PURPOSE
To establish procedures regulating motor vehicle pursuits by officers.

POLICY
Since the apprehension of fleeing suspects is secondary in importance to public safety, it is the policy of the Yonkers Police Department to avoid engaging in pursuits. While there are some urgent circumstances when a pursuit is the proper law enforcement response and the risks involved are justified, pursuits shall be terminated whenever the risk to police officers or the public outweighs the danger to the community if the suspect is not immediately apprehended.

PROCEDURE
1. Reasons for Vehicle Pursuits
   A vehicle pursuit is an active attempt by an on-duty officer in a police vehicle to apprehend the occupants of a moving motor vehicle when the driver of the vehicle knows that the officer is trying to apprehend him and is resisting apprehension by maintaining or increasing the speed of the vehicle or by ignoring the officer’s use of emergency lights and siren while attempting to stop the vehicle. The decision to initiate or continue a pursuit shall be based upon facts known to the officer at the time the pursuit is initiated. A pursuit may be initiated only under the following circumstances:
   a. To apprehend suspects who have committed motor vehicle violations which are continuing in nature and which present an extreme hazard to others; for example: driving while intoxicated, reckless driving, or a hit-and-run collision involving personal injury or a fatality.
   b. To apprehend suspects who have committed serious felonies.
   c. To apprehend misdemeanor suspects who have caused physical injury to another.

   NOTE: Officers shall exercise due regard for the safety of all persons when operating Department vehicles during the course of a pursuit. Officers are reminded that the use of emergency lights and sirens does not grant immunity from liability.

2. Conduct of Vehicle Pursuits and Prohibited Conduct
   a. Officers shall not engage in a pursuit of a suspect whose identity is known and who can be apprehended at a future time unless failure to apprehend the suspect represents an immediate and significant threat to the community.
   b. Officers shall not engage in a pursuit when a prisoner or other civilian is a passenger in a police vehicle.
c. Vehicles shall not be used in a pursuit unless they are equipped with working
emergency lights and sirens. The emergency lights and sirens shall be activated
throughout the pursuit.
d. Unless the patrol supervisor authorizes additional units, only the primary and secondary
units and the patrol supervisor shall engage in the pursuit. When the primary or
secondary unit involved in a pursuit is an unmarked police vehicle, or a police
motorcycle, marked radio cars, if available, shall assume the duties of the unmarked
cars or motorcycles
e. Officers shall not ram the suspect’s vehicle with their vehicle.
f. Any obstruction intended to prevent the free passage of vehicles on the highway in
order to apprehend a suspect in a motor vehicle constitutes a roadblock. Roadblocks
shall not be used in pursuit situations.
g. Three-wheeled patrol vehicles shall not engage in pursuits. Unmarked vehicles and
motorcycles should avoid engaging in pursuits unless absolutely necessary to alleviate
danger to the public.

3. Initiating Pursuit/Responsibilities of the Primary Unit
The decision to initiate or continue a pursuit requires an evaluation of the risks involved. Facts
to be considered include:
   a. The severity of the crime and the need to immediately apprehend the suspect.
   b. Weather and road conditions.
   c. Visibility.
   d. The volume and speed of other vehicle traffic and the presence or absence of
      pedestrians.
   e. The ability of the operators involved in the pursuit to control their vehicles at the
      speeds they are being driven.
   f. The officer’s familiarity with the area.
   g. The physical conditions and types of vehicles involved in the pursuit. Officers are
      reminded that persons on two-wheeled vehicles are subject to an increased likelihood
      of sustaining serious or fatal injuries in the event of an accident.
   h. The distance between the suspect’s vehicle and the police vehicles involved in the
      pursuit.

4. Pursuit Notifications
The officer who initiated the pursuit shall notify the Communications Center as soon as
possible that a pursuit is under way, and provide the following information:
   a. Location, direction of travel, and estimated speed.
   b. A description of the suspect’s vehicle, including the vehicle’s license number, the
      number and description of the vehicle’s occupants, and whether any weapons are
      involved.
   c. The specific reason for the pursuit.

NOTE: The officer shall keep the Communications Center and Radio Room
Lieutenant updated continuously on the location and status of the pursuit.

5. Responsibilities of the Secondary Unit
The officer who has been designated as the secondary pursuit unit shall:
a. Maintain a safe distance behind the primary unit.
b. Not pass the primary unit during the course of the pursuit unless specifically requested to do so by the primary unit.
c. Be prepared to assume the role of the primary unit.
d. Assume the responsibility for making radio transmissions for the primary unit when the secondary unit is in visual contact with the suspect vehicle.
e. Assist the primary unit at the termination of the pursuit.

6. Supervisor’s Responsibilities
   The supervisor of the officer who initiates the pursuit shall:
   a. Monitor the progress of the pursuit and coordinate the units involved, assigning additional units if necessary. Decide whether to continue or terminate the pursuit.
b. Respond to the termination point of the pursuit and direct officers at the scene.

7. Responsibilities of Other Units
   a. Units that have not been authorized to engage in a pursuit shall continue to perform their normal duties. Non-essential radio transmissions shall be avoided until the pursuit has been terminated and personnel at the scene have declared the situation under control.
b. Additional units assigned to a pursuit by a supervisor shall parallel the pursuit route on other streets unless specifically directed to do otherwise. This is to avoid the caravan effect.

8. Pursuit into Other Jurisdictions
   a. Officers shall not continue a pursuit into another jurisdiction unless the approval of a supervisor has been obtained.
b. When a pursuit into another jurisdiction has been authorized, the Communications Center shall notify the appropriate outside agencies that this Department is involved in a pursuit into their jurisdiction. The Communications Center shall advise the affected agencies whether the call is a request for assistance or a courtesy notification.

9. Termination of the Pursuit
   The Radio Room lieutenant or any other supervisor or pursuing officer may terminate the pursuit when the risks associated with the pursuit are greater than the danger created by allowing the offender to remain at large and/or:
   a. A person who has been injured as a result of the pursuit requires immediate medical assistance.
b. The primary unit terminates the pursuit.
c. The primary unit has lost visual contact with the suspect vehicle for a period of time approximately 60 seconds in duration.
d. The primary unit’s vehicle experiences an equipment failure involving emergency signaling devices, radio, brakes, steering, or other essential mechanical equipment.

10. Managing the Pursuit Termination Scene
    Once a pursuit has been terminated and the suspect apprehended, the only officers who shall respond to or remain at the scene are:
    a. The officer assigned to the last primary unit engaged in the pursuit.
b. The officer who initiated the pursuit.

c. Other officers who have been directed to remain at the scene by a supervisor.

d. The supervisor of the unit that initiated the pursuit.

NOTE: When a pursuit extends from one precinct into another, a supervisor assigned to the precinct where the pursuit ends shall respond to the termination point and provide supervision until the initiating officer’s supervisor arrives at the scene and assumes command.

11. **Other Agency Pursuits into Yonkers**
When another agency engages in a pursuit that enters Yonkers, officers shall not become involved in the pursuit unless specifically authorized to do so by a supervisor. All department policies governing pursuits shall apply to officers involved in another agency’s pursuit. When the pursuit leaves the city, officers shall discontinue the pursuit unless authorized to leave the city pursuant to subsection 8. a. above.

12. **Reporting**
   a. The driver of the radio car who initiates the pursuit shall complete and submit a Vehicle Pursuit Information Form (YPD-48) before going off duty.
   b. The desk officer shall forward a copy of the YPD-48, through official channels, to the chief of the division to which the officer is assigned.
   c. This report shall be critiqued by the appropriate supervisor or supervisors to determine if the requirements of this policy has been complied with, and if not, to determine and take disciplinary action as necessary and/or detect and correct any training deficiencies.
   d. Copies of all the Pursuit Information Forms (YPD-48) shall be maintained by the training division who will assign a number to all reports starting with the number 001 for the first vehicle pursuit reported each year. The training division will maintain a chronological file of all reported vehicle pursuits.

13. **Training**
Officers who drive police vehicles shall be given initial and periodic update training in this pursuit policy and in safe driving tactics.