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1789

PURSUIT SITUATIONS
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PURPOSE: The purpose of this policy is to establish procedures for vehicular pursuits and for the deployment of tire deflation devices.

POLICY: It is the policy of the Albany Police Department that the apprehension of a fleeing suspect operating a motor vehicle is to be considered secondary in importance to public safety. Pursuit driving at any speed is inherently dangerous to uninvolved persons, department personnel, and the occupants of the pursued vehicle.

DEFINITIONS: **Pursuit** – Pursuit means an incident wherein one (1) or more law enforcement personnel are attempting to apprehend a suspect operating a motor vehicle for an offense, while the suspect is attempting to avoid arrest by using high speed driving or other evasive tactics. Such as, but not limited to: driving off a roadway, turning suddenly, or intentionally failing to yield to the officer's signal to stop.

Attempting to Stop – Attempting to stop means that the suspect vehicle is showing no overt attempt to avoid arrest.

Tire Deflation Device – Tire deflation device means a device designed and intended to produce a controlled deflation of one (1) or more tires of a pursued vehicle and capable of operation consistent with the criteria established in this order.

I. INITIATING/TERMINATING VEHICLE PURSUITS

- A.** It is the primary responsibility of any police officer initiating a pursuit to ensure the safety of the public, other police officers, and the pursued person(s).
- B.** All employees of the Albany Police Department are reminded that operating an emergency vehicle while utilizing emergency equipment shall not relieve the operator from the duty to drive with reasonable care for all persons using the highway, as prescribed by the Section 1104 of the New York State Vehicle and Traffic Law.
- C.** When deciding whether to initiate a pursuit, personnel must consider the following:

1. The present danger the suspect poses to the public;
2. The seriousness of the offense for which the suspect is to be pursued for;
3. The possibility of identifying the suspect at a later time;
4. The possibility of apprehending the suspect at a later time;
5. The likelihood that the suspect may be armed or forcibly resist apprehension;
6. Knowledge of the suspect's possible destination;
7. The speed of the suspect's vehicle;
8. The weather/road conditions;
9. The area/location of the potential pursuit (e.g., busy residential or commercial neighborhoods, school zones etc.); and
10. The time of day (e.g., morning or evening rush hour, school dismissal, etc.).

D. Vehicle pursuits shall be prohibited under the following circumstances:

1. An obvious risk of harm to persons or property arising from the pursuit outweighs the potential harm threatened by the escape of the suspect; or
2. A safe and expedient identification and apprehension of the suspect can be made by other means.

E. A pursuit will be terminated when there is exceptional danger to the public and/or the pursuing officers. Officers must consider present danger, length of pursuit, speed, and the possibility of identifying the suspect at a later time when determining whether or not to continue the pursuit. A pursuit shall also be terminated if there is a civilian in the officer's vehicle.

F. All personnel involved in a pursuit will be held accountable for the continuation of the pursuit when circumstances indicated the pursuit should have been discontinued.

G. When a vehicle pursuit is initiated, the initiating officer(s) shall be responsible for the following:

1. Activating the vehicle's emergency equipment, this includes both emergency lights and sirens.
 - a. Personnel initiating traffic stops should [REDACTED]
2. Immediately advise Communications personnel, via police radio channel one (1), of the following:
 - a. That a vehicular pursuit has been initiated;
 - b. The pursued vehicle's registration, make, model, and color;
 - c. The location, speed, and direction of travel;
 - d. The reason for the pursuit (e.g., violation of the New York State Vehicle and Traffic Law, New York State Penal Law, etc.); and
 - e. If known, any identifying information concerning the vehicle operator and/or passenger(s).

3. Communications personnel, upon being advised of a vehicle pursuit, shall be responsible for completing the following:

- a. Assigning a secondary unit to the pursuit;
- b. Broadcasting the following message to all units involved in the pursuit:
 - i. "Use caution; do not unreasonably endanger the lives of the public or fellow officers."
 - a) The primary and secondary units must acknowledge the above broadcast.
 - b) If one or both of the units fail to acknowledge the above broadcast, Communications personnel must immediately notify a street supervisor.
 - c) If a unit continues to fail to acknowledge, the supervisor should consider terminating the pursuit.
- c. If both units successfully acknowledge the broadcast, Communications personnel shall then notify a street supervisor via police radio channel one (1) that a pursuit is in progress, and ensure that said supervisor acknowledges the transmission.
 - i. Supervisors, upon being advised of a pursuit in progress, shall immediately evaluate the circumstances involving the pursuit and shall make a determination as to whether the pursuit should continue or be terminated.
 - ii. Any supervisor can make the determination to terminate the pursuit, not just the pursuing officer's direct supervisor.
- d. The vehicle that is chasing a suspect is considered to be the "primary" unit. The next vehicle in file shall be considered the "secondary unit." All other vehicles shall parallel and monitor, keeping the air clear to allow for the primary and secondary units transmissions.
- e. The pursuit warning will be read every time one (1) or more field units become involved in a pursuit of a motor vehicle.
- f. Dispatchers shall continually ascertain the location, direction of travel, and descriptions.

II. PURSUIT RESPONSIBILITIES

- A. Unless exigent circumstances exist, all pursuits shall be [REDACTED] units, consisting of a primary and a secondary unit.
 - 1. If there is a marked Traffic Safety Unit in close proximity, it shall assume the secondary position. If not, the closest marked patrol unit will assume the secondary position.
 - 2. Once the secondary unit is in place, the unit shall notify Communications personnel of the same.
 - 3. Once the primary and secondary units are in place, other units shall not join the pursuit unless directed to by a supervisor. Units shall monitor the pursuit's progress in case of pursuit termination.
 - 4. A supervisor will establish if exigent circumstances exist and direct additional personnel, if necessary.

- B. Personnel involved in the pursuit shall not pull alongside, or ram the suspect's vehicle. Police units shall not caravan or pass each other.
- C. The Albany Police Department does not authorize the use of roadblocks.
- D. If a pursuit is initiated by a motorcycle unit, that unit shall abandon the pursuit as soon as a four (4) wheeled police vehicle joins the pursuit. The motorcycle unit may proceed to the pursuit termination point, if necessary. Unmarked police units should not be used for pursuits, except in extreme emergencies.
- E. The primary and secondary unit shall notify Communications personnel of their location and direction of travel at all times. If the suspect vehicle is lost, the primary unit shall broadcast available information to assist other units in relocating the suspect vehicle or returning to routine patrol.
 - 1. When a secondary unit joins the pursuit, the secondary unit will be responsible for providing all necessary information, including direction of travel, to Communications.
- F. If a pursuit leaves the City of Albany and enters another jurisdiction, the dispatcher shall notify all jurisdictions affected, as soon as practical. Such notification should not be considered a request to join in the pursuit. The supervisor handling the pursuit will evaluate the entire incident and make the decision to let the pursuit continue or terminate. If the pursuit is allowed to continue, only the primary and secondary unit shall enter the jurisdiction and continue the pursuit.
- G. If a pursuit enters the City of Albany from another jurisdiction, Communications personnel shall assign one (1) unit to the pursuit. This unit will act as a secondary unit to the pursuit. In this situation, all Albany Police Department units will terminate as close as possible to the City of Albany line, allowing the original pursuit vehicle(s) to continue the pursuit and allowing the new jurisdiction to take up the position of the secondary unit.
- H. Any Albany Police Department unit assigned by Communications personnel to a pursuit may terminate their participation in the pursuit, under the guidelines previously outlined in this policy.

III. USE OF CONTROLLED TIRE DEFLATION DEVICES

- A. The ranking supervisor may choose to utilize an authorized tire deflation device during the course of a vehicular pursuit. As with all operational decisions made during the conduct of a vehicular pursuit, the use of such devices is subject to the assessment of inherent risk balanced against the need to apprehend a fleeing offender.
- B. Sworn supervisors and Traffic Safety Unit officers shall receive training in the proper use of a tire deflation device, and only trained personnel are authorized to deploy a tire deflation device in the field.
- C. Use of an Authorized Tire Deflation Device:

1. An authorized tire deflation device shall not be used to stop motorcycles, mopeds, dirt bikes, or similar vehicles;
2. The authorized tire deflation device shall not be used in locations where specific geographical features increase the risk of serious physical injury to the officer(s), violator, or the public (e.g., sharp curves, alongside rivers or creeks, steep embankments, etc.);
3. Deployment locations should have reasonably good sight distances to enable the officer to observe the pursuit and other traffic as it approaches; and
4. The trained supervisor or Traffic Safety officer deploying the authorized tire deflation device should not attempt to overtake and pass a pursued vehicle in order to position the device.

D. Deployment of an Authorized Tire Deflation Device:

1. The trained supervisor or Traffic Safety officer deploying the authorized tire deflation device shall do so from a position of safety;
2. Deploying the authorized tire deflation device shall be in a position to allow sufficient time for deployment;
3. The supervisor overseeing the pursuit must approve the location of the tire deflation device; and
4. Communications personnel shall notify all units of the deployment tire deflation device location.

E. Activation of the Authorized Tire Deflation Device:

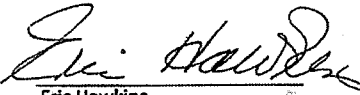
1. Upon approaching the location of the tire deflation device, pursuing police units shall allow a safe distance between themselves and the pursued vehicle;
2. Immediately after the pursued vehicle goes over the authorized tire deflation device, the officer shall remove the device from the roadway to prevent damage to pursuing police vehicles;
3. The supervisor shall immediately notify Communications personnel if the pursued vehicle impacted the authorized tire deflation device, any observed signs of tire deflation, and the direction and operation of the pursued vehicle after the impact.
4. Personnel shall document all the circumstances regarding the use of an authorized tire deflation device in the narrative portion of an Albany Police Department Pursuit Report, APD Form # [REDACTED] shown on page 7 of this order.

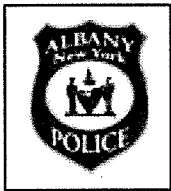
IV. DOCUMENTATION OF PURSUITS

A. Personnel involved in the pursuit of a motor vehicle shall document the following information on an Albany Police Department Pursuit Report:

1. Charges/violations;
2. Supervisor notified;
3. Initiating officer;
4. Additional officer(s) involved;
5. Suspect information;
6. Pursued vehicle information;
7. Whether or not the suspect is apprehended;
8. Weather, roadway, traffic, and pedestrian conditions;
9. Location, time, and reason that the pursuit was terminated; and

10. A narrative description of the incident, including actions taken by the suspect(s) and the officer(s).
- B. If a pursuit from another agency enters the City of Albany and members of the Albany Police Department engage in the pursuit, an Albany Police Department Pursuit Report shall be completed, whether an apprehension is made or not.
- C. The supervisor shall be responsible for completing an administrative review of each vehicle pursuit and any deployment of a tire deflation device to determine if all policies and procedures were followed or if training may be necessary.
1. The administrative review may include the reviewing of in-car video.
 2. After supervisor review, the supervisor shall forward the Albany Police Department Pursuit Report(s) to the Office of Professional Standards (OPS), via interdepartmental mail.
- D. The Office of Professional Standards shall be responsible for completing the following:
1. Entering all vehicle pursuits into IAPro; and
 2. Conducting a documented annual analysis of all vehicle pursuits.
 - a. The analysis shall determine if pursuits are being conducted within department policies and procedures, and any recommended modifications, if warranted.
 - b. The annual analysis shall utilize data between the dates of January 1st and December 31st of each calendar year, and shall be completed by January 31st of each year.
 - c. The results of the analysis shall be documented on an IDC to the Chief of Police.
- E. The CALEA accreditation manager shall be responsible for conducting a documented annual review of department pursuit policies and reporting procedures for any necessary updates or revisions.


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Chief of Police



Albany Police Department Pursuit Report

Day/Date/Time of Incident: _____ Incident #: _____

Location of and Time of Initiation: _____

Initiating Agency: _____

Initial Charge/Violation: _____

Supervisor Notified: _____ On Scene? Yes/No

Officer(s) Initiating Pursuit (Name and PIN): _____ Unit#: _____

Reporting Officer (if Different, Name and PIN): _____

Additional Officer(s) Involved:

Name and PIN: _____	Unit#: _____
Name and PIN: _____	Unit#: _____
Name and PIN: _____	Unit#: _____
Name and PIN: _____	Unit#: _____

Subject's Name: _____ Age: _____ DOB: _____

Sex: _____ Height: _____ Weight: _____ Race: _____ Contraband?: Y/N

Subject Vehicle Information: Make: _____ Model: _____ Year: _____ Color: _____

State/Reg: _____ Exp.: _____ VIN: _____

Registered Owner (If Not Subject): _____

Passenger(s): _____

Subject Under Influence of: Drugs/Alcohol/Other List, if Known: _____

Narrative Description of Incident (Include actions taken by both the Subject and the Officer(s)):

Weather Conditions: (a) Clear/No Precipitation (b) Rain (c) Snow (d) Sleet/Ice (e) Other

Roadway Surface Conditions: (a) Dry (b) Wet (c) Snow/Slush/Ice (d) Other

Vehicular Traffic Conditions: (a) Light (b) Moderate (c) Heavy

Pedestrian Traffic Conditions: (a) Light (b) Moderate (c) Heavy

Reason Pursuit Terminated: (a) Pursued Vehicle Voluntarily Stopped (b) Pursuit Aborted by Pursuing Unit (c) Pursuit Terminated by Supervisor (d) Pursued Vehicle Involved in Collision (e) Pursuing Unit Involved in Collision (f) Pursued Subject Fled Vehicle on Foot (g) Pursuing Unit Lost Sight of the Pursued Vehicle (h) Spike Strips Deployed (i) Other—Explain Above

Location and Time of Termination: _____

Charges at Termination: _____

Reporting Officer: _____ PIN _____ Supervisor Approving: _____ PIN _____

APD #425

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