

By: Representatives Fleming, Banks, West

To: Judiciary B

HOUSE BILL NO. 534

1 AN ACT TO PROVIDE UNIFORM PURSUIT PROCEDURES FOR LAW  
2 ENFORCEMENT OFFICERS; TO AMEND SECTION 97-9-73, MISSISSIPPI CODE  
3 OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** (1) As used in this section, "police officer"  
6 means a sworn member of an organized local law enforcement agency  
7 or the Department of Public Safety, which member or officer is  
8 assigned to patrol duties on public streets or highways, and  
9 "pursuit" means an attempt by a police officer in an authorized  
10 emergency vehicle to apprehend any occupant of another moving  
11 motor vehicle, when the driver of the fleeing vehicle is  
12 attempting to avoid apprehension by maintaining or increasing the  
13 speed of such vehicle or by ignoring the police officer's attempt  
14 to stop such vehicle.

15 (2) Not later than January 1, 2004, the Commissioner of  
16 Public Safety, in conjunction with the Attorney General, and the  
17 Board on Law Enforcement Officer Standards and Training, shall  
18 adopt a uniform, statewide policy for handling pursuits by police  
19 officers. Such policy shall specify:

20 (a) The conditions under which a police officer may  
21 engage in a pursuit and discontinue a pursuit;

22 (b) Alternative measures to be employed by any such  
23 police officer in order to apprehend any occupant of the fleeing  
24 motor vehicle or to impede the movement of such motor vehicle;

25 (c) The coordination and responsibility, including  
26 control over the pursuit, of supervisory personnel and the police  
27 officer engaged in such pursuit;



28           (d) In the case of a pursuit that may proceed and  
29 continue into another political subdivision:

30           (i) The requirement to notify and the procedures  
31 to be used to notify the police department in such other political  
32 subdivision, or, if there is no organized police department in  
33 such other political subdivision, the officers responsible for law  
34 enforcement in such other political subdivision, that there is a  
35 pursuit in progress; and

36           (ii) The coordination and responsibility of  
37 supervisory personnel in each such political subdivision, and the  
38 police officer engaged in such pursuit;

39           (e) The type and amount of training in pursuits, that  
40 each police officer shall undergo, which may include training in  
41 vehicle simulators, if vehicle simulator training is determined to  
42 be necessary; and

43           (f) That a police officer immediately notify  
44 supervisory personnel or the officer in charge after the police  
45 officer begins a pursuit. The chief of police, sheriff or  
46 Commissioner of Public Safety, as the case may be, shall inform  
47 each officer within such chief's, sheriff's or commissioner's  
48 department and each officer responsible for law enforcement in a  
49 political subdivision in which there is no such department of the  
50 existence of the policy of pursuit to be employed by any such  
51 officer and shall take whatever measures that are necessary to  
52 assure that each such officer understands the pursuit policy  
53 established.

54           **SECTION 2.** Section 97-9-73, Mississippi Code of 1972, is  
55 amended as follows:

56           97-9-73. (1) It shall be unlawful for any person to  
57 obstruct or resist by force, or violence, or threats, or in any  
58 other manner, his lawful arrest or the lawful arrest of another  
59 person by any state, local or federal law enforcement officer, and  
60 any person or persons so doing shall be guilty of a misdemeanor,



61 and upon conviction thereof, shall be punished by a fine of not  
62 more than Five Hundred Dollars (\$500.00), or by imprisonment in  
63 the county jail not more than six (6) months, or both.

64 (2) Law enforcement officers shall follow the procedures  
65 established under Section 1 of this act regarding pursuits.

66 **SECTION 3.** This act shall take effect and be in force from  
67 and after July 1, 2003.

