

	TYPE OF DIRECTIVE LINE PROCEDURE	NUMBER LP-08A-25
	SUBJECT VEHICULAR PURSUITS	EFFECTIVE DATE 05/03/25
	REFERENCE 300 CODE OF CONDUCT, G-01C, G-36, G-71, LP-08B, LP-66, RP-06A, RP-06B, RP-44, RP-46, CODE OF VIRGINIA, CALEA	RESCINDS LP-08A-24 REV.

POLICY

The authority of a law enforcement officer to engage in vehicular pursuits stems from the duty to apprehend law violators. When officers engage in vehicular pursuits utilizing emergency lights and siren, they shall do so in accordance with existing statutes and this directive.

Since vehicle pursuits create the potential in which officers, citizens, and/or the suspect may be killed or seriously injured, pursuits shall only be initiated and continued in accordance with the provisions set forth herein.

The decision to initiate a pursuit is a difficult one. The decision to terminate a pursuit is even more difficult. Professional judgment and objective reasonableness are the determining factors. It shall be noted that a police officer and police supervisor can be held civilly liable for damages and injuries that occur during a pursuit.

The pursuit policy for vessels is the same as vehicles.

DEFINITIONS

Active School Zone – school zone that is controlled by signs with flashing yellow lights indicating a reduction in speed or in residential areas where school zones are denoted by road signage and the school is actively accepting or dismissing students.

Armed and Dangerous – A person who has committed or attempted to commit any offense involving the unlawful discharge, display, possession, or use of a weapon or explosive device in such a manner as to provide an officer reason to believe that the person presents an immediate threat to the public.

Intentional Vehicle Stopping Devices and Stopping Techniques

Intentional Contact – The act of deliberately making contact with a suspect's vehicle for the purpose of containing the suspect's vehicle. Intentional contact may be used as part of a pre-planned vehicle containment or dynamic vehicle containment. Intentional contact is a trained containment technique to be performed only on slow moving or stationary vehicles. For additional information on Intentional Contact see LP-08B Vehicle Containment.

Precision Immobilization Technique (PIT) – The intentional act of utilizing a Police Division vehicle in a prescribed manner to physically contact a fleeing vehicle in order to force it from its original course of travel to a stopped position.

Ramming – the intentional act of using a Police Division vehicle to deliberately contact another vehicle with the intent of preventing or impeding the other vehicle from moving or fleeing. PIT and Intentional Contact are not included in ramming.

Roadblocks – means the establishment of a barrier across all or a part of the traveled portion of a

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roadway. This barrier may be moving (as in the case of vehicles placed in front of a fleeing vehicle) or stationary. Roadblocks are frequently established using police vehicles as a barrier but may utilize other objects.

Stinger – A device designed to stretch across the roadway with hollow spikes designed to puncture tires of vehicles that run over them, slowly deflating air from the tire slowing the vehicle and ultimately bringing it to a stop.

Stinger Rat Trap – A compact, pocket-sized unit that can be quickly placed under a stationary tire of an unoccupied vehicle, quickly deflating the tire, disabling the vehicle to minimize the potential for vehicular pursuit.

Reckless Driving – Irrespective of the maximum speeds permitted by law, any person who drives a vehicle on any highway recklessly or at a speed or in a manner so as to endanger the life, limb, or property of any person (Code of Virginia § 46.2-852).

Terminate – To discontinue or stop pursuing a vehicle.

Tracking Devices – Electronic devices able to transmit the vehicle's location in real-time. The device may be a permanent vehicle component, a temporary vehicle component, or an electronic device within the vehicle.

Vehicular Pursuit – An active attempt by a law enforcement officer operating an emergency vehicle while displaying flashing, blinking, or alternating emergency lights, and sounding an intermittent siren to apprehend a suspect who is actively attempting to elude apprehension while operating a moving vehicle.

Violent Felony – Any felony involving the use or threatened use of physical force or violence against another person including, but not limited to, murder, manslaughter, mob-related offenses, rape, kidnapping or abduction, robbery, malicious wounding, escape by force, placing or detonating a destructive/explosive device or bomb.

PROCEDURE

I. INITIATING A PURSUIT

Police Division members shall use professional judgement in determining whether to initiate a pursuit. A pursuit should be initiated only when the officer reasonably believes:

- A. The occupant(s) of the vehicle is wanted for, has committed, or is attempting to commit, a felony, any firearm related offense, or any misdemeanor that involves an act of violence against a person (Shoplifting shall be excluded from this criterion); or
- B. The originating violation before the attempt to perform a traffic stop is reckless driving, to the point the fleeing vehicle presents an immediate threat of bodily injury or death to any person. Reckless driving by speed alone is not justification for a pursuit.

When an officer attempts to initiate a traffic stop for a reason that does not meet the above criteria, the officer shall notify the Department of Emergency Communications (DEC) of the operator's failure to stop. The officer shall provide the reason for the attempted stop (type of traffic offense), the vehicle's last known direction of travel, the vehicle's description, and other pertinent information. In any instance where a person eludes law enforcement, the appropriate follow-up shall be conducted

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to identify the person(s) involved, to place the appropriate charges, and to apprehend the violator(s) as soon as possible.

The initiation of a pursuit with a vehicle equipped with or containing a tracking device shall be evaluated with increased scrutiny. Alternative enforcement and investigative actions shall be assessed prior to a vehicle pursuit by a police vehicle. Monitoring of the tracking device, utilization of covert units, aerial surveillance, etc. should be developed into an operational response for enhanced enforcement success, increased public safety, and intact property recovery.

II. PARTICIPATING IN A PURSUIT

- A. Police Division patrol wagons, vans, pick-ups, or sport utility vehicles shall not initiate, nor participate in, a vehicular pursuit. Exceptions to this include pursuit rated pick-up trucks and the Ford Police Interceptor Utility vehicles.
- B. Any marked police vehicle not listed in section II.A above that is utilizing emergency lights and an emergency siren will be allowed to initiate and participate in a pursuit.
- C. Any unmarked police vehicle not listed in section II.A. above that is utilizing emergency lights and emergency siren will be allowed to initiate and participate in a pursuit until they can be replaced by a marked police vehicle.
 - 1. Any officer operating an unmarked vehicle that initiates or is participating in a pursuit shall notify the DEC they are in an unmarked vehicle.
 - 2. The officer in the marked police vehicle will inform the DEC they are in a position to take over for the unmarked vehicle as either the primary or secondary officer.
 - 3. The officer in the unmarked vehicle shall then acknowledge to the DEC they are terminating their participation in the pursuit.
 - 4. Due to the management and decision-making role of a supervisor who may be operating an unmarked vehicle, their continued participation in a pursuit is not subject to the restrictions outlined above in sections II.C.1-3.
- D. If a police motorcycle unit initiates a pursuit, the officer shall maintain visible contact with the vehicle being pursued, if possible and safe, until such time as a marked patrol car is able to take up the pursuit. At that point, the motorcycle officer shall terminate their participation in the pursuit and follow the route to its end in a manner consistent with a Code 2 response.
- E. Only two vehicles shall engage in a pursuit at any one time, unless the acknowledging supervisor determines, in their sole discretion, that more units are necessary. In addition, the acknowledging supervisor may actively participate in the pursuit if they determine, in their sole discretion, that they are in close proximity to the pursuit.
- F. There will be no attempt to pass other police units involved in a pursuit, unless the passed unit is aware of the maneuver and is handing over the pursuit to the passing police unit.
- G. No police officer accompanied by a non-sworn passenger may initiate or participate in a pursuit.

III. USE OF A FIREARM IN A VEHICULAR PURSUIT

Officers engaged in a pursuit shall not discharge a firearm from or at a moving vehicle except to prevent imminent death or serious injury where use of deadly force would be justified.

IV. PRIMARY OFFICER RESPONSIBILITIES

A. Upon initiating a pursuit, officers will notify the DEC of:

1. The fact a pursuit has been initiated and the police unit number;
2. The location and direction of travel;
3. The reason for the pursuit;
4. The description of the vehicle being pursued;
5. The number of occupants, if known;
6. The presence of minors and/or other persons in the pursued vehicle;
7. The driver of vehicle is a minor; and
8. Any other pertinent information.

B. The primary officer should provide the DEC with as much of the following information as is reasonable under the circumstances:

1. Road, traffic, and weather conditions;
2. Incidents such as traffic crashes occurring during the pursuit; and
3. Description of the suspect(s) actions.

C. Whenever the vehicle being pursued drives against oncoming traffic along a divided highway or access/exit ramps, the pursuing officers shall continue the pursuit in the proper lanes of traffic and broadcast the situation immediately so that support units might consider any appropriate actions.

V. DEC RESPONSIBILITIES

A. Upon receiving the information, the DEC will announce the pursuit over PD-ATG. The DEC Supervisor may elect to simulcast the pursuit over more than one Talk Group, depending upon the situation.

EXAMPLE: "Car 261 is in pursuit south on Parham Road at Three Chopt Road. All units involved use PD West – Radio is held."

1. All radio traffic will be conducted on the Talk Group used by the initiating officer or the acknowledging supervisor, unless certain system requirements necessitate a change.
2. If a pursuit is initiated by a unit other than a patrol unit, the initiating unit shall switch to the appropriate Talk Group as directed by the DEC.

B. The DEC will hold the affected radio channel and assign an additional Patrol unit. They will then announce, "Car -- and car -- are added to the pursuit on PD West."

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- C. The DEC may repeat transmissions on radio channels not patched if the pursuit is approaching another station. If the pursuit crosses radio boundaries from one station to another, the DEC will patch the two channels together provided the affected channel is not in a held status prior to patching.
- D. The DEC will immediately attempt to contact the Aerial Unit to determine if an aircraft is in position to follow the pursuit. The Aerial Unit shall assist the pursuing ground unit, advising of upcoming hazards and broadcasting any information that could help locate the pursued vehicle if it is not within the sight of the pursuing officer.
- E. A Henrico Patrol Canine Officer shall be contacted and directed toward the pursuit Code 3, if available.
- F. If the pursuit seems to be heading towards another jurisdiction that is an Emergency Communications System member:
 - 1. The DEC will assess the availability of the region-wide pursuit channel (RPC). (Refer to G-01C Region-Wide Radio Use for use of the RPC.)
 - 2. A Communications Officer will contact the appropriate jurisdiction(s), as well as Virginia State Police, by the appropriate means (i.e., telephone or radio), providing them with information relative to the pursuit.

VI. SECONDARY OFFICER RESPONSIBILITIES

- A. Any secondary marked unit joining a pursuit shall immediately notify the DEC that there are two marked police vehicles in the pursuit. The secondary unit will assume radio communication responsibilities.
- B. The secondary unit will have the responsibility of trailing the primary unit at a safe distance and reporting the progress and direction of the pursuit over the radio.

VII. RESPONSIBILITIES OF OTHER POLICE UNITS DURING A PURSUIT

- A. The closest unit to a pursuit may respond Code 3 to assist the primary unit, and whenever a second unit has engaged in the pursuit, no other units are permitted to respond Code 3 unless authorized by a supervisor.
- B. Police units adjacent to the actual pursuit or those most likely in the pursuit path should consider positioning themselves within their assigned areas so as to locate the violator should the pursuing unit(s) lose sight of the vehicle. They should move into a position to assist with apprehension, if it takes place within their assigned area.
- C. Assisting officers in the pursuit area should assist by placing themselves in a strategic position to warn the public of the approaching pursuit.
- D. There shall be no paralleling of the pursuit route unless the pursuit passes through a unit's assigned area. The paralleling unit shall drive in a manner consistent with a Code 2 response.

VIII. SUPERVISORY RESPONSIBILITIES

- A. An on-duty Patrol Bureau supervisor shall immediately acknowledge that they are aware of the pursuit.
- B. The acknowledging supervisor shall be responsible for the management of the pursuit, unless the management of the pursuit is assumed by another supervisor who has direct knowledge of the justification for the pursuit. Management includes but is not limited to:
 - 1. Determining whether the pursuit should continue. The primary officer shall articulate the reasoning of the pursuit, especially in reckless driving circumstances.
 - 2. Monitoring incoming information. Consider adding additional units.
 - 3. Coordinating and directing activities as needed to ensure proper procedures and policies are used, to include ensuring that:
 - a. No more than the necessary units are involved.
 - b. Where available, the aircraft has been requested.
 - c. The appropriate radio talk-group is being utilized.
 - d. Surrounding jurisdictions have been notified.
 - 4. Discontinuing the pursuit when appropriate.
 - 5. Ensuring the appropriate follow-up is conducted.
- C. If a supervisor is the primary or secondary vehicle in a pursuit, another on-duty Patrol Bureau supervisor shall acknowledge and shall be responsible for the management of the pursuit.

IX. TERMINATING A PURSUIT

- A. When terminating a pursuit, the officer shall deactivate their emergency equipment (lights and siren), notify the DEC of the termination location, reduce their speed (to or below the posted limit), and discontinue travelling along the path of the fleeing vehicle as soon as permissible.
- B. A pursuit shall be terminated whenever the initiating officer or any supervisor determines that the risk to the officer's safety or to the safety of others outweighs the danger to the community if the suspect is not apprehended.
- C. A DEC supervisor may terminate a pursuit if information has been received of a physical hazard in the roadway in the direction the pursuit is headed.
- D. A pursuit shall be terminated if the suspect's identity has been determined; immediate apprehension is not necessary to protect the public or officers; and apprehension at a later time is feasible.
- E. A pursuit shall be terminated when the violator's location is no longer known or the distance between the violator's vehicle and the police vehicle is so great that apprehension is unlikely.

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- F. A pursuit shall be terminated if the pursuing officer is being required to drive at speeds considered to be excessive for environmental, population density, or roadway conditions, or in a manner which exceeds the performance capabilities of the police vehicle or the capabilities of the police vehicle operator.
- G. A pursuit shall be terminated if the pursuing officer approaches an active school zone or a school bus that is stopped or about to stop for the purpose of picking up or discharging students.
- H. Whenever a Division supervisor or DEC supervisor notifies members to terminate the pursuit, or their involvement in a pursuit, the member(s) will acknowledge over the radio they have received the notification, they have terminated their involvement, and they will provide their current location.

X. INTER-JURISDICTIONAL VEHICULAR PURSUITS

- A. When a pursuit travels from Henrico County into another jurisdiction:
 - 1. When a pursuit is likely to enter another jurisdiction, the DEC will contact that jurisdiction and advise that Henrico Officers are in pursuit, the location and direction of travel, vehicle description, number of occupants (if known), and the reason for the pursuit.
 - 2. For safety reasons, if additional Henrico units have not caught up to the primary Henrico unit when the primary unit enters another jurisdiction, the units will continue with the pursuit until they are relieved by a member of the other jurisdiction.
 - 3. Once two police units from another jurisdiction engage in the pursuit, the primary Henrico unit may continue Code 2, and the additional Henrico unit shall terminate participation in the pursuit.
 - 4. Upon request from the jurisdiction with primary responsibility for the pursuit, the Henrico County Police Division shall provide whatever lawful assistance is requested.
- B. When a pursuit travels from another jurisdiction into Henrico County:
 - 1. The DEC will:
 - a. Assign two Patrol units and a Patrol supervisor to the pursuit. The DEC will immediately try to determine the reason for the pursuit from the appropriate jurisdiction and broadcast that information to Police Division units.
 - b. Provide any pertinent information regarding the suspects/pursuit that would be considered officer-safety related to include whether the pursuing officer is alone.
 - 2. If the pursuit meets the criteria outlined in section I.A-B, as determined by the assigned Patrol supervisor, Henrico Units should attempt to assume the primary position within the pursuit.

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3. If the pursuit DOES NOT meet the criteria outlined in section I.A-B, Henrico Units should assist and maintain a support/secondary position behind the initiating law enforcement agency until the pursuit is terminated by the initiating agency.

XI. INTENTIONAL VEHICLE STOPPING DEVICES AND TECHNIQUES

A. Tire Deflation Devices

1. “Stinger”

- a. Only those officers trained in the use of the “Stinger” may deploy the device to stop a pursued vehicle. The use of the “Stinger” shall be in accordance with the training provided by the Police Division.
- b. The “Stinger” may be used to prevent or avoid pursuits before they begin (i.e., during road checks or blocking escape routes that may be used by a potential fleeing subject).
- c. It is the responsibility of the deploying officer to notify other units of the deployment location and ensure that other law enforcement personnel and citizens are prevented from contacting the “Stinger.”
- d. The “Stinger” shall not be used in curves, on bridges, in heavy traffic, or in areas with pedestrian traffic.
- e. The “Stinger” shall not be used to stop motorcycles, buses carrying passengers, or vehicles known to be carrying hazardous materials.

2. Stinger Rat Trap

- a. Under no circumstances should a Stinger Rat Trap be used on a moving or occupied vehicle.
- b. More than one of the traps may be necessary, depending on the projected movement of the target vehicle.
- c. Only those officers trained in the use of the Stinger Rat Trap may deploy the device. The use of the Stinger Rat Trap shall be in accordance with the training provided by the Police Division.
- d. The officer deploying the Stinger Rat Trap is responsible for notifying other units of the deployment location.

B. Forcible Stopping Techniques

The following forcible stopping techniques are governed by G-71 Response to Resistance. Application of the below forcible stopping techniques must be objectively reasonable and require an officer to consider the totality of the facts and circumstances of the specific incident, to include the severity of the crime, whether the suspect is posing an immediate threat or danger to the officer or others, and whether the suspect is resisting arrest or

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attempting to evade arrest by flight.

1. Precision Immobilization Technique (PIT)

- a. Only those officers trained in the PIT, and that have maintained proficiency with PIT, may utilize this technique. If the PIT is used, it shall be used in a manner consistent with the training received.
- b. Supervisory authorization shall be obtained prior to use of the PIT (whether inside or outside of Henrico County).

EXCEPTION: when an officer is presented with exigent circumstances (i.e., a deadly force encounter).

- 1) Officers shall be prepared to communicate with supervisors about the current situation (i.e., crime the suspect is wanted for, speeds, vehicle type, environment, etc.) and their plan to execute the maneuver.
 - 2) The PIT shall not be used at speeds greater than 35 mph. If a PIT is utilized at speeds greater than 35 mph, it will be considered a use of deadly force, and an investigation by Internal Affairs will be conducted.
 - 3) Supervisors shall authorize a third vehicle to participate in a pursuit for the initiation of a PIT when applicable.
 - 4) Any use or attempted use of the PIT outside Henrico County will be investigated by Internal Affairs.
- c. The PIT is not allowed in the circumstances below. Any use or attempted use of the PIT in these circumstances will be investigated by Internal Affairs.
- 1) The PIT shall not be used to stop vehicles with fewer than four wheels, pulling a trailer, or known to be carrying hazardous materials.
 - 2) The PIT shall not be used to stop unconventional vehicle types to include, but not limited to, straight trucks, recreational vehicles, off highway vehicles, ATVs, etc.
 - 3) The PIT shall not be used in curves, on bridges, in heavy vehicular traffic, or in areas with pedestrian traffic.
- d. Immediately following execution of the PIT, the Watch Commander shall be notified in accordance with RP-46 Managerial Notifications, and they shall notify the Crash Team. If the PIT results in any injury, the Watch Commander shall also notify the Internal Affairs Unit, who will determine if their response is needed.

The Crash Team shall respond, investigate (if unintentional contact was made resulting in a crash, refer to RP-06B Police Division Vehicle Crash

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Investigation), and forward a report of their findings to the Commanding Officer, Professional Standards. The report shall include, but is not limited to, the following:

- 1) Detailed Diagram Drawing,
- 2) Police Vehicle PIT, Vehicle Containment with Intentional Contact, and/or Ramming Investigation (HCPD-381B), and
- 3) Photographs.

The following forcible stopping techniques are considered a use of deadly force and are governed by G-71. Application of the below forcible stopping techniques require immediate notification to Internal Affairs who will respond and investigate. If the application of a forcible stopping technique results in serious physical injury or death, the Officer-Involved Investigations Team will be activated in accordance with RP-44 Officer-Involved Investigations Team.

2. Roadblocks - No roadblock shall be deployed without supervisory approval.
3. Ramming
 - a. Supervisory authorization should be obtained prior to its use when circumstances allow.
 - b. Immediately following execution of a ramming, the Watch Commander shall be notified in accordance with RP-46, and they shall notify the Crash Team. The Crash Team shall respond, investigate, and forward a report of their findings to the Commander, Internal Affairs. The report shall include, but is not limited to, the following:
 - 1) Detailed Diagram Drawing,
 - 2) Police Vehicle PIT, Vehicle Containment with Intentional Contact, and/or Ramming Investigation (HCPD-381B), and
 - 3) Photographs.

XII. DOCUMENTATION

- A. All pursuits shall be critiqued by DEC supervision and personnel within 48 hours of the pursuit by using the Pursuit and Mayday Review form (HCPD-433).
- B. Any officer who attempts a traffic stop and the operator of the vehicle disregards the signal to stop shall complete an ICR regardless of whether a pursuit was initiated.
- C. Any Henrico officer(s) who initiates a pursuit or is the primary Henrico Police Division unit participating with another agency in a pursuit shall complete and submit an ICR and Police Vehicle Pursuit After-Action Report (HCPD-202) within 24 hours of the pursuit regardless of whether the pursuit is completed. The ICR and HCPD-202 shall be completed and submitted at the same time and shall be turned in to the supervisor who acknowledged the pursuit. Officers shall verify the information on the HCPD-202 is accurate and corresponds with the information on the ICR.
 1. The supervisor who acknowledged or was assigned to the pursuit shall review the

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ICR, all body worn camera digital evidence recordings, and all related HCPD-202s and forward them through the chain-of-command to the appropriate section Commanding Officer for review and subsequent forwarding to the Commander, Quality Assurance. The Commander, Quality Assurance will forward the HCPD-202 to the Commanding Officer, Professional Standards.

2. Any other primary officer shall complete an HCPD-202.
- D. In addition to the documentation listed above, the following shall be completed and submitted if any forcible stopping is utilized:
1. Tire Deflation
 - a. Any officer who deploys the “Stinger” shall assist the initiating officer of the pursuit with the completion of a HCPD-202.
 - b. If a pursuit is initiated subsequent to the Stinger Rat Trap being used, a HCPD-202 shall be completed by the initiating officer of the pursuit. If the Stinger Rat Trap causes tire deflation on a vehicle and no pursuit is initiated, the officer shall complete an ICR documenting the circumstances.
 2. Precision Immobilization Technique (PIT)

Any officer who executes the PIT shall complete and submit an HCPD-340 Response to Resistance After Action Report within 24 hours of the pursuit.
 3. Roadblocks

If a supervisor authorizes a roadblock, they shall complete an HCPD-202 and HCPD-340.
 4. Ramming

Any officer that conducts a ramming shall complete and submit an HCPD-340 within 24 hours.
- E. A copy of the HCPD-202 shall be forwarded to the lead EVOT instructor.

XIII. AGENCY RESPONSIBILITIES

- A. The Commanding Officer, Professional Standards shall facilitate the completion of an end-of-the-year Police Division Annual Pursuit Analysis, which shall be submitted to the Chief of Police by February 15th.
1. The Commanding Officer, Professional Standards will facilitate the Annual Pursuit Analysis workgroup, which consists of the following:
 - a. Commander, Quality Assurance;
 - b. Commander, Training;
 - c. Commander, Internal Affairs;

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- d. Commander, Range;
- e. Lead Defensive Tactics Instructor;
- f. Lead Officer Survival Instructor;
- g. Lead EVOT Instructor;
- h. Accreditation Manager; and
- i. Written Communications Specialist.

2. The workgroup shall:

- a. Review and create an analysis of pursuit reports to identify concerns or trends, if any exist, related to pursuits; and
- b. Formulate a resolution in regard to training, discipline, or policy changes.

3. The Commander, Quality Assurance shall document an annual review of pursuit policies and reporting procedures.

B. Training Academy

- 1. It shall be the responsibility of the Training Academy to provide a review of concerns or trends as determined by the Annual Pursuit Analysis workgroup. This review shall be provided to all sworn personnel during annual In-Service.
- 2. Pursuit Management will be covered on an annual basis to all sworn supervisors during Supervisor In-Service. A review of the pursuits that occurred either in Henrico County or surrounding jurisdictions can be included to ensure all supervisors are aware of policy compliance.

By Order of:

Eric D. English
Chief of Police