

DENVILLE TOWNSHIP POLICE DEPARTMENT POLICY & PROCEDURES			
VOLUME: 3	CHAPTER: 16	# OF PAGES: 16	
SUBJECT: PURSUIT & FORCIBLE STOPPING GUIDELINES			
BY THE ORDER OF: Chief of Police Christopher Wagner		ACCREDITATION STANDARDS: 3.5.2, 3.5.3	
Effective Date: 10/04/2013		SUPERSEDES ORDER #: V5C6 (05/11/98) w/amendments	

PURPOSE The purpose of this policy is to establish this department's procedures concerning vehicle pursuits.

POLICY It is the policy of the Denville Township Police Department to utilize procedures that are consistent with those provided by the New Jersey Attorney General's Guidelines and the Morris County Prosecutor. Citizen and officer safety is the paramount consideration.

Because it is impossible to anticipate every possible circumstance, this policy is intended to serve as a guide for police officers in the use of discretion regarding matters relating to vehicular pursuit.

Rigorous compliance with this policy should help to mitigate life-threatening situations for members of this department and the citizenry at large, and should help sustain the general health, safety and welfare of the community. It will further help promote public confidence in the police department.

Deciding whether or not to pursue a motor vehicle is one of the most critical decisions made by law enforcement officers. It is a decision that must be made quickly and under difficult and often unpredictable circumstances. In recognition of the potential risk to the public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for a decision not to engage in a vehicle pursuit or to terminate an ongoing vehicular pursuit based on the risk involved, even in circumstances where this policy would permit the commencement or continuation of the pursuit.

The Morris County Prosecutor's Office Homicide Unit shall be immediately notified if a collision resulting in any injury occurs during the course of a police pursuit.

The Morris County Prosecutor's Office Homicide Unit shall be notified by the next business day if a motor vehicle pursuit results in property damage.

PROCEDURES

I. General

- A. Officers participating in any pursuit must consider road conditions, weather conditions, and the nature of the offense, the safety of the officer and the safety of the general public.
- B. A police officer has the authority, at all times, to attempt the stop of any person suspected of having committed any criminal offense or traffic violation. It is clear that while it is the officer who initiates the stop, it is the violator who initiates the pursuit. The officer's decision to pursue should always be undertaken with an awareness of the degree of risk to which the law enforcement officer exposes himself/herself and others. The officer must weigh the need for immediate apprehension against the risk created by the pursuit.
- C. It is impossible to describe exactly how a law enforcement officer should pursue a fleeing violator of the law except to state that it must be in accordance with existing law and with due regard for the safety of all persons. Each pursuit has certain different and unique aspects. Accordingly, the provisions set forth in this policy are intended to assist personnel when operating an authorized emergency vehicle to determine what standard of care is reasonable, commensurate with the various circumstances under which the officer has a duty to inform and enforce the law.

II. Definitions

- A. **Attempt to Close Distance** is an action by officers to close the distance gap between the police vehicle and the violator vehicle. The use of audio and visual emergency equipment has not yet been employed at this phase.
- B. **Authorized Tire Deflation Device** is a device designed and intended to produce a controlled deflation of one or more tires of a pursued vehicle.
- C. **Avenue(s) of Escape** is a gap in a roadblock that requires the violator to decrease the vehicle's speed to permit them to bypass the roadblock.
- D. **Baiting** is a willful attempt to entice or lure a police officer to engage in a pursuit.
- E. **Blocking Vehicle** is a motor vehicle, often a law enforcement vehicle, which is placed perpendicular to a roadway or angled in such a way as to create a roadblock.
- F. **Boxing In** is the surrounding of a violator's *moving* vehicle with *moving pursuit vehicles* that are then slowed to a stop along with the violator's vehicle.
- G. **CAD** refers to this department's Computer Aided Dispatch system.
- H. **Dispatcher** includes public safety telecommunicators, and police officers assigned to the communications center.
- I. **Divided Highway** is a road that includes a physical median between traffic traveling in opposite directions.

- J. **Heading Off** is an attempt to terminate a pursuit by pulling ahead of or towards a violator's moving vehicle to force it to the side of the road or to otherwise come to a stop.
- K. **Street Paralleling** is driving a police vehicle on a street parallel to a street on which the pursuit is occurring.
- L. **Vehicle Paralleling** is a deliberate offensive tactic by one or more patrol vehicles to drive alongside the pursued vehicle while it is in motion.
- M. **Pursuit Driving** is an active attempt by law enforcement officers, operating a motor vehicle and utilizing simultaneously all emergency equipment, to apprehend one or more occupants of another moving vehicle when the driver of the fleeing vehicle is aware, or should be aware of that attempt, and is purposely, knowingly or recklessly resisting apprehension by maintaining or increasing their speed, ignoring the officer, or attempting to elude the officer, while driving at speeds in excess of the legal speed limit.
- N. **Primary Unit** is the police vehicle that initiates a pursuit or any unit that assumes control of the pursuit as the lead vehicle (the first police vehicle immediately behind the fleeing suspect).
- O. **Secondary Unit** is any police vehicle that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.
- P. **Roadblock** is a restriction or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to affect the apprehension of a violator.
- Q. **Standard of Care**: N.J.S.A. 39:4-91 sets forth the standards of right of way for emergency vehicles that reads in part:
- "...This section shall not relieve the driver of any authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall it protect the driver from the consequences of his reckless disregard for the safety of others."*
- R. **Supervisor** shall mean the duty shift commander, or other sworn officer of supervisory rank in the absence of the shift commander.
- S. **Vehicle Contact Action (Ramming)** is any action undertaken by the pursuing officer intended to result in contact between the moving police vehicle and the pursued vehicle.
- T. **Violator** is any person who a law enforcement officer reasonably believes:
1. Has committed a crime of the first or second degree or a crime enumerated in subsection III.A.2 of this policy, or
 2. Poses an immediate threat to the safety of the public or other police officers.

III. Authorization to Pursue

A. A police officer may only pursue:

1. When the officer reasonably believes that the violator has committed an offense of the first or second degree; or
2. Has committed any crime/offense listed below:
 - a. Death by Auto 2C: 11-5
 - b. Aggravated Assault 2C: 12-1b
 - c. Criminal Restraint 2C: 13-2
 - d. Aggravated Criminal Sexual Contact 2C: 14-3a
 - e. Arson 2C: 17-1b
 - f. Burglary 2C: 18-2
 - g. Vehicle Theft 2C: 20-2
 - h. Theft by Extortion 2C: 20-5
 - i. Escape 2C: 29-5
 - j. Manufacturing, Distributing or Dispensing CDS 2C: 35-5b; or
3. When a police officer reasonably believes that the violator poses an immediate threat to the safety of the public or other police officers.
 - a. Eluding the police where the actor creates a risk of death or injury to another generally constitutes a 2nd degree crime, but the fact that an actor is eluding the police does not provide personnel with the automatic authority to pursue. A pursuit based upon a 2nd degree eluding, without any other authorizing criteria should not be undertaken.
 - b. Pursuit for motor vehicle offenses is not authorized under the above criteria unless the violator's vehicle is being operated so as to pose an immediate threat to the safety of another person.

B. Just because one of the authorization requirements is satisfied, a pursuit should not be automatically undertaken. Officers and supervisors must still consider the following factors:

1. Likelihood of successful apprehension.
2. Whether the identity of the violator is known where later apprehension is possible.
3. Degree of risk created by the pursuit in relation to:

- a. Volume, type, speed and direction of vehicular traffic; or
 - b. Nature of the area: residential, commercial, school zone, open highway, etc.; or
 - c. Population density and volume of pedestrian traffic; or
 - d. Environmental factors such as weather and darkness; or
 - e. Road conditions: construction, poor repair, extreme curves, snow, ice, etc.
4. Police officer characteristics relative to:
- a. Driving Skills;
 - b. Familiarity with roads;
 - c. Condition of the police vehicle.

IV. Terminating a Pursuit

- A. Pursuing officers shall terminate the pursuit when:
- 1. Instructed to do so by a supervisor; or
 - 2. The officer believes that the danger to the pursuing officer or general public outweighs the necessity for immediate apprehension of the violator; or
 - 3. The violator's identity has been, or can be, established to the point where later apprehension may be accomplished, and where there is no serious immediate threat to the safety of the public or other police officers; or
 - 4. The pursued vehicle's location is no longer known or the distance between the pursuing vehicles and the violator's vehicle becomes so great that further pursuit is futile; or
 - 5. There is any person injured during the pursuit requiring medical care and there are no police or medical personnel able to render immediate assistance; or
 - 6. There is a clear, present and unreasonable danger to the police officer or the public. ***(A clear, present and unreasonable danger exists when the pursuit requires that the vehicle be driven at excessive speeds, against the flow of traffic for a sustained period, or in a manner that exceeds the performance capabilities of the pursuing vehicle or the capabilities of the police officers involved in the pursuit.)***; or
 - 7. Advised of any unanticipated condition, event or circumstance that substantially increases the risk to public safety inherent in the pursuit, or
- B. Upon termination of a pursuit, officers shall immediately notify communications of such, giving the location of the termination.

- C. When a decision is made by a supervisor or the pursuing officer to terminate the pursuit, all involved vehicles will immediately deactivate all emergency warning devices and resume normal speeds.
 - 1. Pursuing units shall immediately acknowledge by radio that they have received the order to terminate.
 - 2. When the termination occurs outside of the borders of Denville Township all police vehicles involved in the pursuit will immediately return to the Township.
 - 3. When the termination occurs within the Denville Township:
 - a. The pursuing officer(s) will immediately take action to place distance between the pursued vehicle and their police vehicle.
 - b. The pursuing officer(s) will not make any effort to follow the pursued vehicle after the pursuit has been terminated.

V. Role and Tactics of the Pursuing Officer(s)

- A. To diminish the likelihood of a pursuit, police officers intending to stop a vehicle for any violation of the law shall, when possible and without creating a substantial threat to the public safety, close the distance between the two vehicles prior to activating the emergency lights and audible device.
 - 1. **Personnel shall recognize that while attempting to close the distance and prior to the activation of emergency lighting/audible equipment, they are subject to all motor vehicle laws governing the right of way (e.g. NJSA 39:4-91 and 92).**
- B. Officers operating MVR equipped police vehicles in a pursuit must activate the video recorder and microphone and maintain activation from the initiation of the pursuit through the subsequent apprehension of the suspect. The subsequent report must indicate that the MVR was used and the recording must be secured as potential evidence.
- C. Upon commencement of a pursuit and regardless of the time of day, the pursuing officer shall immediately activate emergency lights, audible device, and headlights.
- D. Once the pursuit has begun, the primary unit must notify communications and provide as much of the following information as is known:
 - 1. Reason for the pursuit; **and**
 - 2. Direction of travel, designation and location of roadway; **and**
 - 3. Identification of the violator's vehicle; **and**
 - 4. Year, make, model, color, registration and other identifying characteristics of the violator's vehicle; **and**
 - 5. Number and description of occupants; **and**

6. The speed of the violator's vehicle; **and**
 7. Other information that may be helpful in resolving or terminating the pursuit. Examples include road conditions, traffic density, weather conditions, etc.;
 8. Officers will provide continuous updates of location, direction, speed and other important information (e.g., objects thrown from the vehicle, etc.).
- E. Failing to adequately provide any of the above information may cause the supervisor to consider ordering the termination of the pursuit.
- F. The primary unit shall be responsible for the immediate radio transmission at the initiation of the pursuit and the decision to abandon or terminate the pursuit until relieved of this responsibility by the supervisor.
- G. The secondary unit shall report by radio as soon as possible that it has joined the pursuit. This provides the supervisor with the information that the pursuit team is complete.
1. Secondary units shall maintain a safe distance behind the primary unit in order to assist when necessary or take control if the primary unit is unable to proceed.
 2. Additional units are generally prohibited from joining the pursuit without the expressed permission of the authorizing supervisor, but these units shall remain alert to the progress and location of the pursuit.
 3. Secondary units must exercise maximum radio discipline and refrain from making unnecessary transmissions.
 4. Any decision to permit additional units to participate in a pursuit should be based upon the number of persons in the pursued vehicle, the crime for which the vehicle is wanted, or whether the actor(s) are armed or considered dangerous.
- H. If it becomes necessary for pursuit officer(s) to leave their patrol vehicles to continue the pursuit on foot, they shall immediately notify communications of their location and announce that a foot pursuit has commenced, including the general direction of flight.
- I. When the pursued vehicle comes to a stop, pursuing officers should not immediately approach the vehicle, especially if the occupant(s) are suspected of committing a serious crime or of being armed. Whenever possible, officers should wait for back-up officers prior to approaching the vehicle and when doing so, should:
1. Avoid standing between the stopped vehicle and any fixed objects;
 2. Avoid standing in front of or behind the suspect vehicle;
 3. Avoid standing in any other officers line of fire;

4. Order the driver to turn off the vehicle and toss the keys from the driver's side window (if able);
5. Order the driver and passenger(s) to exit the vehicle one at a time and lie face down on the ground with arms extended, palms up in order to be taken into custody;
6. Approach the vehicle with extreme caution being aware of sudden movement by either the driver or passenger(s);
7. If handcuffed, as soon as practicable, sit the subject(s) upright to minimize positional asphyxia. Provide/supply medical aid when applicable.

VI. Vehicle Pursuit Restrictions

- A. Unmarked police vehicles shall not participate in a motor vehicle pursuit unless equipped with emergency lights and an audible device other than the standard horn. Unmarked vehicles shall immediately relinquish primary unit status upon participation of a marked vehicle.
- B. No pursuit shall be conducted:
 1. In a direction opposite to the flow of traffic on a divided highway.
 2. When an individual is present in the police vehicle who is not a law enforcement officer.
- C. No more than two police vehicles (primary and secondary unit) shall become actively involved in a pursuit unless otherwise specifically directed by a supervisor.
- D. Throughout the course of a vehicular pursuit, pursuing officers shall not attempt to overtake or pass the violator's moving vehicle.
- E. Upon approaching an intersection controlled by traffic signals or signs, or at any other location where there may be a substantial increased likelihood of a collision, the operator of any pursuing vehicle shall, prior to entering the intersection, reduce their speed and control the vehicle so as to avoid collision with another vehicle, pedestrian or fixed object. Officers shall observe that the way is clear before cautiously proceeding through the intersection.
 1. At all other times including an attempt to close the distance prior to the initiation of the pursuit, officers shall observe the applicable laws governing the right of way at intersections and other locations.
- F. Officers involved in a pursuit shall not engage in vehicle paralleling.
- G. There shall be no street paralleling along the route unless the pursuit passes through an officer's assigned area. A patrol unit that is parallel street pursuing shall not join or interfere with a pursuit and shall stop all pursuit related activity at the boundary of its assigned area.
- H. Officers involved in a pursuit shall not fire any weapon from or at a moving vehicle, nor engage in any vehicle contact action except as a last resort to prevent

imminent death or serious bodily injury to any person where deadly force would otherwise be justified.

VII. Forcible Stopping and Roadblocks

- A. Boxing in or heading off a violator's moving vehicle is permitted only under extraordinary circumstances. These tactics substantially increase the risk inherent in the pursuit and shall only be employed:
 - 1. At low speeds; and
 - 2. With the approval of a supervisor; or
 - 3. In response to an imminent serious threat to the safety of the public or a police officer.
- B. Prior to boxing in or heading off a pursued vehicle, the officer wishing to initiate such action shall notify all other units involved in the pursuit.
- C. Involved officers shall maneuver their vehicles in such a manner as to minimize vehicle contact action and danger to other vehicles or pedestrians.
- D. Upon coming to a halt, officers shall be guided by this department's procedures established in subsection V.I of this policy.
- E. Roadblocks may only be employed as a last resort in circumstances where deadly force would otherwise be justified.
- F. A supervisor must authorize all roadblocks.
- G. At no time will a roadblock be established until all pursuing law enforcement vehicles are made aware of the roadblock, its location, and have acknowledged this awareness. Once a roadblock has been established and a vehicle or barricade has been positioned in the roadway, the following must apply:
 - 1. There must be adequate distance to see the roadblock.
 - 2. There must be an avenue of escape.
 - 3. There must be no one in or near the blocking vehicle(s).
- H. Following any forcible stopping incident and upon coming to a halt and approaching the suspect vehicle, officers shall follow the instructions in subsection V.I of this policy

VIII. Authorized Tire Deflation Devices

- A. Tire deflation devices shall be stored in the trunk.
- B. Supervisors may choose to utilize tire deflation devices during the course of a vehicular pursuit consistent with the authorizations and restrictions in this policy.
- C. The use of such devices is subject to the assessment of the inherent risk balanced against the need to apprehend a fleeing offender.

- D. Only personnel trained in the use of these devices are authorized to deploy them.
- E. Use of the tire deflation device:
 - 1. A tire deflation device may be utilized only after supervisor approval.
 - 2. A tire deflation device shall not be used to stop motorcycles, mopeds, or similar vehicles.
 - 3. A tire deflation device should not be used in locations where specific geographic features (e.g., sharp curves, alongside of rivers, steep embankments, etc.) increase the risk of serious injury to the officer, violator, or the public.
 - 4. Deployment locations should have reasonably good sight distances to enable the officer to observe the pursuit and other traffic as it approaches.
 - 5. The officer deploying a tire deflation device shall not attempt to overtake and pass a high-speed pursuit in order to position the device.
 - 6. Tire deflation devices shall not be used on Interstate Route 80.
- F. Deployment of a tire deflation device:
 - 1. The shift commander must coordinate the efforts of all law enforcement units involved in the pursuit.
 - 2. To maximize safety, a team of 2 officers is preferred to deploy the device.
 - 3. The officer deploying a tire deflation device should do so from a position of safety. Do not deploy the device if an officer's safety is questionable.
 - 4. The officer deploying a tire deflation device should be in position to allow sufficient time for deployment. A rushed deployment is often ineffective and dangerous.
 - 5. The officer deploying a tire deflation device shall notify communications of the location of the device.
 - 6. The shift commander, through communications, shall notify all units of the location of the device.
 - a. This notification shall be made over the Denville Police, SPEN and MIRS radios systems.
 - b. All pursuing units shall be told to reduce their speed while in the deployment zone.
- G. Activation of a tire deflation device:
 - 1. The officer operating the tire deflation device should take a position of safety as the pursued vehicle approaches.

2. The officer shall deploy the tire deflation device immediately before the pursued vehicle arrives at the point where it would impact the device.
3. The officer shall remove the tire deflation device immediately after the pursued vehicle goes over the device.
4. The officer shall immediately notify communications:
 - a. If the pursued vehicle impacted the device;
 - b. If he/she observed any signs of deflation; and
 - c. The direction and operation of the pursued vehicle after impact.
- H. Upon coming to a halt and approaching the suspect vehicle, officers shall follow the instructions in subsection V.I of this policy.
- I. The deployment and/or use of a tire deflation device shall be reported in accordance with §XIII.
- J. All deployments and/or use of a tire deflation device are subject to the meaningful command review requirement in §XIV.

IX. Role of the Shift Commander/Supervisor

- A. Upon being notified or becoming aware of a vehicular pursuit, the shift commander/supervisor shall take immediate control and provide directions to the field units. The primary consideration of the shift commander/supervisor is to acknowledge and authorize a pursuit to continue. The shift commander/supervisor shall decide as quickly as possible whether or not the pursuit should continue.
- B. Supervisors shall permit a pursuit to continue only if:
 1. There is reasonable belief that the violator has committed an offense of the first or second degree, or a crime/offense listed in subsection III.A,2 of this policy; or
 2. There is reasonable belief that the violator poses an immediate serious threat to the safety of any person.
- C. Supervisors shall order a pursuit terminated at any time they conclude:
 1. That the danger to the pursuing officers or the public outweighs the necessity for the immediate apprehension of the violator.
 2. The actor's identity is established to the point where later apprehension may be accomplished, **and** there is no immediate continuing threat to public safety.
 3. That a pursuit is of a protracted duration, recognizing the overall population density and volume of vehicular traffic and the increased risk attached to prolonged vehicular pursuits, unless the supervisor determines that a furtherance of the pursuit is justified to respond to an immediate continuing threat to the public safety. No precise formula can be used to determine

when a pursuit has become of a protracted duration. This decision must be left to the common sense and sound judgment of the supervisor in light of all of the attendant circumstances.

X. Role of Communications

- A. Upon notification that a pursuit is in progress, communications personnel shall immediately advise the shift commander/supervisor of essential information regarding the pursuit if the shift commander/supervisor has not already been otherwise notified.
 - 1. Communications personnel will keep the shift commander/supervisor current on the duration and progress of the pursuit.
- B. Communications shall ensure that an incident number is generated so that each pursuit is traceable through the CAD system.
- C. Shift commanders/supervisors shall determine whether there is a need to assume control over and coordinate pursuit related communications.
- D. All radio channels shall remain open for pursuit related transmissions and all necessary information shall be made available to officers involved in the pursuit.
- E. Communications personnel shall carry out the following activities and responsibilities during the pursuit:
 - 1. Receive and record all incoming information on the pursuit and the pursued vehicle;
 - 2. Control all radio communications and clear the radio channels of all non-emergency calls;
 - 3. Obtain criminal record and vehicle checks of the pursued vehicle and any suspects;
 - 4. Coordinate and dispatch backup assistance and air support units under the direction of the field supervisor;
 - 5. Notify neighboring jurisdictions, where practicable, when pursuit may extend into their locality;
 - 6. Ensure that the necessary data entries are made;
 - 7. Acknowledge all radio transmissions from field units;
 - 8. Rebroadcast pertinent radio transmissions to field units, if necessary;
 - 9. Perform other duties as directed or required.

XI. Reinstating Pursuits

- A. Reinstating a previously terminated pursuit shall only be undertaken consistent with the authorization criteria for originally initiating a pursuit.

- B. A unit wanting to reinstate a pursuit must request and receive specific authorization from the shift commander to reinstate the pursuit based on any acceptable changes.

XII. Inter/Intra Jurisdictional Pursuits

- A. This department shall provide timely notification of a pursuit to any other jurisdiction, into which the pursuit enters or may soon enter. Communications personnel must make the determination based upon the information provided by the pursuing units or the authorizing supervisor.
- B. At a minimum, a description of the violator's vehicle, number of units involved in the pursuit, location and direction of the pursuit and the reason for the pursuit must be provided.
- C. ***Notifying the other jurisdiction that a pursuit is in progress is not a request for them to join the pursuit.*** A request for assistance from that other agency must be specifically made. Whenever the pursuing officers are unfamiliar with the roadways and terrain of the other jurisdiction into which the pursuit has entered, the pursuing officers must be prepared to seek the assistance of and be prepared to relinquish the pursuit to the other agency.
- D. Pursuits initiated by another law enforcement agency might enter into the borders of this Township. Being notified by that other agency that a pursuit is entering this Township is not a request to join the pursuit. Prior to engaging in a pursuit that enters Denville from another jurisdiction, dispatchers must specifically ask the pursuing agency, via radio or recorded phone line, if the agency is requesting assistance from Denville Officers. That information will then be broadcast to the supervisor who will authorize the assistance of Denville officers. Denville officers shall not become directly involved in any outside agency's pursuit in this Township unless otherwise authorized by the shift commander.
- E. Communications personnel shall coordinate all communications between the outside agency and patrol units. Shift commanders may direct patrol units to position close by the pursuit route in order to be quickly available to render assistance, when needed.
- F. The outside agency may opt to relinquish control of the pursuit to this department. The shift commander shall determine if the pursuit falls within the parameters set forth in this policy and order a continuation of the pursuit or a termination of the pursuit.
- G. Assisting another agency in a foot pursuit following any crash or abandonment by the violator(s) is authorized at the discretion of the shift commander.

XIII. Pursuit Reporting

- A. All officers who operate agency vehicles in vehicular pursuit, forcible stopping, or tire deflation device deployment situations are required to file a Pursuit Incident Report. These reports are required in all cases when a pursuit takes place, regardless of the duration or whether it results in an apprehension or not. The report form is self-explanatory and is mandated by the Attorney General.

- B. Additionally, in all cases, a standard Investigation Report is also required. This is especially helpful in instances when a pursuit is not already a part of an existing investigation. The Attorney General's Pursuit Incident Report lacks the necessary information to conduct follow-up investigations into what may be a 2nd degree crime and to provide intelligence for other agency members.
- C. After deployment or use of a tire deflation device, the officer shall include at least the following information in the narrative of the Investigation Report:
 - 1. Date, time, and location of deployment and activation;
 - 2. Officer who deployed and activated the device;
 - 3. Results of the use of the device:
 - a. On the pursued vehicle;
 - b. On other vehicles, property or people; and
 - c. On the authorized device itself.
- D. The shift commander or designee shall ensure that these reports are completed prior to the pursuing officer(s) reporting off duty.
- E. The Internal Affairs Commander or designee will prepare an annual agency Vehicular Pursuit Summary Report for submission to the county prosecutor. The annual report shall contain the following information.
 - 1. Total number of pursuits
 - 2. Number of pursuits resulting in accident, injury, death and arrest.
 - 3. The number and type of vehicles involved in accidents (police, violator, and third party).
 - 4. A description of individuals injured or killed (police, violator, third party).
 - 5. The number of violators involved and arrested in pursuit incidents, including passengers.

XIV. Pursuit Review

- A. All pursuits, roadblocks, forcible stopping, and tire deflation device deployment incidents are subject to a meaningful command review. The division commander, Captain, and the Chief of Police will normally conduct the meaningful command review. The review shall ordinarily involve a review of all documents, available evidence and an interview of any available persons who may have information regarding the incident.
- B. The purpose of the meaningful command review is to determine if the actions taken during the pursuit comply with statutory law, current criminal procedure, Attorney General's Guidelines, Prosecutor's Guidelines and this policy regardless of the outcome. Further purposes are to identify equipment needs, training needs, and to determine if modifications to this policy are necessary.

- C. The meaningful command review shall normally be completed and submitted within two weeks following the pursuit.
- D. The Chief of Police or designee may cause further review of the incident.
- E. If an agency vehicle collides with another vehicle or any other object during the course of a pursuit, the Internal Affairs Commander or designee shall conduct an administrative investigation.
 - 1. The investigation shall determine whether the collision could have been prevented.
 - 2. A copy of the investigation shall be forwarded to the Chief of Police or designee.
 - 3. In every case where the collision could have been prevented, the investigation shall set forth the actions taken by the agency to address the cause(s) of the collision including, but not limited to:
 - a. Revision of agency policy or policies;
 - b. Remedial training;
 - c. Equipment needs;
 - d. Discipline.
- F. In the case where serious bodily injury results to anyone involved in the pursuit or any bystander, operator, or occupant of any vehicle not involved in the pursuit, or in the event of a death occurring as a proximate result of the police pursuit incident, the Morris County Prosecutor's Office Homicide Unit must be notified immediately so that a review may be conducted on the county level. This agency shall provide all reasonable assistance to the Prosecutor's Office, as required.
- G. The Internal Affairs Commander or designee shall prepare an annual documented analysis of all pursuit incidents in the prior calendar year.
 - 1. This analysis is a structured process for dissecting pursuit events into their basic parts to identify any patterns or trends that could be predictive or could indicate program effectiveness, training needs, equipment upgrade needs, and/or policy modification needs. Examples of some summary categories to analyze include, but are not limited to:
 - a. Pursuits by time of day
 - b. Pursuits by shift
 - c. Pursuits by officer(s) involved
 - d. Pursuits by reason
 - e. Location of pursuit initiation (business, residential, or industrial)
 - f. Location of pursuit termination

- g. Pursuits resulting in injury to police personnel
 - h. Pursuits resulting in crashes
 - i. Pursuits resulting in crashes to police vehicles
 - j. Pursuits from other jurisdictions
- 2. Unless otherwise authorized by the Chief of Police or designee, this analysis is due by March 15th of the prevailing year.

XV. Training

- A. Training in the application of this policy shall be conducted semi-annually. This training may be held concurrent with the semi-annual use of force training and weapons qualification. All training shall be documented. This training may be accomplished electronically.
- B. At a minimum, pursuit training shall consist of the following:
 - 1. A review of applicable statutes;
 - 2. Familiarization with Attorney General and Prosecutor Guidelines;
 - 3. A review of this policy;
 - 4. Forcible stopping & roadblock techniques;
 - 5. Training with this department's tire deflation devices must include actual hands on practice with the device at least annually.
 - 6. Decision making skills (if available)
- C. All police personnel, prior to operating any police vehicles on patrol or participating in any forcible stopping or roadblocks, must be provided with this mandatory training.
- D. Nothing contained within this policy shall preclude supervisors from conducting additional training in the responsibilities and procedures set forth in this policy. Supervisors are encouraged to openly discuss the provisions of this policy with their staffs to gain their commitment.
- E. The Chief of Police or designee shall file an annual report with the Morris County Prosecutor confirming in-service pursuit training of all police officers.

POLICE PURSUIT INCIDENT REPORT

1. Department		2. Incident No.		3. Pursuit date	
4. Officer		5. Badge No.		6. Car No.	
7. Supervisor notified		8. Badge No.		9. (Reserved)	
10. Initiating Agency		11. Initiating officer			
12. Location officer became involved		13. Time officer became involved		14. Highest speed	
15. Location officer terminated		16. Time officer terminated		17. Approx. distance in pursuit (miles)	
18. Weather ☐ Clear ☐ Rain ☐ Snow ☐ Other					
19. Road Surface ☐ Dry ☐ Wet ☐ Ice or snow ☐ Other					
20. Area ☐ Residential ☐ Commercial ☐ Highway ☐ Rural					
21. Reason pursuit initiated ☐ Traffic Violation (describe) ☐ Warrant (describe) ☐ Assisting other agency (name) ☐ Suspected criminal involvement (describe) ☐ Other ☐ DWI ☐ Stolen Car					
22. Tire Deflation Device ☐ Tire deflation used Type _____ Effect _____					
23. Reason pursuit terminated ☐ Pursued voluntarily stopped/surrendered ☐ Pursued voluntarily stopped/attempted flight on foot ☐ Apprehended ☐ Escaped ☐ Pursued forced to stop/vehicle disabled ☐ Other (describe) ☐ Pursued stopped in accident ☐ Pursued escaped in vehicle ☐ Officer Decision ☐ Officer vehicle in accident ☐ Supervisor decision					
24. Number of people injured _____ # Pursued vehicle _____ # Third party vehicles _____ # Police Vehicles _____ # Pedestrians		25. Number of people killed _____ # Pursued vehicle _____ # Third party vehicles _____ # Police vehicles _____ # Pedestrians			
26. Number of vehicles in accidents _____ Pursued vehicle _____ # Third party vehicles _____ # Police Vehicles		27. No. of people in pursued vehicle		28. Number of people arrested	
29. List charges for driver					
30. Signature		31. Date		32. Reviewed by	
				33. Date	

The shift supervisor shall review this report for accuracy and completeness and promptly address any issues as they relate to policy changes, training, equipment, or discipline. Recommendations to modify policy and/or procedures, or to apply training beyond his/her capability or available resources, or to purchase or modify equipment, or to apply discipline shall be reported to the appropriate commanding officer.

POLICE PURSUIT SUMMARY REPORT

Agency	County
Reporting Period	
Person completing report	Date completed
Phone number	

1. Number of pursuits initiated	
2. Number of pursuits resulting in accidents	
3. Number of pursuits resulting in injuries (NO DEATHS)	
4. Number of pursuits resulting in death	
5. Number of pursuits resulting in arrest	
6. Number of vehicles in accidents	
a. Pursued vehicles	
b. Police vehicles	
c. Third party vehicles	
7. Number of people injured	
a. Pursued vehicles	
b. Police vehicles	
c. Third party vehicles	
d. Pedestrians	
8. Number of people killed	
a. Pursued vehicles	
b. Police vehicles	
c. Third party vehicles	
d. Pedestrians	
9. Number of people arrested	
10. Number of pursuits in which a tire deflation device was used	

(DCJ 10/2001)