

House Bill 1011

By: Representatives Gilliard of the 162<sup>nd</sup>, Jackson of the 128<sup>th</sup>, and Glaize of the 67<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement  
2 officers and agencies, so as to require the adoption of written policies for conducting  
3 vehicular pursuits by law enforcement officers in residential areas; to require the  
4 establishment of pursuit review committees; to provide for duties and authority of such  
5 committees; to provide for annual reporting; to provide for training; to provide for a short  
6 title; to provide for definitions; to provide for related matters; to repeal conflicting laws; and  
7 for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Daren Lewis Saving Lives Act."

11 **SECTION 2.**

12 Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and  
13 agencies, is amended by revising Code Section 35-1-14, relating to written policies for  
14 emergency pursuits, as follows:

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15 "35-1-14.

16 (a) As used in this Code section, the term:

17 (1) 'Pursuit' means an intentional attempt by a law enforcement officer to apprehend a  
18 suspect who, while attempting to flee, operates a motor vehicle in a manner that would  
19 require the officer to operate his or her motor vehicle in a manner that would require him  
20 or her to exceed normal traffic speeds, engage in vehicle maneuvers, or otherwise  
21 endanger the public.

22 (2) 'Residential area' means a neighborhood, subdivision, or other area predominantly  
23 used for housing with a posted speed limit of 25 miles per hour or less or any area  
24 designated as a residential district by a local governing authority.

25 (b) On and after January 1, 2004 2026, each state, county, and local law enforcement  
26 agency that conducts emergency response and vehicular pursuits shall adopt written  
27 policies that set forth the manner in which these operations shall be conducted. Each law  
28 enforcement agency may create its own such policies or adopt an existing model. All  
29 pursuit policies created or adopted by any law enforcement agency must address situations  
30 in which police pursuits cross over into other jurisdictions. Law enforcement agencies  
31 which do not comply with the requirements of this Code section are subject to the  
32 withholding of any state funding or state administered federal funding. Such policies shall:

33 (1) Prohibit the initiation of a pursuit in a residential area unless:

34 (A) There is an immediate risk to public safety or an imminent likelihood of serious  
35 bodily injury or death if a pursuit is not initiated; and

36 (B) There is probable cause to arrest the operator or an occupant of the motor vehicle  
37 for a serious violent felony as set forth in Code Section 17-10-6.1;

38 (2) Require the termination of a pursuit in a residential area which was initiated outside  
39 the residential area when there is a reasonable belief that:

40 (A) The risk to public safety outweighs the benefit of continuing the pursuit;

41 (B) The suspect can be apprehended through available, less dangerous means; or

42 (C) The pursuit has entered an area within the residential area where there is an  
43 increased risk of injury or death to a pedestrian or other motorist; and

44 (3) Be published upon the official website of each state, county, and local law  
45 enforcement agency.

46 (c) Each state, county, and local law enforcement agency that conducts emergency  
47 response and vehicular pursuits shall establish a pursuit review committee. Such  
48 committee shall evaluate vehicular pursuits conducted by the respective law enforcement  
49 agency for compliance with pursuit policies adopted pursuant to this Code section and  
50 compliance with training standards set forth in Code Section 35-8-28. Such committee  
51 shall perform an assessment on each vehicular pursuit by performing a risk assessment of  
52 decision-making and de-escalation efforts by law enforcement against the outcome of the  
53 pursuit. A pursuit review committee shall be authorized to review data, officer statements,  
54 video recordings from law enforcement body-worn devices and devices located on or  
55 inside of the law enforcement vehicle, and other relevant evidence. Such committee shall  
56 be further authorized to recommend corrective actions, including policy updates, training  
57 improvements, or agency discipline as appropriate.

58 (d) Each state, county, and local law enforcement agency that conducts emergency  
59 response and vehicular pursuits shall publish an annual report on the:

60 (1) Total number of pursuits initiated or terminated in a residential area;

61 (2) Outcomes, injuries, fatalities, and property damage that resulted from pursuits;

62 (3) Demographic information of individuals involved in pursuits, to the extent permitted  
63 by law; and

64 (4) Disciplinary actions or policy changes resulting from pursuit reviews."

65 **SECTION 3.**

66 Said title is further amended in Chapter 8, relating to employment and training of peace  
67 officers, by adding a new Code section to read as follows:

68 "35-8-28.

69 (a) Beginning in 2027 and every year thereafter, each law enforcement unit and the basic  
70 training courses required pursuant to this chapter shall render training on:

71 (1) High-risk vehicle operation, risk assessment, and decision making under stress;

72 (2) De-escalation techniques and alternatives to vehicular pursuits, including stop sticks,  
73 roadblocks, or other nonpursuit strategies;

74 (3) Safe operation of motor vehicles in residential areas as such term is defined in Code  
75 Section 35-1-14;

76 (4) Recognition of road hazards and motor vehicle occupant safety;

77 (5) How to intercede when a fellow law enforcement officer is acting in violation of  
78 policy or engaging in unsafe conduct; and

79 (6) Compliance with post-pursuit review and accountability processes as required by  
80 Code Section 35-1-14.

81 (b) The training required by this Code section shall be evidenced based and developed  
82 after consultation with community stakeholders."

83 **SECTION 4.**

84 All laws and parts of laws in conflict with this Act are repealed.