



SAN JOSE POLICE DEPARTMENT

TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL

FROM: Paul Joseph
Acting Chief of Police

**SUBJECT: ROLE OF THE AIR SUPPORT UNIT
IN VEHICLE PURSUITS -
TRACKING MODE**

DATE: May 24, 2024

Bulletin #2024-008

The San Jose Police Department Air Support Unit is an integral and effective tool in bringing vehicle pursuits to a safe and successful conclusion. Duty Manual section L 2109 - Helicopter Assistance states that once a pursuit of a vehicle has been initiated on the ground, the police helicopter (AIR3) will immediately respond to the scene of the pursuit. Once AIR3 has arrived and the crew has established visual contact with the pursued vehicle, [REDACTED]

[REDACTED] updates from the AIR3
Tactical Flight Officer (TFO).

It is important to remember that, according to the California Vehicle Code and case law, a police helicopter or other type of aircraft is not considered an emergency vehicle. The aircraft is not distinctly marked, there is no constant forward facing red light or siren, and most importantly, the aircraft is not capable of movement on a roadway. AIR3's role in a pursuit is to make observations, [REDACTED], and document the actions of the suspect driver (including CVC violations) to assist in the felony evading charge. However, the helicopter or aircraft itself is not capable of "pushing a pursuit" or being in pursuit of a vehicle.

Fleeing Vehicles that Do Not Fall Within Department Pursuit Policy

In many cases, when a suspect vehicle flees an enforcement stop attempted by marked patrol vehicles, the event falls outside of the San Jose Police Department Pursuit Policy, as contained in Duty Manual section L 2103 - When to Initiate a Pursuit. Memorandum #2024-015 revises Duty Manual section L 2109 to provide direction in such cases. The procedure now outlined in this section follows the current industry standard for utilization of an air asset to follow a vehicle that would otherwise be outside of a restrictive pursuit policy for ground officers. The procedure, which is based on extensive research and has been adopted by most large California agencies [REDACTED]

[REDACTED]

“Tracking Mode”

When a suspect vehicle flees an enforcement stop but a vehicle pursuit would not be authorized under Department policy, AIR3 will go into tracking mode, which means it will continue to follow the suspect vehicle as it continues its course and broadcast its location and direction of travel. AIR3 assumes primary responsibility for the event, which will be termed a “non-pursuit” event, as described in Duty Manual section L 2102 - Initiating Vehicle Pursuits. AIR3 will request that officers discontinue “active pursuit” [REDACTED] with due regard for public safety, [REDACTED]

[REDACTED] . AIR3 will also broadcast that there are no marked patrol officers in pursuit [REDACTED]

[REDACTED]

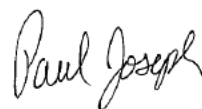
[REDACTED]

[REDACTED]

[REDACTED]

Tracking may also be utilized when a suspect that would be within SJPd Pursuit Policy poses such a significant risk to public safety (based on traffic conditions and the suspect’s disregard for public safety) that the vehicle pursuit is no longer feasible for ground units. [REDACTED]

[REDACTED] This decision will be made by the supervising unit of the event based on all available information. If the risk to the public outweighs the need to apprehend the offender, all units that were actively in pursuit of the vehicle will then transition to [REDACTED] assistance of Air Support.



Paul Joseph
Acting Chief of Police