situations. In addition, foot pursuits through neighborhoods and communities can pose a risk of injury and property damage to uninvolved community members. Therefore, it shall be the policy of the JHPD that safety shall be the overriding consideration in determining whether a foot pursuit will be initiated or continued. Police officers must evaluate the risk involved to themselves, other officers, the suspects being pursued, and the community at large versus what would be gained from immediate pursuit and apprehension of suspects. Officers must be mindful that immediate apprehension of subjects is rarely more important than the safety of the public and department personnel.

Who Is Governed by This Policy

All sworn police officers, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD are governed by this Directive.

Purpose

The purpose of this Directive is to provide all officers of the JHPD with guidelines and procedures to facilitate the safe apprehension of a suspect who flees on foot, while also preventing injury to police officers and members of the public.

Definitions

Belief or Reasonable Belief:	A conclusion drawn by a hypothetical police officer who is aware of the applicable law and directives governing their conduct and exercises the caution, attention, and skill of a prudent and competent police officer based on the totality of the circumstances known to the officer at the time.
Campus Area:	Per the enabling statute, MD Code, Education, § 24-1201(c), "campus area means any property that is: (i) owned, leased, or operated by, or under the control of Johns Hopkins University; (ii) located on: 1. The Homewood Campus, meaning the area bounded by West University Parkway and East University Parkway on the north, East 28th Street and West 28th Street on the south, Remington Avenue and Stony Run stream on the west, and North Calvert Street on the east; 2. The East Baltimore Campus, meaning the area bounded by East Eager Street on the north, East Baltimore Street on the south, North Caroline Street on the west, and North Castle Street on the east; 3. The Peabody Campus, meaning the area bounded by West Madison Street and East Madison Street on the north, East Hamilton Street and West Hamilton Street on the south, Cathedral Street on the west, and Saint Paul Street on the east; and (iii) used for educational or institutional purposes." Campus area "includes the public property that is immediately adjacent to the campus, including: (i) a sidewalk, a street, or any other thoroughfare; and (ii) a parking facility."
Foot Pursuit:	When a member pursues, chases, or otherwise actively follows, on foot or bicycle, a person who is attempting to evade law enforcement.
Member:	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
Officer:	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
Partner Splitting:	When loss of visual contact, distance, or obstacles separate partners to a degree that they cannot immediately assist each other should a confrontation take place.

Reasonable Articulable Suspicion (RAS):	A well-founded suspicion based on the totality of the circumstances, including specific, objective, articulable facts, taken together with the officer's training and experience, that would lead a reasonably prudent officer to believe, (1) for purposes of an investigative stop, a person has committed, is committing, or is about to commit a crime or, (2) for purposes of a pat-down, a person is armed. RAS is based upon an objective assessment of the facts and circumstances presented to the officer. RAS is an objective legal standard that is less substantial than probable cause but more substantial than a hunch or general suspicion.

Policy

Whenever JHPD officers decide to engage, or continue to engage, in a foot pursuit, quick risk assessments must take place. They must evaluate and weigh the risk involved to themselves, other officers, the suspect, and the community at large against what could be achieved for community safety by pursuing suspects. A foot pursuit shall constitute a priority assignment. Supervisors are responsible for reviewing the tactical soundness of foot pursuits.

Core Principles

I. **Justification:** The mere act of flight alone by a person shall not serve as justification for engaging in foot pursuits. Officers are prohibited from basing an investigative stop only on a person's response to the presence of police, such as a person's attempt to avoid contact with a member or flight.

II. **Safety:** The safety of officers and the public is the paramount consideration in all foot pursuits. When deciding to initiate or continue a foot pursuit, officers must continuously balance the objective of apprehending the suspects with the risk and potential for injury to themselves or other JHPD officers, community members, and suspects. Officers must act reasonably based on all circumstances.

III. **Supervision:** Supervisors are responsible for reviewing the tactical soundness of foot pursuits and deciding if such pursuits are warranted and how they should be conducted. When directed by a supervisor to terminate a foot pursuit, officers shall consider such an order to be mandatory, and the pursuit must be discontinued.

IV. **Prohibition on Excessive or Retaliatory Force:** Officers must use the tactics included in this Directive to avoid the use of unnecessary or excessive force during and at the conclusion of a foot pursuit. When a foot pursuit terminates with a suspect in custody, officers are prohibited from using force to punish persons for fleeing, resisting arrest, or assaulting a member.

Procedures

I. Prepursuit Considerations

When approaching individuals, officers are required to use the following force mitigation strategies as preventative measures, unless a reasonable officer under the circumstances would believe that doing so would place a person or an officer in immediate risk of harm or would be ineffective at the time:

A. **Continual Communication:** Officers will attempt to use verbal control techniques to avoid or minimize flight and calm subjects by tone of voice and choice of words.

- Officers should consider employing trauma-informed communications techniques, including using a respectful tone and acknowledging any confusion or mistrust by the person, to allow the individual to comply with the member's verbal direction.

B. **Tactical Positioning:** Officers will make advantageous use of positioning during initial contact with subjects and should consider placing subjects in positions favorable to officers to reduce the opportunity for flight (e.g., sitting).

- Officers should consider a coordinated approach with multiple officers when initiating contact with multiple subjects who present a reasonable risk of flight.
    - NOTE: Officers must be mindful that a person who is not under arrest or lawful detention based on RAS or probable cause of criminal activity can refuse to sit and shall not be forced to sit down if they choose not to. In addition, officers shall not handcuff any person who is not under arrest to prevent flight.

C. **Time as a Tactic:** Officers will consider using the element of time to request assistance, permit the de-escalation of the situation, and allow for the arrival of additional resources.

- Officers should consider waiting for backup before stopping a vehicle or before approaching a subject who is on foot if there is a reasonable belief that the subject may present a flight risk.

II. Deciding to Pursue

A. The safety of officers, suspects, and the public should be the primary consideration when determining whether foot pursuits should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of officers and members of the public.

B. Officers may engage in foot pursuits of suspects only when there is:

- RAS to reasonably believe that suspects have committed, are committing, or are about to commit a crime (with the exception of those instances identified as prohibited actions in Procedures, Section III, of this Directive), **and**
- The officers reasonably believe that the danger posed by suspects who are not immediately apprehended outweighs the risks to the involved officers, members of the public, and suspects. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 1.2.5)
    - Although foot pursuits are permissible under the above circumstances, officers are always expected to weigh the seriousness of the alleged offense against the immediate need to apprehend and the consideration of members and public safety.
    - For example, the need to immediately apprehend a simple trespasser is minimal, while the need to bring an armed carjacking suspect into custody is more significant given the danger they pose to the public.

C. Whenever officers are initiating or continuing a foot pursuit, a quick and continuous risk assessment should take place in deciding whether it is appropriate to do so. Factors an officer shall consider include:

- Number of suspects,
- Whether the suspect poses an imminent threat of bodily harm to the officer or the public if not immediately apprehended,
- Any knowledge of weapons in possession of the suspect,
- Seriousness and nature of the offense weighed against the need to apprehend,
- Whether the identity of the subject is known, allowing for possible apprehension later,
- Vehicular and pedestrian traffic in the area of the pursuit,
- Environmental hazards and conditions, such as broken or slippery ground, lighting conditions, fencing, and other obstacles, and
- Availability of other options for apprehending the suspect, such as area containment and surveillance.

D. The decision to initiate or continue such a foot pursuit must be continuously reevaluated considering the circumstances that evolve and become present at the time. In deciding whether to initiate or continue a foot pursuit, officers should continuously consider reasonable alternatives based upon the circumstances and resources available, including:

- Containment of the area,
- Surveillance of the area with law enforcement personnel, including assistance from other agencies, and
- Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

E. If the suspect being pursued is an active assailant, the officer shall initiate or continue the foot pursuit and immediately request backup, including from the Baltimore Police Department (BPD). See JHPD Directive #481, Active Assailant Response.

F. If the suspect being pursued is not an active assailant, any doubt by participating officers or their supervisors regarding the overall safety of any foot pursuit shall be decided in favor of discontinuing the pursuit and engaging in communication, coordination, surveillance, and containment strategies.

G. No officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit or ordering the termination of an ongoing pursuit based upon a reasonable assessment that the risks to the involved officers, members of the public, and the suspects outweighed the immediate need to apprehend the suspect.

H. Officers are strongly discouraged from splitting up when contemplating, initiating, or continuing foot pursuits.

- During any foot pursuit, involved officers should remain in sight of each other and maintain communications.
- Officers are reminded that partner splitting can compromise the safety of officers who lose their ability to assist or effectively communicate with each other. Because it is dangerous to officers and the public, officers should only engage in partner splitting when absolutely necessary to protect the public or officers from an imminent threat of serious bodily harm.
- Assisting officers should allow the initiating officer to concentrate on the suspect's actions while the second officer provides backup and maintains contact with police radio and other responding officers.

I. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

III. Prohibited Actions

A. Officers shall not:

- Engage in a foot pursuit for curfew violations and other citation-only violations or nonarrestable offenses.
- Initiate a foot pursuit when outside the campus area. In such instances, officers should immediately notify BPD of any observed criminal behavior.
- NOTE: Officers may continue an instituted foot pursuit outside the campus area if in hot pursuit. Once the foot pursuit is discontinued, it may not be reinitiated if outside the campus area.
- Conduct a foot pursuit based solely on a person's response to the presence of police, including a person's attempt to avoid contact with a member (e.g., walking away, declining to talk, running away, or crossing the street to avoid contact). People may avoid contact with an officer for many reasons other than involvement in criminal activity.
- Intentionally provoke or attempt to provoke flight in an effort to justify an investigative stop or a foot pursuit. For example, an officer may not drive at a high rate of speed toward a group congregated on a corner, perform a threshold brake, and exit quickly with the intention of stopping anyone in the group who flees.
- Initiate or continue a foot pursuit whenever officers become aware that they have lost possession of their firearm, radio, or other essential equipment that may endanger the member or the public if recovered by another person.
- Leave a patrol vehicle or other JHPD vehicle running or unlocked when engaged in a foot pursuit.
- Initiate or continue a foot pursuit if the officer reasonably believes that the danger to the public outweighs the objective of immediate apprehension.
- When a foot pursuit terminates with apprehension, use more force than is necessary to arrest the suspect.
- Use force to punish persons for fleeing, resisting arrest, or assaulting another member.
- Throw objects at a fleeing suspect during a foot pursuit.
- Withdraw a conducted energy weapon (CEW), firearm, or impact weapon while pursuing a person fleeing on foot or use a CEW, firearm, or impact weapon to stop a person unless the totality of

the circumstances would support the use of deadly force/lethal force, pursuant to JHPD Directive #402, Use of Force.

IV. Pursuit Alternatives & Discontinuation Strategies

A. When suspects do not pose an imminent threat of serious bodily injury to officers or the public, officers should consider alternatives to engaging in a foot pursuit or should discontinue a foot pursuit in the following circumstances, as these circumstances create particularly high risk for officers and the public:

- The officer is acting alone and loses sight of the suspect.
- Two or more officers become separated, they lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place.
    - In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- The officer is unsure of their location and direction of travel.
- The physical condition or size of the officer relative to the suspect renders them incapable of controlling the suspect if apprehended.
- The officer loses radio contact with the dispatcher or with assisting or backup officers.
- The suspect enters a building or other structure, a confined space, an isolated area, or dense or difficult terrain, and there are insufficient officers to provide backup and containment.
    - The initiating officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- The officer becomes aware of unanticipated circumstances that unreasonably increase the risk to officers or the public.
- The officer reasonably believes that the danger to the pursuing officers outweighs the objective of immediate apprehension.
- The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- The suspect's location is no longer known.
- The identity of the suspect is established, or other information exists that will allow for the suspect's apprehension later, and it reasonably

appears that there is no immediate threat to the JHPD officers or the public if the suspect is not immediately apprehended.

- The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness, or other environmental conditions, such as steep terrain, worn-out structures, piles of debris, etc.
- The presence of vehicular or pedestrian traffic in the area of the pursuit creates safety concerns.

B. Surveillance and containment are generally the safest tactics for apprehending fleeing persons.

V. Responsibilities of Initiating & Assisting Personnel

A. Pursuing officers shall immediately activate their body-worn camera (BWC) and ensure that the BWC is activated throughout the duration of the foot pursuit. See JHPD Directive #433, Body-Worn Cameras.

B. Unless relieved by another officer or supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment.

C. Early communication of available information is essential. Officers engaging in a foot pursuit must initiate a radio broadcast within the first few seconds to ensure that adequate resources are coordinated and deployed to assist and manage the pursuit to a safe conclusion. The broadcast shall contain the following information, at minimum:

- Location and direction of travel,
- Unit identifier/call number,
- Reason for the foot pursuit, such as the crime incident type,
- Number of suspects and physical descriptions, to include names if known, and
- Whether the suspects are known or believed to be armed with dangerous weapons.

D. Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

E. Absent exigent circumstances, any officers unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

F. In the event that the suspect enters a building or other structure, a confined space, or a wooded or otherwise isolated area, the initiating member shall

assess the situation, notify police dispatch of their location, and determine whether to wait for the arrival of responding officers and a supervisor so a perimeter around the area can be established.

- The BPD SWAT Unit shall always be summoned in cases where the suspect is believed to be armed and has taken a defensive posture that would meet the definition of a barricaded person. However, in all cases where the suspect is an active assailant, such as a mass shooter, in accordance with the responsibility to provide for the immediate defense of human life, the officer should continue the foot pursuit and seek to stop the threat posed by the suspect.

G. When a foot pursuit terminates, the officer will notify the dispatcher of their location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting needed medical aid for police officers, suspects, or other persons.

H. When a foot pursuit is terminated by a supervisor, the officer shall acknowledge the termination order, report their location, and remain in the location until a supervisor responds.

I. **Assisting Officer Responsibilities:** Whenever any police officer announces that they are engaged in a foot pursuit, all other officers should minimize nonessential radio traffic to provide the involved personnel with maximum access to radio communications.

- Assisting officers shall respond in a safe manner and take an active role in the apprehension of the suspect by assisting the initiating officer.

J. **Communications Section:** Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

- Clearing the radio channel of nonemergency traffic.
- Coordinating pursuit communications of the involved officers.
- Broadcasting pursuit updates as well as other pertinent information as necessary.
- Ensuring that a field supervisor is notified of the foot pursuit.
- Notifying and coordinating with other involved or affected agencies as necessary and practicable.
- Notifying the shift commander as soon as practicable.

VI. Patrol Supervisor's Responsibilities

Foot pursuits are often difficult to supervise due to their short duration and the difficulty that officers may have speaking to the supervisor on the radio while running. Patrol Supervisors shall make a good-faith effort, using the procedures in this Directive, to supervise officers under these challenging circumstances.

A. Upon becoming aware of a foot pursuit, the Patrol Supervisor shall:

- Make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control, and coordination of the foot pursuit.
- Respond to the area whenever possible. The supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

B. A supervisor shall terminate the foot pursuit when:

- It reasonably appears that the pursuit either lacks a lawful purpose or is unsupported by RAS (e.g., officers report they are engaged in a foot pursuit because the individual was the subject of a call for suspicious person and fled upon approach).
- The danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.
- The pursuit is otherwise not in compliance with this Directive.
- When terminating the pursuit, the supervisor shall clearly state, "Terminate the pursuit," using the radio, requiring the pursuing officer to acknowledge the pursuit has ended and report their location.
- Once a pursuit is terminated by a supervisor, the supervisor shall respond to the location reported by the officer to confirm that the pursuit was terminated.

C. Upon apprehension of the suspect, the supervisor shall:

- Promptly proceed to the termination location to direct the post–foot pursuit activity.
- Upon arriving at the scene, check for any injuries to victims, bystanders, officers, or suspects. All injuries shall be documented.
- If force was used, or misconduct is apparent or alleged, initiate an investigation consistent with policy.

- Review the incident with responding members for any issues regarding tactics or performance improvement. The supervisor shall review:
    - BWC footage of the event from the initiating officer and other responding officers,
    - Any written reports that were generated from the event, and
    - Any other information available regarding the incident.

VII. Reporting

All foot pursuits must be reported and documented. The initiating officer will be responsible for the completion of an Incident Report documenting the incident and actions taken. (CALEA 82.2.1.a.c)

A. Within the body of the narrative of offense reports and charging documents, officers shall include details surrounding the foot pursuit:

- RAS or probable cause for any offenses,
- Reason for and circumstances surrounding the foot pursuit,
- Course and approximate distance of the foot pursuit,
- Involved vehicles and officers,
- Outcome of the foot pursuit,
- Any use of force,
- Any injuries or medical treatment,
- Any property or equipment damage, and
- Any property seized.

B. All police officers, investigators, and supervisors assigned to the incident will document their assignment and participation on a Supplemental Report using the original Incident Report number assigned to the incident.

VIII. Review of Foot Pursuits

A. After each foot pursuit the Patrol Lieutenant shall evaluate and prepare a report for the Chief of Police, evaluating whether the foot pursuit was conducted in conformance with JHPD policies, training, and this Directive by assessing:

- Whether opportunities for de-escalation or prevention of flight were missed and what tactics may have been useful,
- Whether, during the pursuit, any tactics used could have been improved,

- Whether any missteps were made, and if so, how those can be addressed or avoided in the future (e.g., through further training, mentorship, or shadowing), and
- Recommendations for any changes to policies, training, or referrals for misconduct investigation.

Policy Enforcement

Enforcement	Police Department managers and supervisors are responsible for enforcing this Directive.

Reporting Violations	Suspected violations of this Directive should be reported to the Public Safety Accountability Unit.

Related Resources

University Policies and Documents
Operational Procedure #402, Use of Force Operational Procedure #433, Body-Worn Cameras Operational Procedure #481, Active Assailant Response
External Documentation
Police Department Forms and Systems

Contacts

Subject Matter	Office Name	Telephone Number	Email/Web Address
Policy Clarification and Interpretation	Policy Management	(667)306-8618	jhpdpolicyinquiry@jh.edu