



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
DEPARTMENT DIRECTIVE
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SUBJECT/TOPIC/TITLE VEHICULAR PURSUITS				
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RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 7: TITLE: VEHICULAR PURSUITS

I. PURPOSE

To more clearly define Department policy on vehicular pursuits.

II. POLICY

The following shall be the policy of the Suffolk County Police Department:

A. When a member of the Service initiates a vehicular pursuit his/her primary concern shall be to insure the safety of the public and the police officer(s) involved.

B. New York State Vehicle and Traffic Law exempts authorized emergency vehicles involved in emergency operations from some restrictions of the Vehicle and Traffic Law. This exemption, however, shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others (Vehicle and Traffic Law 1104-4e).

C. During a vehicular pursuit, members of the Service shall drive with due regard for the safety of all persons. Members shall avoid engaging in or shall terminate any vehicular pursuit when conditions indicate that the safety of the officer and/or the public is in jeopardy or as instructed by his/her

supervisor. The officer must continually evaluate the risks involved in initiating or continuing a pursuit.

III. DEFINITIONS

A. Vehicular Pursuit - An attempt by a police officer operating an emergency equipped police vehicle to apprehend the occupant(s) of another motor vehicle, whose operator fails to comply with a lawful direction to stop and who attempts to flee by means of a vehicle.

B. Violent Felony - A violent felony offense is a class B violent felony offense, a class C violent felony offense, a class D violent felony offense, or a class E violent felony offense, defined as follows:

(1) Class B violent offense: an attempt to commit the class A-I felonies of murder in the second degree as defined in section 125.25, kidnapping in the first degree as defined in section 135.25, and arson in the first degree as defined in section 150.20; manslaughter in the first degree as defined in section 125.20, rape in the first degree as defined in section 130.35, sodomy in the first degree as defined in section 130.50, aggravated sexual abuse in the first degree as defined in section 130.70, kidnapping in the second degree as defined in section 135.20, burglary in the first degree as defined in section 140.30, arson in the second degree as defined in section 150.15, robbery in the first degree as defined in section 160.15, criminal possession of a dangerous weapon in the first degree as defined in section 265.04, criminal use of a firearm in the first degree as defined in section 265.09, aggravated assault upon a peace officer as defined in section 120.11, and intimidating a victim or witness in the first degree as defined in section 215.17.

(2) Class C violent felony offenses: an attempt to commit any of the Class B felonies set forth in paragraph (a); aggravated sexual abuse in the second degree as defined in section 130.67, assault in the first degree as defined in section 120.10, burglary in the second degree as defined in section 140.25, robbery in the second degree as defined in section 160.10, criminal possession of a weapon in the second degree as defined in section 265.03, and criminal use

of a firearm in the second degree as defined in section 265.08.

(3) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); assault in the second degree as defined in section 120.05, sexual abuse in the first degree as defined in section 130.65, criminal possession of a weapon in the third degree as defined in subdivisions four and five of section 265.02, criminal sale of a firearm in the first degree as defined in section 265.12, and intimidating a victim or witness in the second degree as defined in section 215.16.

(4) Class E violent felony offenses: an attempt to commit any of the felonies of criminal possession of a weapon in the third degree as defined in subdivisions four and five of section 265.02 as a lesser included offense of that section as defined in section 220.20 of the criminal procedure law.

C. Dispatcher - Communications Section radio operator.

D. Field Supervisor - Appropriate available supervisor on patrol.

E. Primary Pursuit Unit - The officer operating the police vehicle in close proximity to and immediately following the suspect vehicle.

F. Secondary Pursuit Unit - The officer operating the police vehicle trailing or otherwise actively participating in the pursuit.

IV. REFERENCES

Vehicle and Traffic Law, Title VII, Article 23, section 1104 (Rules of the Road).

CPL, Section 140.55 (Uniform Close Pursuit Act).

Penal Law, Section 70.02 (Definition of a violent felony offense).

V. RULES AND REGULATIONS

A. A member of the Service shall not initiate or

participate in a pursuit while transporting a prisoner or when a civilian passenger, including a civilian member of the Department or a Suffolk County Police Explorer, is present in the police vehicle. However, this shall not include a sworn officer of another law enforcement agency.

B. The Field Supervisor, as defined in subsection III. of this section, shall be responsible for immediately controlling and supervising the pursuit. The primary responsibility of the Field Supervisor shall be to ensure the safety of the public and the police officers involved, in addition to ensuring compliance with applicable sections of the Rules and Procedures. The Field Supervisor shall limit the number of units involved in the pursuit to the primary and secondary unit, unless extenuating circumstances clearly dictate otherwise, and shall immediately terminate the pursuit if danger to the public or involved officers clearly outweighs the necessity for immediate apprehension.

C. The Officer-in-Charge of the precinct or command shall closely monitor the pursuit, and shall ensure applicable sections of the Rules and Procedures are adhered to. The Officer-in-Charge shall immediately terminate the pursuit if danger to the public or involved officers clearly outweighs the necessity for immediate apprehension.

D. A member of the Service shall not initiate or engage in a high-speed vehicular pursuit while operating a high center of gravity vehicle (SUV), van or truck. Notwithstanding this restriction, extreme caution must be exercised in initiating any pursuit whatsoever while operating a high center of gravity vehicle (SUV), van or truck due to the danger of rollover.

E. The procedures that follow set forth the requirements that are rules and, as such, must be observed by all members of the Service.

VI. PROCEDURES

A. Initiation of Pursuit

1. It is the primary responsibility of a police officer initiating a pursuit is to ensure the safety of the public and the police officers involved. A pursuit shall only be initiated when a law violator:

a. Clearly exhibits the intention of avoiding arrest, and

b. The Department member reasonably suspects the violator has committed, is in the course of committing or attempting to commit

(1) A violent felony, or

(2) A misdemeanor or felony and the necessity for immediate apprehension clearly outweighs the risk of danger created by the pursuit, such as an individual who may be operating a vehicle in an intoxicated condition, or an individual who is operating a vehicle in a manner so reckless as to present a clear and immediate threat to the safety of the public.

c. Absent clearly extenuating circumstances, pursuits shall not be initiated solely for violations and traffic infractions. Should clearly extenuating circumstances exist, the necessity of immediate apprehension must clearly outweigh the risk or danger created by the pursuit.

2. The decision to continue a pursuit must be continually reevaluated by the Department member involved with a pursuit, as well as the Field Supervisor, and the pursuit must be immediately terminated if conditions indicate the risk or danger involved with continuing the pursuit clearly outweigh the necessity for immediate apprehension. See subsection VI. R. of this Section for additional considerations in discontinuing / terminating vehicular pursuits.

3. In order to lessen the violator's temptation to attempt evasion, officers intending to effect vehicular stops shall endeavor to be in close proximity to the violator's vehicle before activating emergency equipment. All units, however, shall leave sufficient space both between the pursued vehicle and other police vehicles, to avoid colliding with the pursued vehicle or other police vehicles.

B. Notification to Communications Section

1. Immediately upon initiation of a pursuit, the Communications Section dispatcher will be notified and provided with the following information;

- a. Police unit radio call sign.
- b. Location, speed and direction of travel.
- c. Vehicle description, including the license number if known.
- d. Specific reason for the pursuit, including known laws violated.
- e. Number of occupants.
- f. Traffic and weather conditions.

2. The Communications Section dispatcher will notify the Communications Section supervisor, who will notify the appropriate precinct officer-in-charge. The Communications Section supervisor will monitor each pursuit to ensure Communications Section procedures are followed, and to ensure a sworn supervisor is monitoring said pursuit, and make a note of the pursuit in the Communications Section Confidential Log.

C. Actual Pursuit

1. Emergency equipment (red lights and siren) will be activated not only to warn the pursued but also to protect fellow officers, pedestrians and motorists. The pursuit shall be limited to the initial unit and a secondary unit. All other units shall stay clear of the pursuit. The only exceptions to this criteria are as follows:

- a. A Department member shall not initiate or engage in a high-speed vehicular pursuit while operating a high center of gravity vehicle (SUV), van or truck. Due to the danger of rollover, extreme caution must be exercised in initiating any pursuit whatsoever while operating a high

center of gravity vehicle (SUV), van or truck.

b. If the pursuit is initiated by a Department member operating a police vehicle other than a marked sedan with emergency lights attached to the roof- i.e., motorcycle, truck, van, "low-profile" marked sedan, unmarked vehicle, etc. - the Department member shall immediately withdraw from the pursuit when a marked sedan with emergency lights attached to the roof is in a position to continue the pursuit. If the suspect is apprehended, the initiating Department member shall proceed to the location where the pursuit was terminated.

c. Department members operating unmarked vehicles (provided the vehicle is equipped with emergency lights and siren) may engage in a vehicular pursuit only when the fleeing vehicle presents an immediate and direct threat to life or property.

D. Pursuit Control

1. The first responsibility of the unit initiating (primary unit) the pursuit is the apprehension of the suspects without unnecessary danger to himself/herself or other persons. If the primary unit is unable to continue the pursuit the secondary unit shall become the primary unit.

2. Unless relieved by a supervisor, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit, controlling the pursuit tactics and deciding if the pursuit should be abandoned.

3. If the primary unit contains two officers, unless relieved by a supervisor, the senior officer in the primary unit shall be responsible for deciding if the pursuit should be abandoned. The passenger officer (senior or not) shall be responsible for broadcasting the progress of the pursuit and controlling the pursuit tactics.

4. The officer or the officers in the secondary unit shall make the necessary notifications to the

Communications Section dispatcher to assure that no additional units join the pursuit.

5. The secondary unit shall maintain a safe distance behind the primary unit but be close enough to render backup assistance if and when required.

6. If the primary unit becomes disabled, the secondary unit will become the primary unit. The Communications Section dispatcher shall be notified and the dispatcher shall in turn notify the field supervisor and other units that a new backup unit is needed and the next unit to join the pursuit will be designated the secondary unit.

7. The secondary unit is responsible for notifying the dispatcher of any foot pursuit resulting from the vehicular pursuit and rendering any further assistance required by the operator of the primary unit.

E. Pursuit Driving Tactics

1. In the course of pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, or driving alongside the pursued vehicle while it is in motion shall be prohibited, unless such actions are specifically authorized by the field supervisor. Such actions may be approved only when the use of deadly force would be authorized. Reckless or hazardous driving maneuvers shall not be engaged in by any pursuing police vehicle.

a. There shall be no caravanning of units paralleling the pursuit or attempting to join the pursuit unless direction to do so is given.

b. Department members involved in a pursuit shall not attempt to pass other units unless directed to do so by the primary unit or the Field Supervisor.

c. There shall be no paralleling of the pursuit route by unassigned police units unless the pursuit passes through a unit's assigned area. The paralleling unit shall not be operated under

emergency conditions (red lights and siren).

d. The primary and secondary units shall be the only units operating under emergency conditions (red lights and siren) unless other units are assigned to the pursuit.

e. All units shall leave sufficient space both between the pursued vehicle and other police vehicles, to avoid colliding with the pursued vehicle or other police vehicles.

f. No more than two police vehicles, the primary and secondary unit, shall become actively involved in a pursuit, unless specifically authorized by the Field Supervisor.

g. Officers operating unmarked vehicles (provided the vehicle is equipped with emergency lights and siren) may engage in vehicular pursuit only when the fleeing vehicle presents an immediate and direct threat to life or property. Whenever a marked vehicle becomes available to take over the pursuit, the unmarked vehicle shall withdraw from active pursuit. If the suspect is apprehended, the initiating officer shall proceed to the location where the pursuit was terminated.

h. Officers shall not pursue suspects the wrong way on interstate or other controlled access highways or divided roadways unless specifically authorized by the field supervisor.

i. The use of a roadblock must be authorized by the field supervisor. Generally, a roadblock will be employed only as a last resort. The use of a roadblock must be directly associated with the seriousness of the crime for which the suspect is wanted. The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop. The roadway shall not be completely blocked unless the use of deadly force would be authorized.

j. Extreme caution must be used whenever officers disregard traffic signs or signals; even though statutes specifically permit such conduct.

Officers shall make use of all available warning devices to alert other motorists and pedestrians.

F. Discharging of a Firearm

1. Discharging a firearm at or from a moving vehicle is prohibited except as the ultimate measure of self defense or defense of another when the officer reasonably believes the occupants are using deadly force against the officer or another, by means other than the vehicle. (This prohibition is as is presently stated in chapter 2, section 12 of the Rules and Procedures.)

G. Tire Deflation Device

1. The "Stop Stick" tire deflation device shall be the only tire deflation device authorized for use by Members of the Service.

2. The Stop Stick SHALL NOT be used to stop MOTORCYCLES or ALL TERRAIN VEHICLES (ATV's).

3. When a vehicular pursuit is authorized as per these Rules and Procedures, members of the Service that are equipped and trained to use the Stop Stick are authorized to deploy the Stop Stick against the pursued target vehicle. Such deployment shall be in accordance with Department training and the manufacturer's recommended use.

H. Intra-Jurisdictional Pursuits

1. The field supervisor who initially undertakes responsibility for monitoring a vehicular pursuit shall retain monitoring responsibility throughout a pursuit entering another precinct or command area within the Police District unless he/she explicitly is relieved by a higher ranking supervisor.

a. If a higher ranking supervisor engages in radio transmissions directing the actions of the primary and secondary units involved in the pursuit, he/she shall be deemed to be relieving the initial supervisor. The higher ranking supervisor is now responsible for subsequent monitoring of the pursuit.

b. Supervisors of equal rank to the initial field supervisor who has responsibility for monitoring the pursuit shall not engage in radio transmissions specifically directing the actions of the primary and secondary units. Supervisors of equal rank to the initial monitoring field supervisor may direct the actions of their personnel when the pursuit is entering, passing through, or terminating in their precinct or command area. However, the initial monitoring field supervisor retains responsibility for oversight of the primary and secondary units.

2. The supervisor responsible for monitoring the pursuit may request that another supervisor assume responsibility for monitoring the pursuit. Situations where the monitoring field supervisor may consider delegating monitoring authority to another supervisor can include, but not be limited to, the following: the pursuit enters an adjoining precinct or command area within the Police District and another supervisor from that precinct/command has indicated that he/she is in close proximity to the pursuit; the initial monitoring field supervisor is experiencing vehicular or communication equipment problems, etc.

3. The field supervisor who is monitoring the pursuit at the point of pursuit termination shall be the individual responsible for preparing the necessary reports as described within subdivision VI. L. of this section titled "Responsibility of the Supervisor."

I. Interjurisdictional Pursuits

1. When it becomes apparent that the pursuit will enter another jurisdiction, the field supervisor shall request a notification to be made via the headquarters communications dispatcher to the jurisdiction being approached for purposes of proper coordination.

This notification shall include the description of the vehicle and occupants being pursued, direction and speed of travel and the reason the vehicle and occupant is wanted.

a. Unless for special cause and approved by the

field supervisor, entry into another jurisdiction during a pursuit shall be limited to the primary unit, secondary unit and field supervisor.

b. Department members shall not become involved in another agency's vehicular pursuit, regardless of whether it commences within or subsequently enters our jurisdiction, unless specifically authorized by a Field Supervisor. A Field Supervisor shall not authorize Department members to become involved in another agency's vehicular pursuit unless:

1. The other agency specifically requests assistance from this Department, and
2. The reason for said pursuit is in conformance with this Department's Rules and Procedures.

Field Supervisors may only authorize the specific type of assistance that is requested. For example, a request for Aviation or Canine assistance, or the deployment of Stop Sticks or other specialized resources/equipment, may only result in the provision of Aviation, Canine or other specialized resources/equipment. Under no circumstance shall resources be assigned to assist with a vehicular pursuit if their involvement is not in compliance with the Rules and Procedures.

c. Upon being notified or becoming aware another agency's pursuit has or will be entering the jurisdiction of this Department, the Communications Section will ascertain if this Department's resources are requested, or if the notification is for informational purposes only. Communications Section personnel will then promptly notify the appropriate Field Supervisor of the existence of said pursuit, clearly informing him or her whether the notification is for informational purposes only, or if Departmental resources are requested. In the event Communications Section personnel become aware of the existence of another agency's pursuit, and resources are not specifically

requested, notification of the existence of said pursuit shall be broadcast to the appropriate Field Supervisor, clearly articulating that said notification is for "informational purposes only." The Field Supervisor shall restrict the assignment and involvement of Department resources in accordance with subparagraph "b." (above).

J. Helicopter Assistance

1. When the pursuit is assisted by a police helicopter the following shall apply:

a. The helicopter unit shall advise the primary unit that the helicopter has joined the pursuit.

b. The ground unit shall relay all necessary information to assist the helicopter unit.

c. The helicopter unit, when practicable, shall advise the ground unit of upcoming traffic congestion, road hazards, and other factors which might endanger the safety of the pursuing unit or others.

d. When the helicopter unit has visual contact of the pursued vehicle the primary unit should consider discontinuing emergency operation (red light and siren) and allow the helicopter unit to continue surveillance of the suspect and assume the responsibility of directing the ground units so as to apprehend the suspects without the dangers involved in a pursuit.

e. When the pursuing police units lose sight of the pursued vehicle or the pursuit terminates and the suspect flees on foot, the helicopter unit shall continue the search and if the vehicle or suspect is observed, broadcast information which may assist ground units.

K. Communications

1. After an alarm is given as to the location and other information indicating the vehicle has been lost or the vehicular pursuit terminated, the units which

have been involved shall take the steps necessary to coordinate the search for the pursued vehicle or suspect fleeing on foot.

L. Responsibilities of the Supervisor

1. A field supervisor will be responsible for control of the pursuit. If no field supervisor is available, the Communications Section supervisor will promptly notify the officer-in-charge of the involved precinct. If no supervisor is available in the involved precinct, the Communications Section supervisor will promptly contact a supervisor in an adjoining precinct who will assume the role of controlling supervisor. The field supervisor will evaluate the ongoing pursuit situation and ensure that the criteria of safety, necessity and good judgment are adhered to. The field supervisor should verify the following:

- a. No more than the required or necessary units are involved in the pursuit.
- b. Proper radio frequency is being utilized.
- c. Affected associated agencies are being notified.
- d. Aerial assistance, if available, has been requested.
- e. A marked unit is assigned and responding to take over as the primary unit in pursuit.

2. The field supervisor will continue to direct the pursuit and approve or order alternative tactics such as use of roadblocks, and maintain control until the pursuit is terminated. In the absence of adequate information from the primary or secondary unit; or in the interest of safety, the field supervisor may order termination of the pursuit. As with any tactical field problem, it is not necessary that the field supervisor be physically present in order to begin coordination and assert control of the pursuit.

3. Upon termination of the pursuit, the assigned field supervisor will request a Field Report from the

officer initiating the pursuit. The field supervisor shall additionally prepare, on-line, a Vehicular Pursuit Report. This report will contain pertinent facts regarding the events leading to the pursuit, occurring during the pursuit and its termination.

a. The Vehicular Pursuit Report shall be recorded on-line and is located under the programs link within the SCPD Intranet page. It shall be recorded manually on the PDCS-2149b when the intranet is not available.

4. The original copies of these reports, as is standard, will be filed at the Central Records Section, a copy shall be retained at the command, and a copy shall be forwarded to the Commanding Officer of the Police Academy Bureau. The Commanding Officer of the Police Academy Bureau shall have the staff member responsible for the Emergency Vehicle Operation Course (E.V.O.C.) training review each pursuit to collect and maintain the following data:

- a. Number of pursuits
- b. Reason a pursuit was initiated
- c. Total number of officers involved
- d. Outcome of a pursuit
- e. Disciplinary action resulting from a pursuit, when appropriate
- f. Fatalities resulting from a pursuit
- g. Serious Personal Injury resulting from a pursuit
- h. Civilian injuries
- i. Department Motor Vehicle Crashes resulting from a pursuit
- j. Civilian Motor Vehicle Crashes resulting from a pursuit

5. The Commanding Officer of the Police Academy

Bureau shall submit an annual report to the Chief of Department and all Division Chiefs concerning this information.

M. Vehicular Pursuits Resulting in Property Damage or Injury

1. Whenever a vehicle pursuit is commenced that results in any property damage and/or injury to a civilian or member of the Department, the commanding officer of the command involved in initiating the pursuit, or his/her designee, (precinct commanders shall designate captains) shall conduct an investigation to determine if the actions of the involved officers(s) complied with requirements outlined in the Rules and Procedures, Chapter 2, Section 7. The investigating member shall prepare a report on his/her findings.

a. The investigation and subsequent report shall include a review of all previously submitted reports related to the pursuit, as well as a review of audio transmissions and Computer Aided Dispatch (CAD) records. Officer interviews shall also be conducted, as necessary. As part of the investigation, commanding officers shall ensure that the following items are evaluated and included in the report:

- (1) Date(s), times, and locations where the pursuit started and terminated
- (2) The identification of all officers involved in the pursuit, the radio call signs for each vehicle, and a description of their participation (i.e. primary vehicle, secondary vehicle, supervisor, etc.)
- (3) Weather and road conditions
- (4) Reason for the pursuit
- (5) Pursuit distance from start to finish
- (6) Maximum speed of suspect's vehicle and pursuit vehicles corresponding to the type of roadway where maximum speeds were reached (i.e., highway or residential road)
- (7) Duration of the pursuit
- (8) How the pursuit was terminated

- (9) Identification of assisting commands, including Aviation
- (10) Description of damages to any property, including departmental, private, etc.
- (11) Description of injuries to officers or civilians
- (12) Suspect's identification, criminal charges, and traffic tickets issued
- (13) Evaluation of supervisory adherence to pursuit policies contained within Chapter 2, Section 7, of the Rules and Procedures
- (14) A description of any unmarked vehicle involvement in the pursuit
- (15) Compliance with Rules and Procedures

b. The report shall also include any remedial action taken as a result of the pursuit, including counseling, remedial training, or other disciplinary action.

c. The report shall be submitted to the Division Chief of the investigating command within (20) calendar days of the incident.

d. A copy of the report shall also be forwarded to the Internal Affairs Bureau for review.

2. In instances where a non-patrol command utilizing an unmarked vehicle initiates a pursuit, but is quickly relieved by marked Patrol Division units, the follow-up investigation may be conducted by a Precinct Commander designated by the Chief of Patrol or his/her designee.

3. Vehicular police pursuits resulting in injury to any person shall be reviewed by the Departmental Critical Incident Board as stated in Rules and Procedures Chapter 1, Section 10. Therefore, a copy of the investigating officer's report shall be forwarded by the respective Division Chief to the Departmental Critical Incident Board when the vehicular pursuit under review involved injury to any person.

4. Vehicular police pursuits resulting in property damage to any Department vehicle(s) due to a motor vehicle crash shall be reviewed by the Critical Incident Board. Therefore, a copy of the investigating

officer's report shall be forwarded by the respective Division Chief to the Transportation Section for inclusion in the vehicle crash file. A copy of the investigating officer's report shall then be subsequently supplied by the Transportation Section to the Critical Incident Board. Rules and Procedures Chapter 1, Section 10, provides information on the duties and responsibilities of the Critical Incident Board pertaining to police vehicle crash reviews.

5. The respective Division Chief shall also forward a copy of the investigating officer's report to the Commanding Officer of the Police Academy Bureau, who shall then have the member of his/her Police Academy staff responsible for the Emergency Vehicle Operation Course (E.V.O.C.) training review the report to collect data necessary to compile the annual report on vehicle pursuits as explained in subsection VI. L. of Rules and Procedures Chapter 2, Section 7.

N. Vehicular Pursuits Which Do Not Result in Property Damage or Injury

The commanding officer, or the respective designee in the commanding officer's absence, of the field supervisor completing the Vehicular Pursuit Report (PDCS-2149b) shall prepare an Internal Correspondence to his/her Division Chief indicating that a review of the completed Vehicular Pursuit Report has been conducted. A copy of the Internal Correspondence and a copy of the corresponding Vehicular Pursuit Report shall also be forwarded to the Internal Affairs Bureau for review. The commanding officer shall indicate on the Internal Correspondence if he/she believes proper protocol as per Rules and Procedures Chapter 2, Section 7, was followed or if any corrective action (i.e., counseling, remedial training, other disciplinary action, etc.) was taken at the command level. A copy of this correspondence shall be forwarded by the respective Division Chief to the Commanding Officer of the Police Academy Bureau for subsequent dissemination to the Emergency Vehicle Operation Course (E.V.O.C.) representative designated with compiling the annual report on vehicle pursuits as explained in subsection VI. L. of Rules and Procedures Chapter 2, Section 7.

O. Responsibility of the Dispatcher

1. The dispatcher shall immediately upon being notified of a vehicular pursuit:

a. Receive and record all incoming information on the pursuit and the pursued vehicle.

b. Promptly notify the appropriate field supervisor or an alternate field supervisor if the field supervisor for the unit is not available when a pursuit is initiated. If the dispatcher is unable to contact an appropriate field supervisor within the precinct of occurrence, a supervisor from an adjacent precinct will be notified and the Communications Section supervisor will notify the precinct officer-in-charge or other available supervisor.

c. Clear radio channel of any unnecessary traffic and advise all other units that a pursuit is in progress, providing all relevant information. If the pursuit interferes with heavy radio traffic, encompasses multiple precincts etc., have pursuing units switch to channel 9.

d. Notify pursuing unit(s) to "use caution - do not unreasonably endanger the lives of the public or officers".

e. Perform relevant record and motor vehicle checks.

f. Control all radio communications during the pursuit.

g. Coordinate assistance under the direction of the field supervisor.

h. Continue to monitor the pursuit until it has been terminated.

i. Draw a separate central complaint number entitled, "vehicular pursuit", no matter how the pursuit was initiated, and assign such to the unit initiating the pursuit. This number will

not be voided to a prior incident, but will be cross-referenced to the original incident if a central complaint number was assigned.

P. Loss of Pursued Vehicles

1. When the pursued vehicle is lost, the primary unit or, in his absence, the secondary unit, will broadcast the information necessary to assist other units in locating the vehicle suspects or to direct that no further search is required and to return to normal duty.

Q. Arrest of Suspect(s) at the Termination of the Pursuit

1. The officer in the primary unit is responsible for the arrest of the suspect(s) when the suspect voluntarily terminates the pursuit, or becomes involved in a traffic crash. The operator of the primary unit should transmit or know that another unit is transmitting the exact location and if observable and not already given, a brief description of the occupant(s). Such occupant(s) should always be considered dangerous. If the suspect voluntarily terminates the pursuit, felony stop techniques, as taught by the Police Academy Bureau, should be utilized. That is, never approach the vehicle, order the subject(s) to exit the vehicle, backing up to the officer's position of cover where the arrest is when effected.

If the pursued vehicle is involved in a motor vehicle crash and the operator or passenger cannot exit the vehicle on their own, the operator of the primary unit should only attempt to physically remove the occupant(s) if assistance is at the scene.

Operators of other units at the scene should exit their vehicles in such a manner as to cover the first officer's approach to the stopped vehicle, being especially careful not to place themselves in the line of fire between a fellow officer and the suspect or suspects. One officer should radio conditions as they develop and notify the dispatcher of any need for additional assistance. The original field supervisor or, if unable, another appropriate supervisor should respond to the scene regardless of the need for

additional assistance.

R. Discontinuing the Pursuit Considerations

1. An officer involved in a pursuit must continually question whether the seriousness of the violation and other factors reasonably warrant continuation of the pursuit. All officers involved in vehicular pursuits shall be held accountable for the continuation of a pursuit when circumstances indicate the pursuit should be discontinued.

In considering this, all officers should recognize all factors, some of which are as follows:

a. A pursuit shall be discontinued when there is an exceptional danger to the pursuing officers or the public and this danger outweighs the necessity for immediate apprehension. Example: When the speeds dangerously exceed normal traffic flow or when pedestrians or vehicular traffic necessitates unsafe maneuvering of the vehicle.

b. The pursuing officers must consider present danger, seriousness of the crime, length of pursuit and the possibility of identifying the suspect at a later time when determining whether or not to continue the pursuit. The element of personal challenge shall not enter into the officer's decision whether or not to pursue or terminate the pursuit.

c. The pursuing officer knows, or is reasonable certain, that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or a non-serious felony and the safety factors involved are obviously greater than a juvenile can cope with.

S. Reinitiating the Pursuit

1. The termination of a pursuit does not prohibit the following of a vehicle at a safe speed, or remaining in an area to reinitiate the pursuit if the opportunity and conditions permit.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END