
**Section: THREE
Chapter: NINE**

SUBJECT: Emergency Vehicle Operations/Pursuits
ISSUE DATE: 03-09-16
REFERENCE: NYSA 43.1, 43.4

I. DEFINITIONS

- A. Emergency Operation – “The operation or parking of an authorized emergency vehicle, as defined by Section 101 of the NYS V&T Law, when such vehicle is engaged in transporting a sick or injured person, transporting prisoners, pursuing an actual or suspected violator of the law, or responding to, or working or assisting at the scene of an accident, disaster, police call, alarm of fire, actual or potential release of hazardous materials or other emergency. Emergency operation will not include returning from such service.” (V&T§114-b).
- B. Emergency Response – When an officer responds to:
 - 1. A request to a possible life-threatening situation or serious in progress crime, or
 - 2. An unusual incident/event that requires an immediate response by a supervisor.
- C. Pursuit – Attempted apprehension by a police officer operating an emergency equipped police vehicle, of occupant(s) of another motor vehicle, whose operator refuses to comply with a lawful directive to stop and attempts to flee or takes other evasive action.
- D. Terminate – To immediately stop or cease the pursuit by turning off emergency equipment and returning to non-emergency driving operation by all personnel involved in the pursuit.

II. POLICY

- A. NYS Vehicle and Traffic Law exempts authorized emergency vehicles involved in emergency operations from some restrictions of the Vehicle and Traffic Law. This exemption, however, “will not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of others” (V&T §1104-4e).
- B. During an emergency response or pursuit, officers will:
 - 1. Drive with due regard for the safety of all persons and property.
 - 2. Terminate a pursuit as instructed by a supervisor, or when a pursuit or emergency response is causing a dangerous and/or hazardous condition to the officer and/or others.

III PROCEDURE:

No member of the Palmyra Police Department shall initiate or continue a vehicle pursuit or emergency response in which the immediate danger created by the emergency operation of the police vehicle is greater than the immediate or potential danger of the call for service or if the suspect remains at large.

- A. The member must constantly evaluate the danger involved in initiating or continuing a pursuit or emergency response. Factors to consider are:

1. Reason for the response or pursuit/seriousness of the incident or charges.
2. Traffic density/pedestrian volume.
3. Weather/road conditions.
4. Speed involved.
5. Time of day.
6. Type of area (business vs. residential).
7. Changing conditions of vehicle or driver.
8. Availability of additional police vehicles to assist at the scene or to intercept the pursued vehicle.
9. Knowledge of the offender's identity/danger to the community if the suspect is not immediately apprehended.

B. In all instances of a pursuit, the mechanics of the pursuit shall be:

1. **Initiation** – When a motor vehicle pursuit is initiated, the pursuing member shall immediately report the same to the dispatcher. The member shall report the following information to the dispatcher:
 - a. The member(s) vehicle number(s)
 - b. Reason for pursuit
 - c. Street and direction of travel
 - d. Description of pursued vehicle
 - e. Occupant(s) description
 - f. Weapons involved, if any
 - g. Direction and areas being approached (to be reported as frequently as safety permits)
2. **Conducting the Pursuit:**
 - a. Pursuing members shall continually re-evaluate the risks of continuing the pursuit –with guidelines of section A (above) constantly considered. If at any point they consider the danger to be unacceptable, **TERMINATE THE PURSUIT.**
 - b. Try to keep the vehicle in sight.
 - c. There shall be no deliberate physical contact with the pursued vehicle to forcibly stop it.
3. **Termination:** A vehicle pursuit shall be terminated under any of the following conditions:
 - a. When circumstances develop which present a clear or significant danger to the member or the public.
 - b. When directed by a supervisor.
4. **Dispatcher Responsibilities** – The dispatcher, upon notification of a vehicle pursuit, shall:
 - a. Clear the channel except for vehicles involved in the pursuit.
 - b. Notify surrounding Police Agencies if pursuit may enter their jurisdiction.
 - c. Run registration and criminal record searches as soon as possible and broadcast any officer safety information when time permits.
 - d. Notify the Police Chief
5. **Pursuit Tactics**
 - a. Unmarked Vehicles – Unmarked vehicles, if equipped with red lights and siren, may engage in pursuit only under the most critical and unusual circumstances where immediate apprehension is necessary to alleviate a serious danger to

public safety. As soon as a marked vehicle is available to assume the pursuit, the unmarked vehicle shall withdraw from active pursuit.

- b. Number of Police Units – The primary pursuing unit and one (1) back up unit shall be responsible for the actual “tailing” pursuit. Other assisting units shall remain in the area of the pursuit, e.g. take parallel courses and attempt to stay in the area of the pursued vehicle
- c. Vehicle Pursuit Initiated by Another Jurisdiction – If requested by another jurisdiction, members may assist in a vehicle pursuit within the Village limits.
- d. Apprehension – The primary unit and supervisor are responsible for the activities at the apprehension site. No other units shall respond unless requested by the primary unit or supervisor as dictated by the situation.
- e. Traffic Control Devices – Extreme care shall be used when passing traffic signs or signals. Units shall slow or stop, if necessary, to insure that all vehicular and pedestrian traffic is aware of and yielding to the emergency vehicle(s).
- f. Stop Sticks In instances involving a pursuit that extends outside of the Village, the pursuing officer or Supervisor may request the assistance of an agency equipped with Stop Sticks. Under no circumstances will pursuing officers request a roadblock.

6. Supervisor’s Responsibility

- a. Monitor the pursuit situation.
- b. If you consider the continuation of the pursuit to be necessary, limit the number of vehicles, including other agency’s vehicles, assisting in the pursuit operation to avoid heightening the risks.
- c. If you consider that the situation **AND** circumstances **DO NOT** warrant continued pursuit, **ORDER** the member to **TERMINATE** it.

7. Post Pursuit Reporting: After each pursuit situation, it shall be the responsibility of the first member involved to complete an Incident Report and any other necessary reports, which should include the following:

- a. Reason for pursuit/offense.
- b. Suspect(s) names, address, age.
- c. Charges filed and any additional charges after apprehension.
- d. Speed and duration of the pursuit.
- e. Injuries and/or accidents.
- f. Number of Village of Palmyra Police Department vehicles involved and/or outside Agencies assisting.
- g. All other members involved or assisting shall complete a Supplemental Report to the first member’s Incident Report.

IV DEVIATION

Any deviation from this order will be documented in a memo to the Chief of Police.

By order of :

David B. Smith
Chief of Police

