



THE SPRING 2021 VEHICULAR PURSUIT TRAINING MODULE

CHIEF ANDREW BARTOLOTTI



OUR VEHICULAR PURSUIT S.O.P.

SUMMIT POLICE DEPARTMENT STANDARD OPERATING PROCEDURES		
SUBJECT: PURSUIT AND FORCIBLE STOPPING GUIDELINES		
BY THE ORDER OF: Chief of Police		# OF PAGES: 20

PURPOSE The purpose of this standard operating procedure is to maintain this department's procedures concerning vehicle pursuits.

POLICY It is the policy of the Summit Police Department to utilize procedures that are consistent with those provided by New Jersey Attorney General's guidelines and Union County Prosecutor's directives. Public and officer safety are the paramount considerations.

Because it is impossible for this SOP to anticipate every possible circumstance, this SOP 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 SOP should help to mitigate life-threatening situations for members of this department and the public-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 SOP would permit the commencement or continuation of the pursuit.

Any fatal or serious motor vehicle collision occurring during a pursuit must be immediately reported to the Union County Prosecutor's Office.

Fatalities and serious collisions shall also be immediately reported to the internal affairs supervisor and the Chief of Police or his/her designee.



OUR PURSUIT S.O.P.

It is our policy to utilize procedures that are consistent with those provided by the New Jersey Attorney General's Guidelines and the Union County Prosecutor's Directive.

**PUBLIC AND OFFICER SAFETY ARE THE
PARAMOUNT CONSIDERATIONS.**



OUR PURSUIT S.O.P.

Because it is impossible for the Summit Police Department Vehicular Pursuit S.O.P. to anticipate every possible circumstance, it is intended to **serve as a guide** for police officers in the use of discretion regarding matters relating to vehicular pursuit.



OUR PURSUIT S.O.P.

Rigorous compliance with our S.O.P. should help to mitigate life-threatening situations for members of this department and the public-at-large, and should help sustain the general health, safety and welfare of the community.

It will further help promote public confidence in our police department.



OUR PURSUIT POLICY

Rigorous compliance with our 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 our police department.



DECISION NOT TO ENGAGE IN A PURSUIT

IMPORTANT: DECISION NOT TO ENGAGE IN A PURSUIT



No officer or supervisor shall be criticized or disciplined for a decision not to engage in a vehicular pursuit or to terminate an ongoing vehicular pursuit based on the risk involved, even in circumstances where our policy would permit its commencement or continuation.



THE STANDARD OF CARE

YOU NEED TO KNOW: THE STANDARD OF CARE



Under N.J.S.A. 39:4-91 sets forth the following; “...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 reckless disregard for the safety of others.”



CLOSING THE GAP AND RIGHT OF WAY

CLOSING THE GAP



Police officers are reminded that during the process of “closing the gap”, they are subject to the laws governing the right of way pursuant to N.J.S.A. 39:4-91, and 39:4-92.



FACTORING IN CONTROLLED INTERSECTIONS

CONTROLLED INTERSECTIONS



This is critical and the law

Police officers are reminded to factor in the existence of controlled intersections during a pursuit.





Chapter 1

NJ AG DIRECTIVE 2020-13 AWARENESS



NJ AG Directive 2020-13 Pursuit Revisions

THE CHAPTER IS FOR YOUR AWARENESS ONLY

THE CHANGES LISTED WITHIN THIS CHAPTER DO NOT TAKE PLACE UNTIL 12-31-2021.

However, we want you to be aware of the new pursuit guidelines that the New Jersey Attorney General mandated through the issuance of Directive 2020-13.

The remainder of this training module will be dedicated to our current policy.



NJ AG Directive 2020-13 Pursuit Revisions

This chapter is intended to highlight changes and requirements of the New Jersey Attorney General's Revision of the Use of Force Policy and Procedures 2020-13, dated December 21, 2020, which will become fully operational on December 31, 2021.

The AG's Guidelines on Vehicular Pursuit was revised as well and is contained with the AG's Use of Force Policy (Addendum B) and can be found here:

<https://www.nj.gov/oag/force/docs/Vehicular-Pursuit-Policy-Addendum-12.15.20.pdf>



NJ AG Directive 2020-13 Pursuit Revisions

Agencies may adopt policies that impose additional restrictions on vehicular pursuits or that impose more extensive training or reporting requirements.



NJ AG Directive 2020-13 Pursuit Revisions

NEW LANGUAGE REGARDING THE INITIATION OF A PURSUIT

Pursuits are limited to only the most serious crimes. **Auto theft and most drug offenses** have been removed from the list of crimes authorizing the initiation of a pursuit.

The amended policy **now requires greater oversight by supervisors and creates a strong presumption against the initiation of pursuits** for traffic violations and prohibits continuation of a pursuit based on the risk.



NJ AG Directive 2020-13 Pursuit Revisions

NEW LANGUAGE FOR PURSUIT AUTHORIZATION:

A law enforcement officer may only pursue when the officer reasonably believes that the violator has committed, or is engaged in a conspiracy or attempt to commit, any crime of the first degree or one of the following violent or serious crimes of the second degree:

- | | |
|--|--|
| (1) Manslaughter N.J.S.A. 2C:11-4 | (2) Vehicular Homicide N.J.S.A. 2C:11-5 |
| (3) Aggravated Assault N.J.S.A. 2C:12-1(b) | (4) Disarming a L.E.O. N.J.S.A. 2C:2-11 |
| (5) Kidnapping N.J.S.A. 2C:13-1 | (6) Luring/Enticing a Child N.J.S.A. 2C:13-6 |
| (7) Human Trafficking N.J.S.A. 2C:13-8 | (8) Sexual Assault N.J.S.A. 2C:14-2 |
| (9) Robbery, N.J.S.A. 2C:15-1 | (10) Arson N.J.S.A. 2C:17-1 |
| (11) Burglary N.J.S.A. 2C:18-2 | (12) Escape N.J.S.A. 2C:29-5 |



NJ AG Directive 2020-13 Pursuit Revisions

ELUDING WILL NOT CONSTITUTE AUTHORIZATION TO PURSUE

The violator's subsequent actions, including speeding or evasive driving during the pursuit itself, although often supporting the criminal charge of Eluding, N.J.S.A. 2C:29-2(b), shall not constitute an authorization to initiate or continue a pursuit.



NJ AG Directive 2020-13 Pursuit Revisions

MOTOR VEHICLE VIOLATIONS

There shall be a strong presumption against the initiation of vehicular pursuits based solely on motor vehicle violations.

Both supervisors and officers shall ensure that only in rare cases will a vehicular pursuit be initiated or continued for motor vehicle violations.



NJ AG Directive 2020-13 Pursuit Revisions

NEW REQUIREMENT FOR TERMINATION:

The pursuing officer shall terminate the pursuit if a supervisor has not affirmatively authorized the continuation of the pursuit after being notified and given an opportunity to assess the situation.

When a vehicular pursuit is terminated, officers shall immediately cease all emergency vehicle operations, including turning off all emergency warning lights and audible devices (sirens), and disengaging from the violator's vehicle.



NJ AG Directive 2020-13 Pursuit Revisions

ACTIVATION OF MVR AND BWC WILL BE REQUIRED

Upon the initiation of a pursuit, the pursuing officer shall immediately activate all emergency lights, siren, headlights, **motor vehicle recorder (MVR), if equipped, and body worn camera (BWC), if equipped.**



NJ AG Directive 2020-13 Pursuit Revisions

NEW NOTIFICATIONS TO COMMUNICATIONS REQUIREMENTS LISTED IN YELLOW BELOW:

Once the pursuit has been initiated, the primary unit must immediately notify communications and a supervisor, providing as much of the following information as is known (**additional requirements highlighted**):

- (a) reason for the pursuit
- (b) direction of travel and designation and location of the roadway
- (c) traffic conditions**
- (d) presence of pedestrians**
- (e) identification of the violator's vehicle
- (f) information on the identity of the driver, if known**
- (g) number of occupants
- (h) the speed of the pursued vehicle
- (i) other information that may be helpful in deciding whether to terminate the pursuit or in resolving the incident.

The pursuing officer shall have a continuing duty to update the supervisor and communications on the above information as the incident develops.



NJ AG Directive 2020-13 Pursuit Revisions

SAFETY PROVISIONS – PEDESTRIAN AND HIGH-DENSITY VEHICULAR TRAFFIC

In addition to the previous Policy restrictions, there shall be a strong presumption against the initiation or continuation of vehicular pursuits in areas where pedestrians are located or in areas of high-density vehicular traffic.



NJ AG Directive 2020-13 Pursuit Revisions

CONTACT ACTION AND USE OF FORCE REVISIONS

Officers involved in a pursuit shall not engage in any vehicle contact action except as a last resort to prevent imminent death or serious injury to the officer or another person where deadly force would otherwise be justified.

Officers shall not discharge a firearm against the driver or passenger of a moving vehicle except in the limited situations permitted under Section 4.6 of the Attorney General's Use of Force Policy.

Officers shall not discharge a firearm from a moving vehicle except in the limited situations permitted under Section 4.7 of the Attorney General's Use of Force Policy.



NJ AG Directive 2020-13 Pursuit Revisions

The use of an authorized tire deflation device shall be reported on a Vehicular Pursuit Report in the **Attorney General's Use of Force Reporting Portal**.



NJ AG Directive 2020-13 Pursuit Revisions

NEW SUPERVISORY REQUIREMENTS

Upon being notified or becoming aware of the pursuit, the supervisor shall decide as quickly as possible whether or not the pursuit shall be permitted to continue and **shall broadcast that decision over the police radio channel by declaring “pursuit authorized” or “terminate pursuit.”**

In addition, if the supervisor decides to authorize the pursuit, the supervisor **shall broadcast the underlying reason for authorizing the pursuit** (e.g., “Pursuit authorized for armed robbery suspect.”).



NJ AG Directive 2020-13 Pursuit Revisions

NEW SUPERVISORY MANDATE

The supervisor shall permit a pursuit to continue only when there is a reasonable belief that the violator has committed or is engaged in a conspiracy or attempt to commit, any crime of the first degree or one of the violent or serious crimes of the second degree previously enumerated; **or**

There is a reasonable belief that violator poses an imminent threat to safety of the public or other police officers. This determination shall be made based upon the violator's actions or operation of the vehicle prior to the initiation of the attempted motor vehicle stop. The violator's subsequent actions, although often supporting the criminal charge of Eluding, N.J.S.A. 2C:29-2(b), shall not constitute an authorization to initiate or continue a pursuit.



NJ AG Directive 2020-13 Pursuit Revisions

New requirement: The communications operator shall do the following during a vehicular pursuit:

- (a) immediately notify a police supervisor of a pursuit in progress if a supervisor has not already been otherwise notified;
- (b) keep the supervisor apprised of the duration and progress of the pursuit; and
- (c) obtain from the pursuing officer any required information that was not initially provided by the pursuing officer.**



NJ AG Directive 2020-13 Pursuit Revisions

ATTORNEY GENERAL'S USE OF FORCE PORTAL

All law enforcement officers involved in a vehicular pursuit shall complete a report in the Attorney General's Use of Force Reporting Portal within 24 hours of the pursuit and preferably by the end of the shift. When unable to complete the report, a supervisor shall complete the report within 48 hours.



NJ AG Directive 2020-13 Pursuit Revisions

NEW REQUIREMENT: NOTIFICATION OF THE ATTORNEY GENERAL'S OFFICE OF PUBLIC INTEGRITY AND ACCOUNTABILITY (OPIA)

Vehicular pursuits resulting in the death or serious bodily injury of any civilian shall be handled in accordance with Attorney General Law Enforcement Directive 2019-4 and immediate notification to the County Prosecutor is required.

The County Prosecutor shall immediately notify the Attorney General's Office of Public Integrity and Accountability (OPIA) Director or their designee.



NJ AG Directive 2020-13 Pursuit Revisions

MEANINGFUL REVIEW REQUIREMENT

Every vehicular pursuit must undergo procedures for a meaningful command-level review pursuant to a written policy established by the law enforcement executive.

The meaningful command-level review of the incident shall be undertaken by at least two levels of supervisors.

The review shall include an examination of all available sources of information about the incident.

The reviewing supervisors shall make a recommendation of what action, if any, should be undertaken; **including policy changes, remedial training, disciplinary or administrative action, or, if appropriate, referral for criminal prosecution.**

The law enforcement executive, or a command level officer no more than one rank below the law enforcement executive for departments with more than 100 officers, shall review each vehicular pursuit investigation and approve or reject the recommendations of the supervisors who conducted the review.



NJ AG Directive 2020-13 Pursuit Revisions

EXECUTIVE ANNUAL REVIEW REQUIREMENT

The law enforcement executive shall conduct an annual review of all vehicular pursuit incidents in their department.

Based on the review, the law enforcement executive shall determine whether changes in departmental structure, policy, training, or equipment are appropriate. The law enforcement executive shall then provide a written report documenting the annual review to the County Prosecutor for that department.



NJ AG Directive 2020-13 Pursuit Revisions

The remainder of this training module will reflect our current policy and procedures.



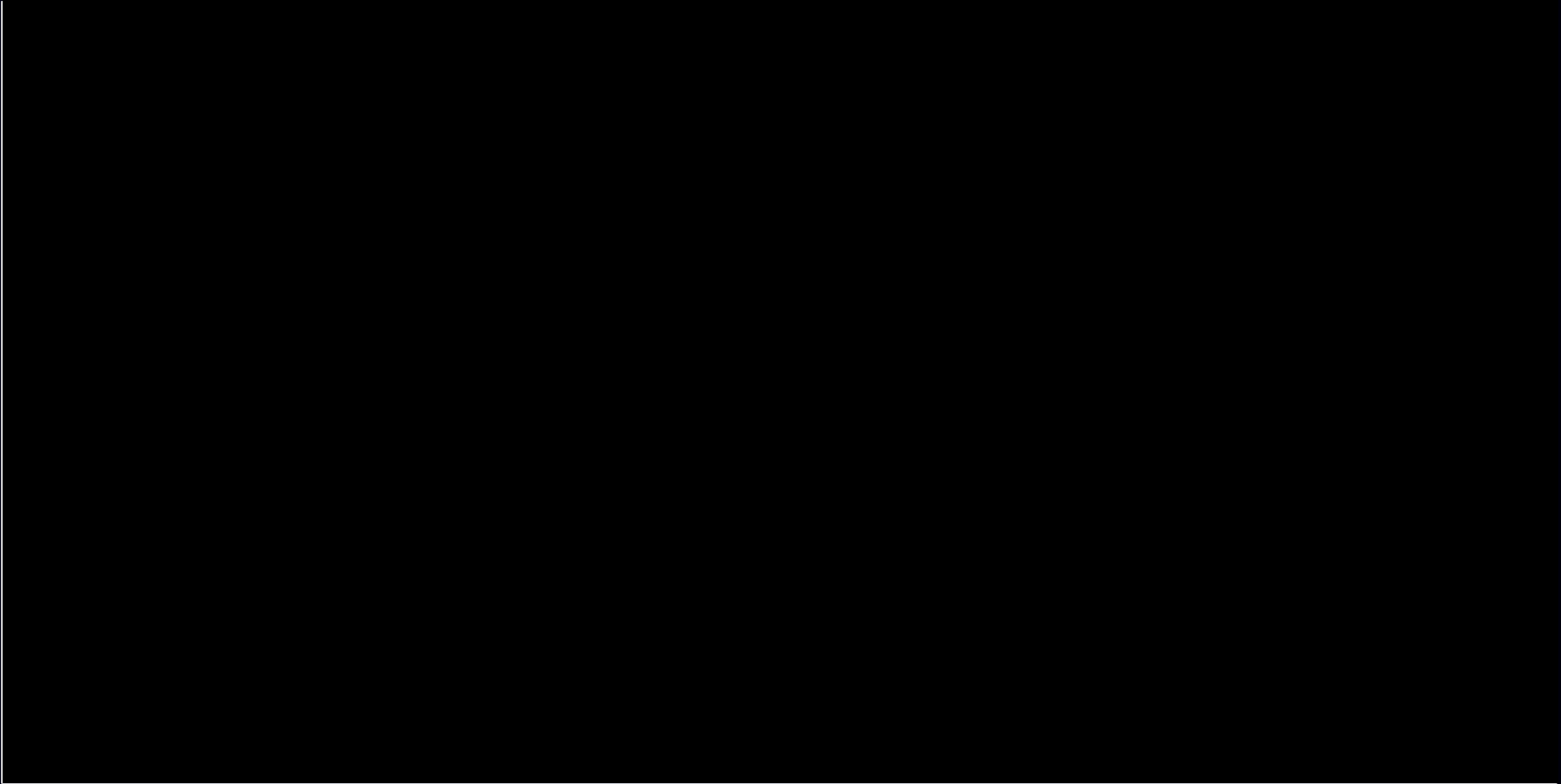


Chapter 2

DEFINITIONS



DEFINITIONS



DEFINITIONS



DEFINITIONS



DEFINITIONS



DEFINITIONS



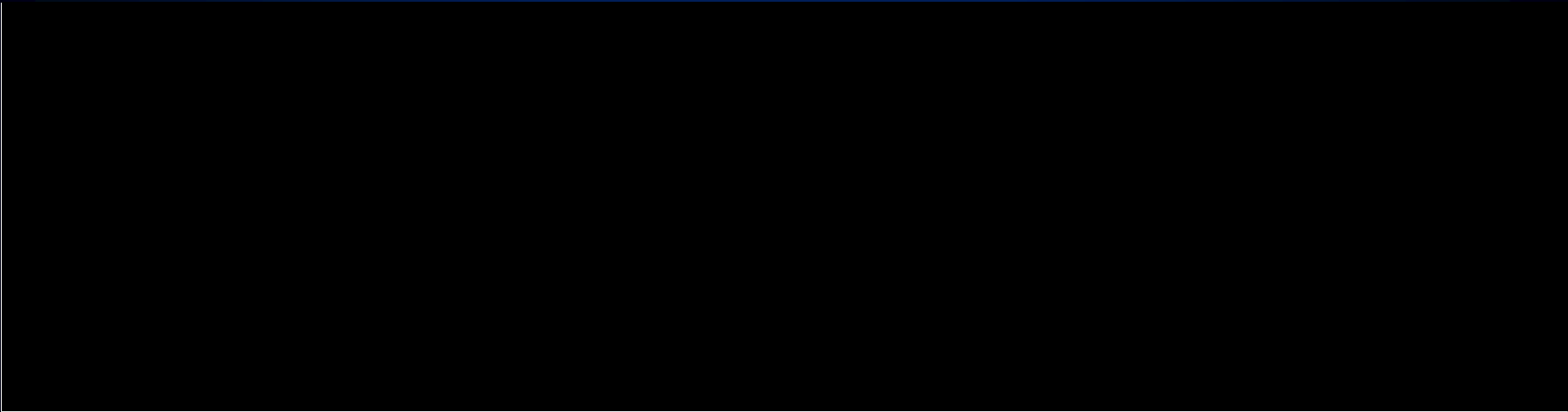
DEFINITIONS



DEFINITIONS



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DEFINITIONS





Chapter 3

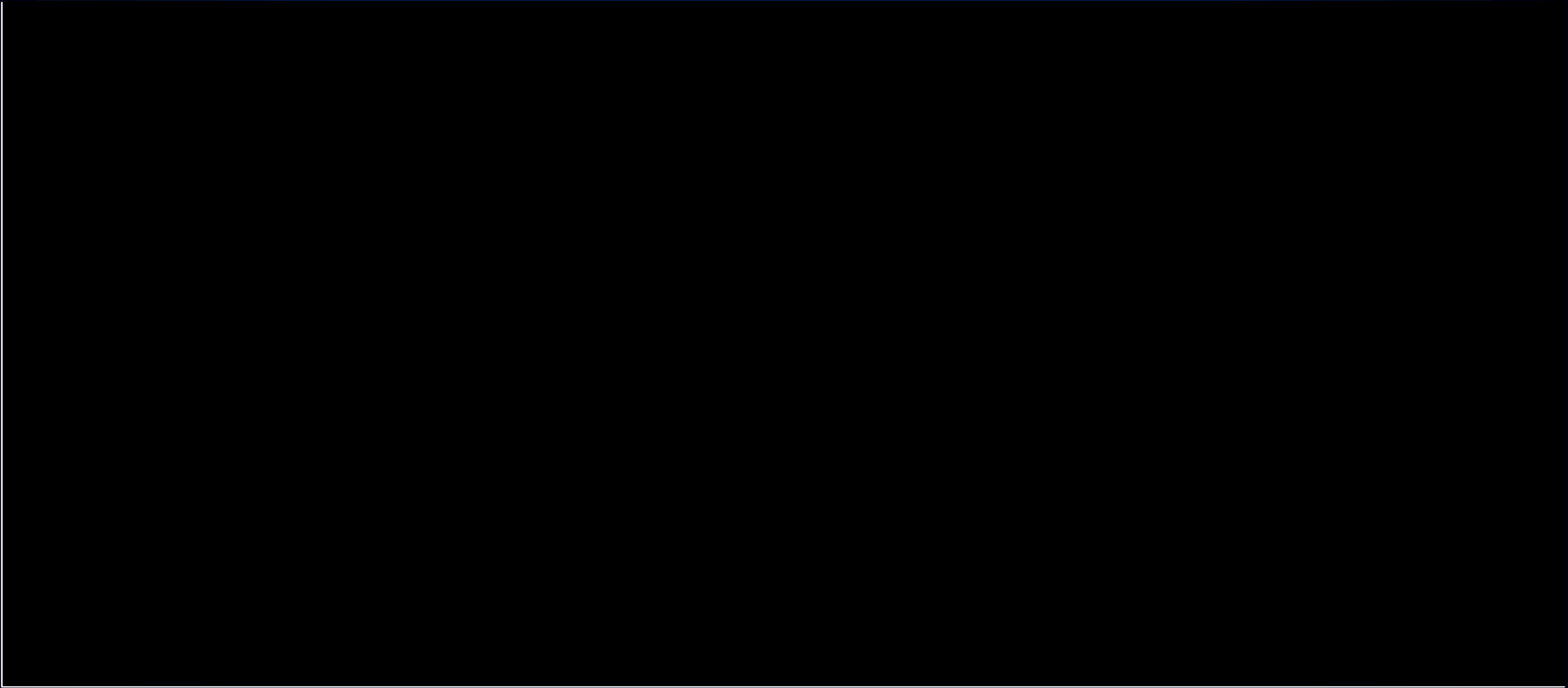
DECIDING WHETHER TO PURSUE



DECIDING WHETHER TO PURSUE



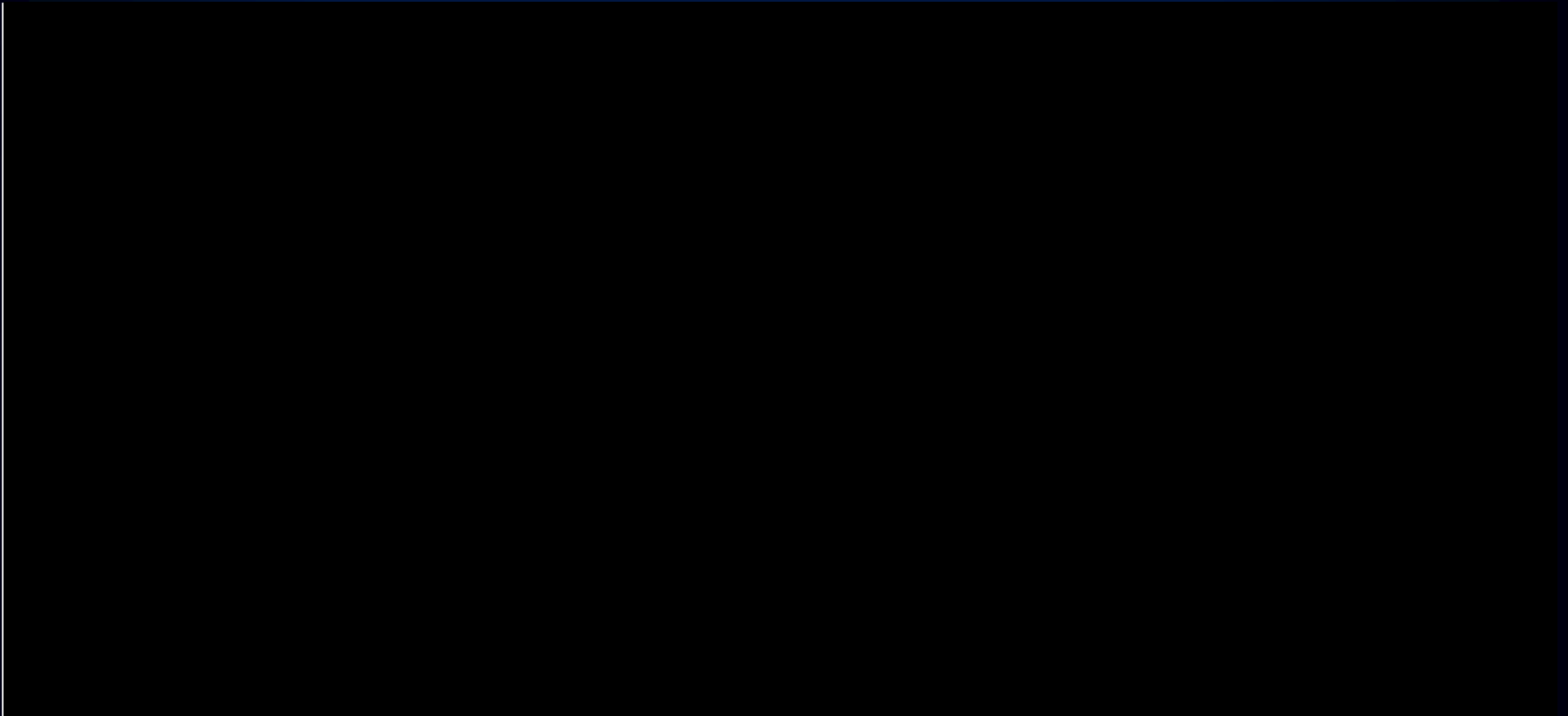
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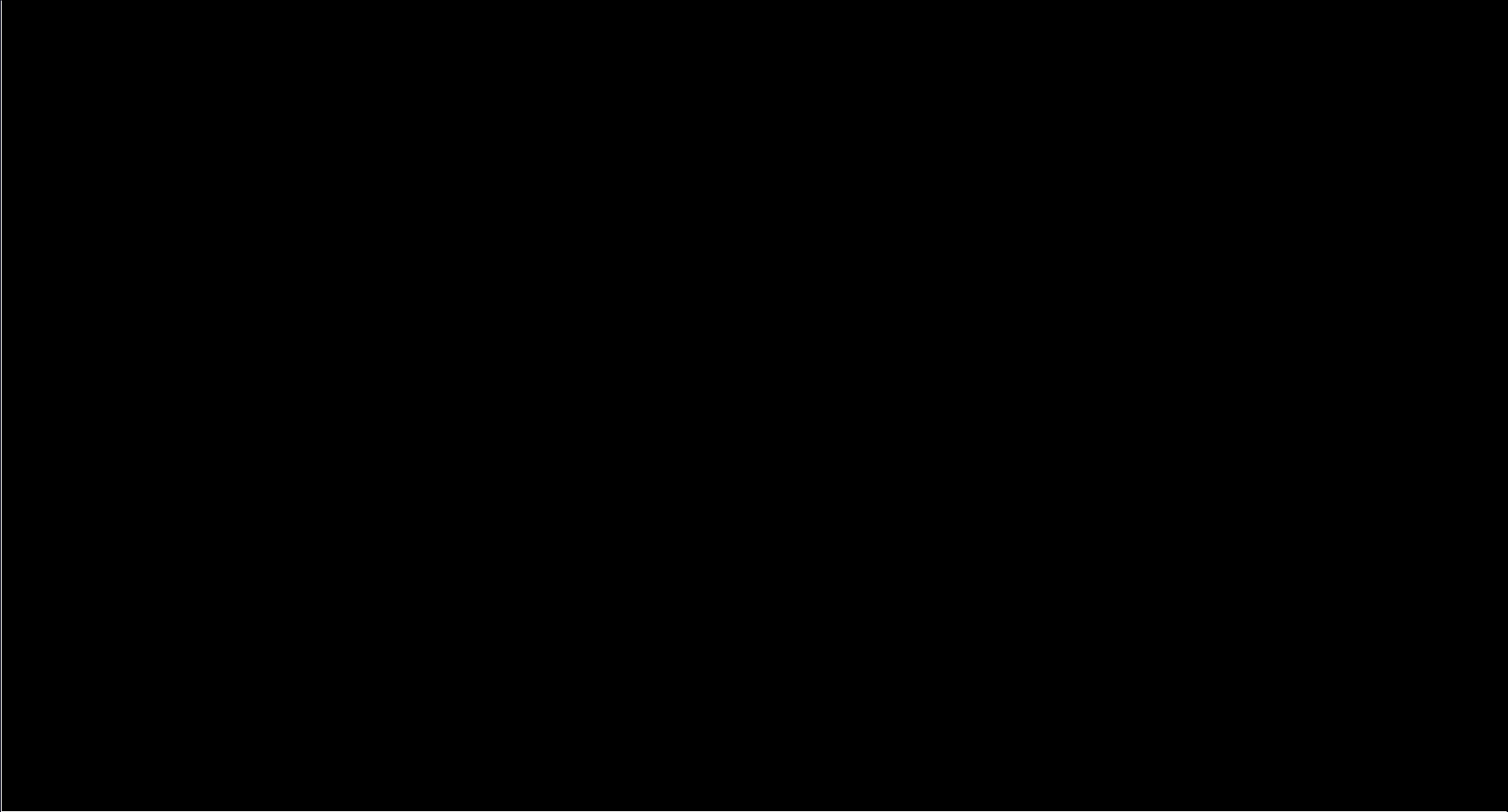


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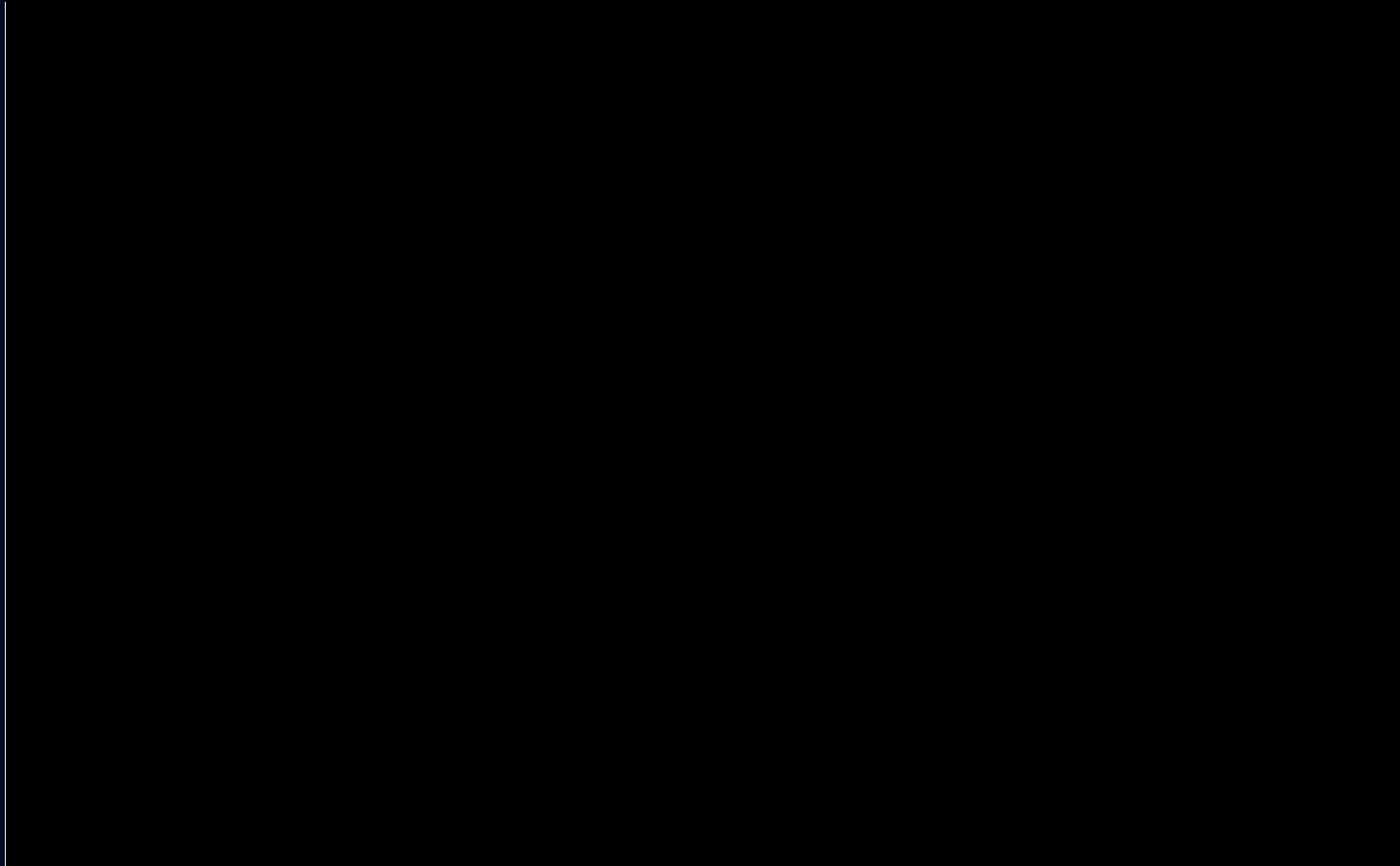
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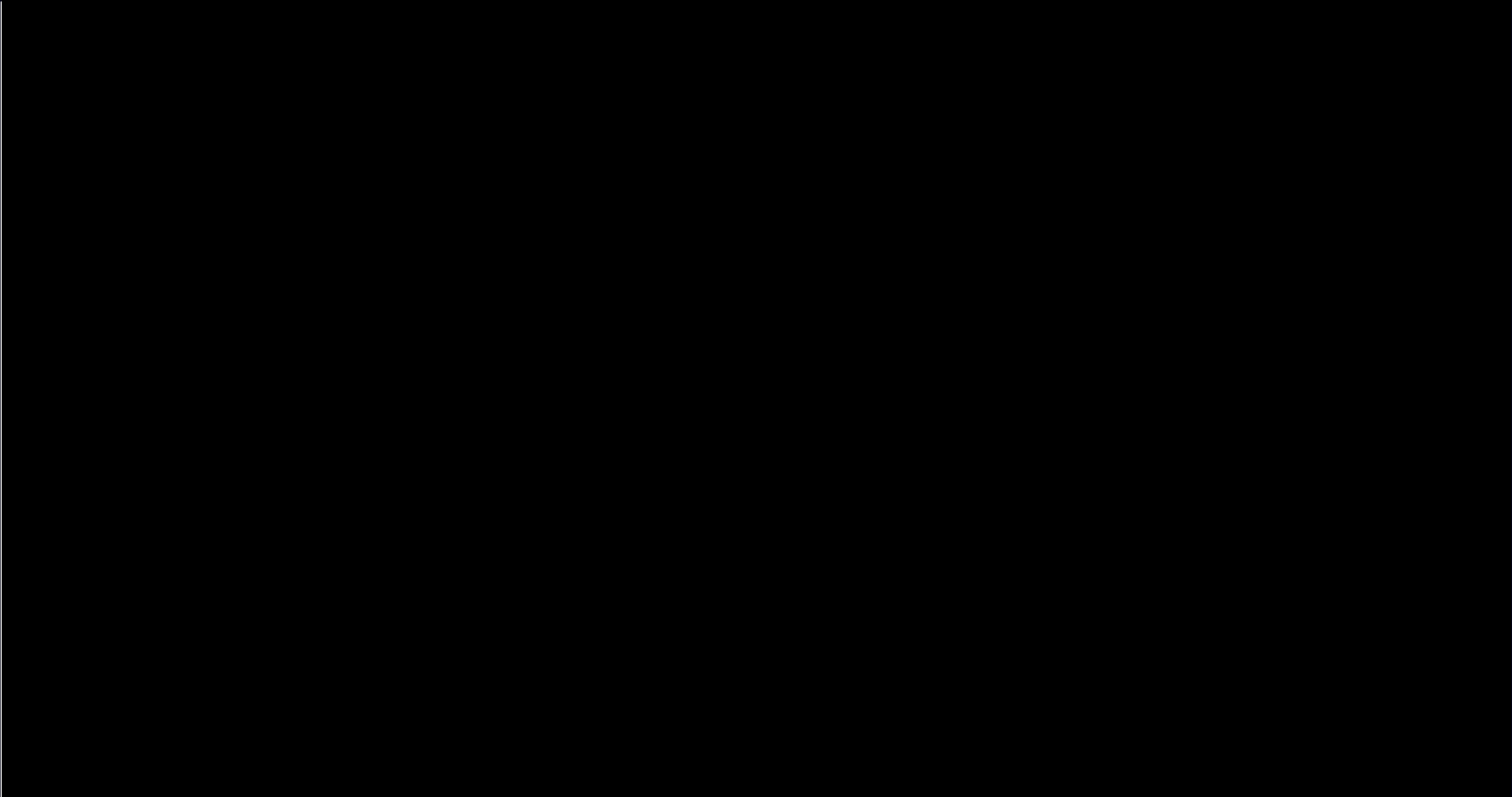
AUTHORIZATION TO PURSUE



AUTHORIZATION TO PURSUE



AUTHORIZATION TO PURSUE





Chapter 5

FACTORS TO CONSIDER



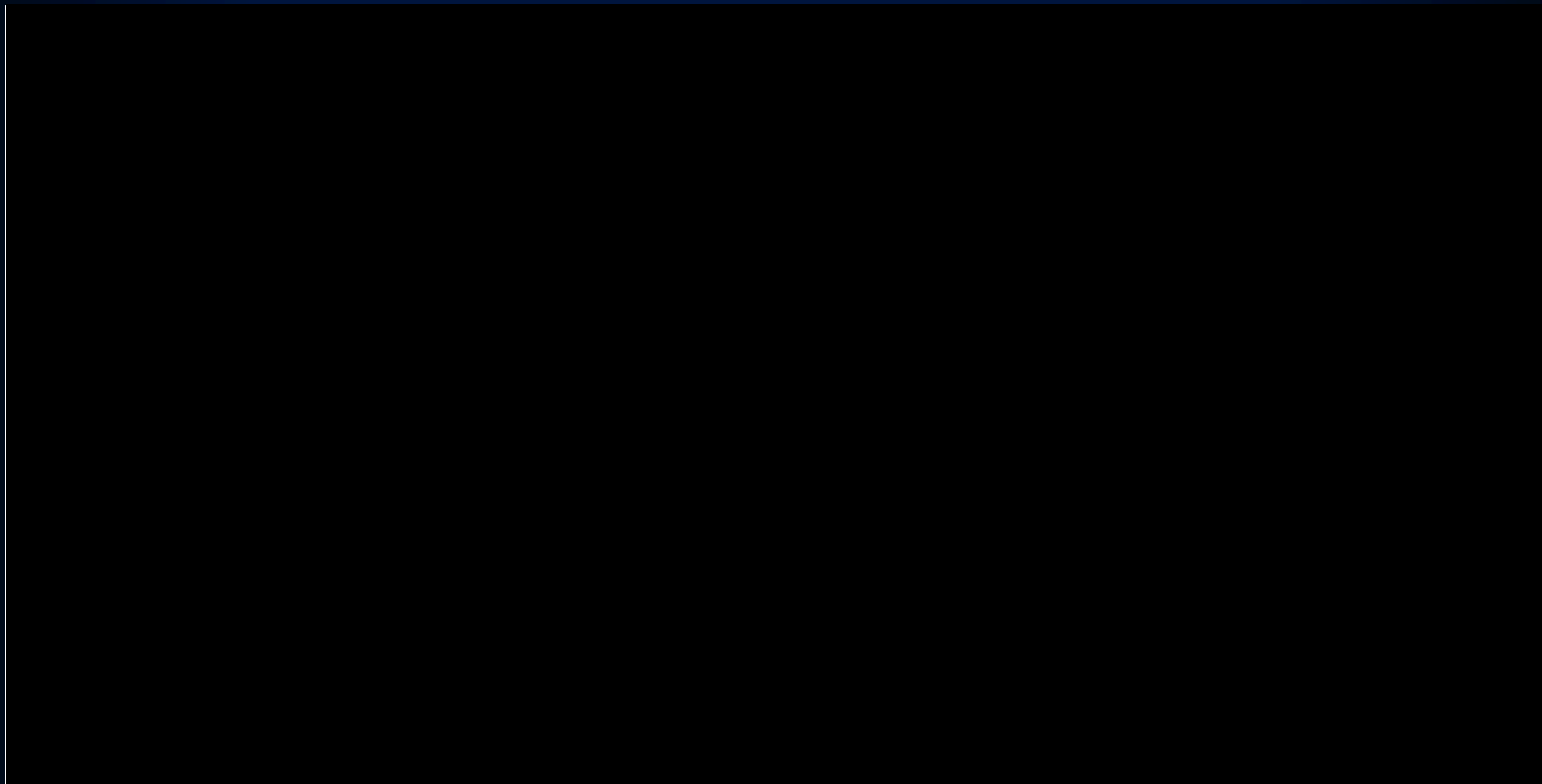
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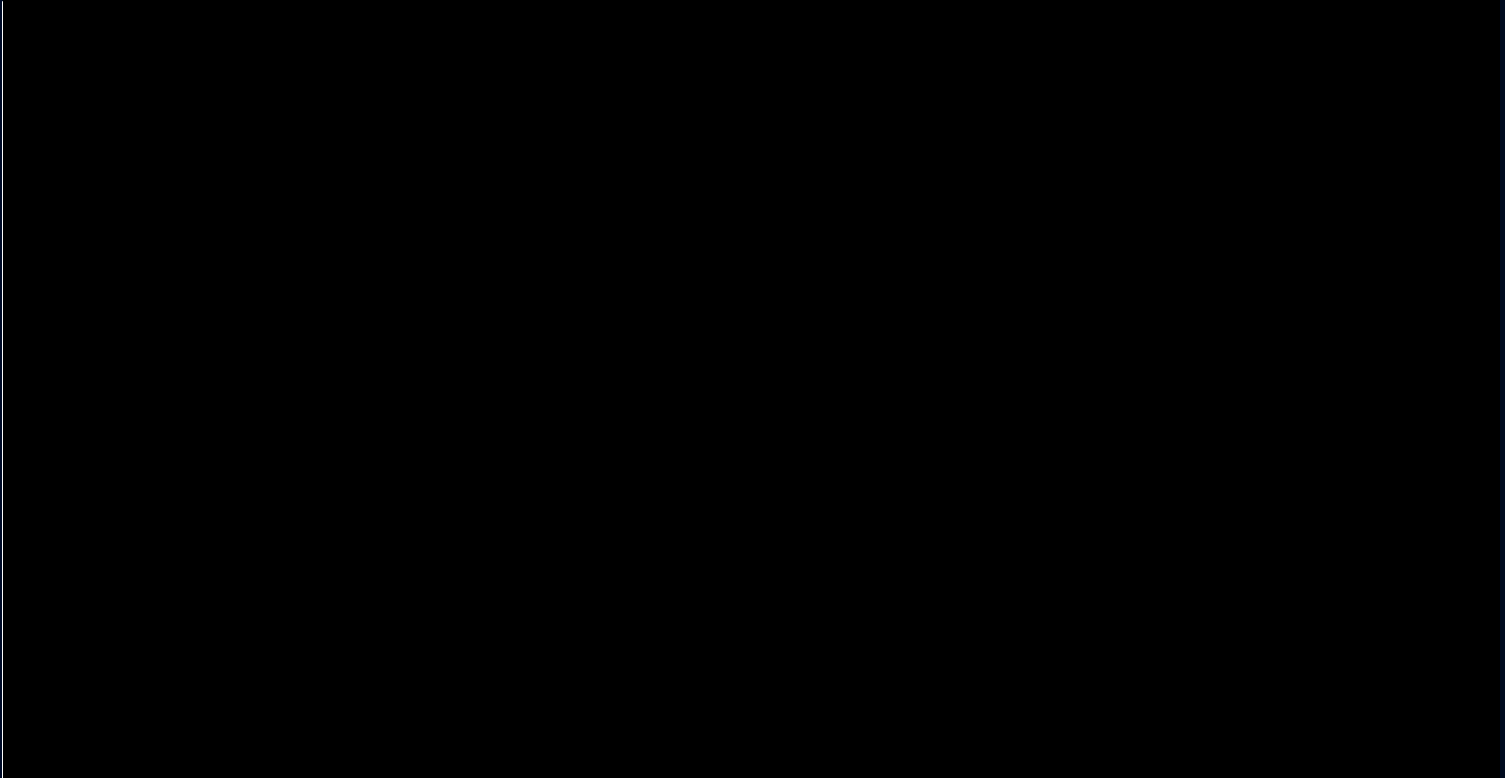
FACTORS TO CONSIDER



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FACTORS TO CONSIDER





Chapter 6

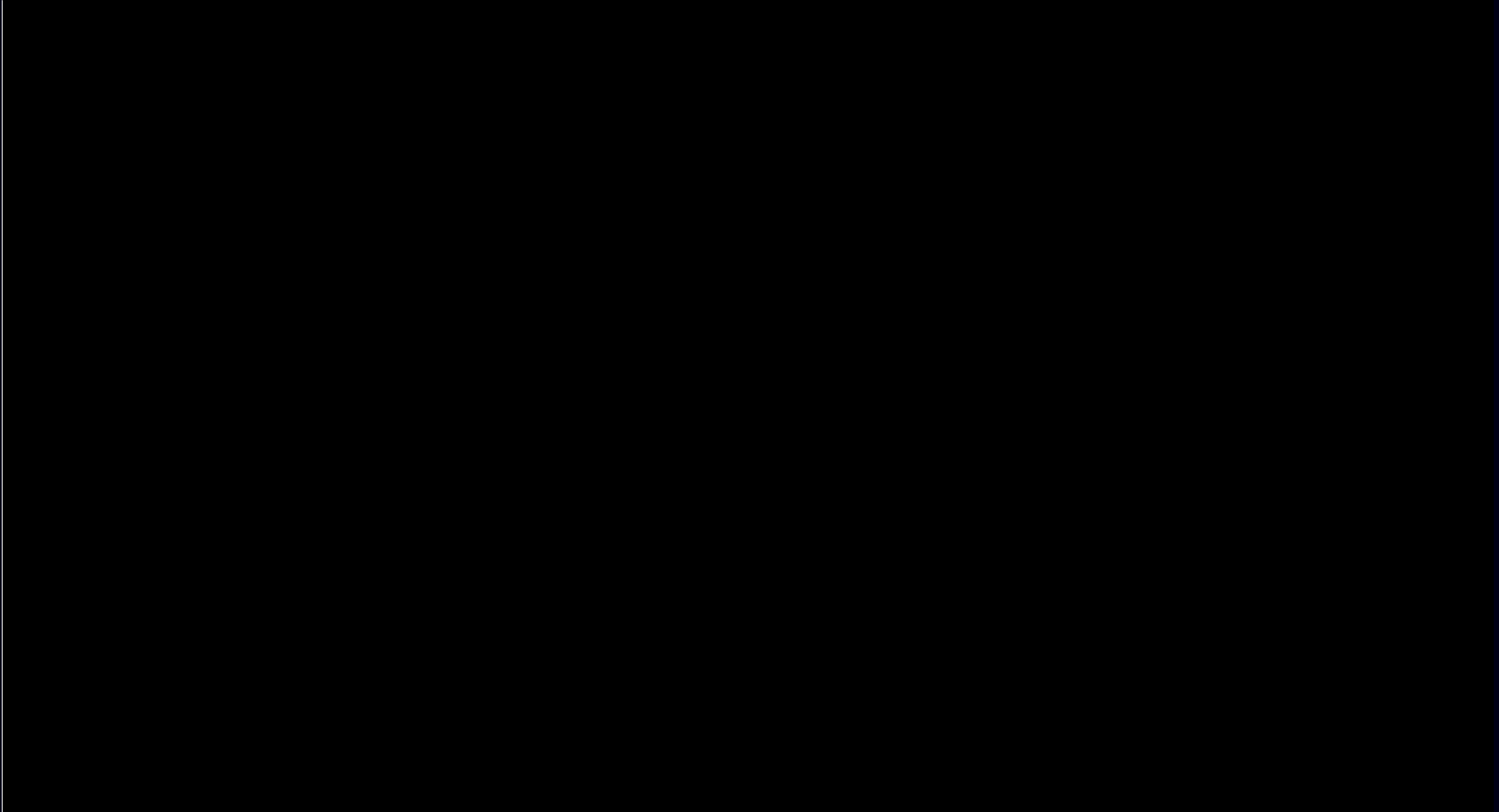
TERMINATING THE PURSUIT



TERMINATING THE PURSUIT



TERMINATING THE PURSUIT



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TERMINATING THE PURSUIT





Chapter 7

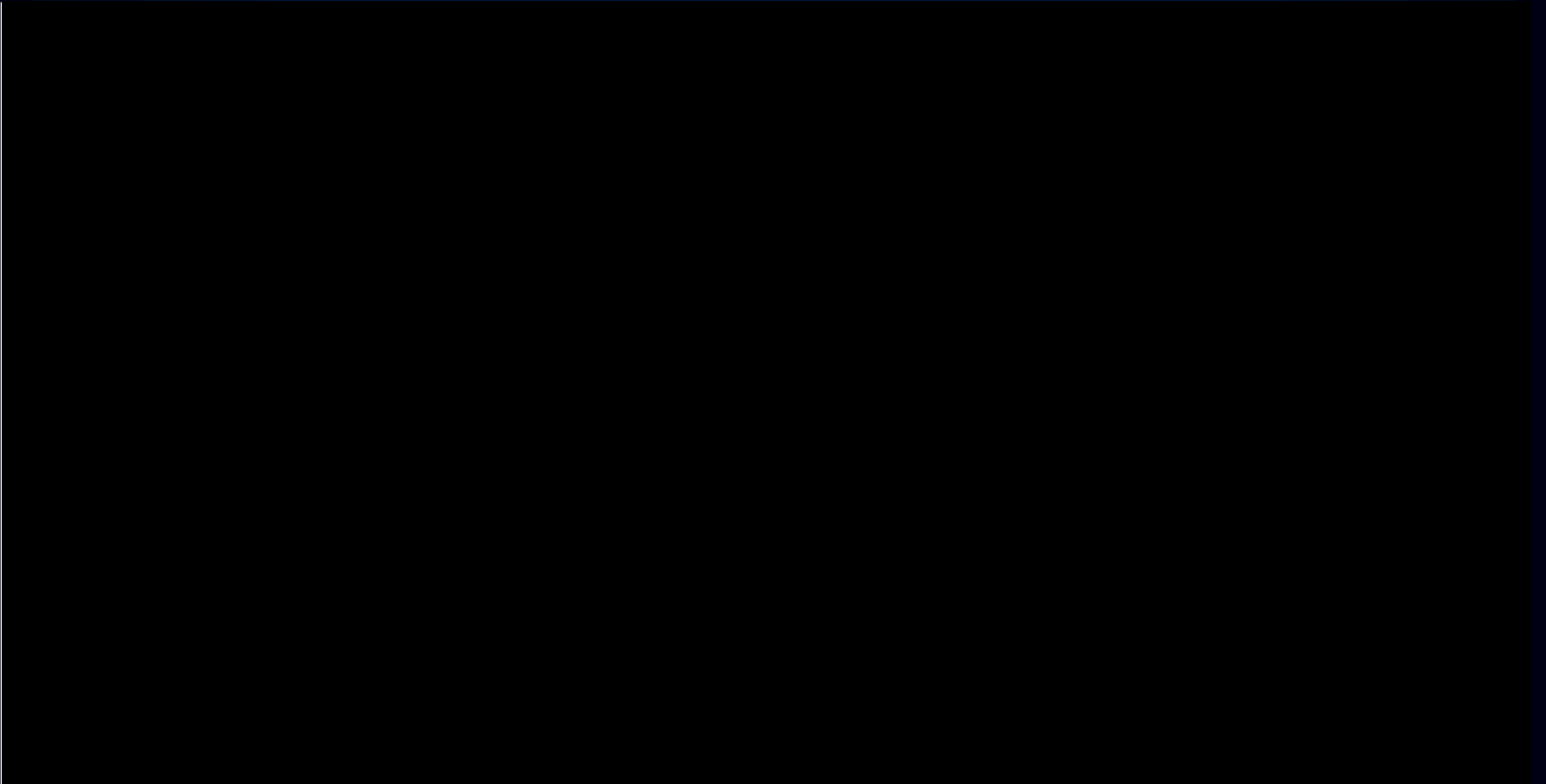
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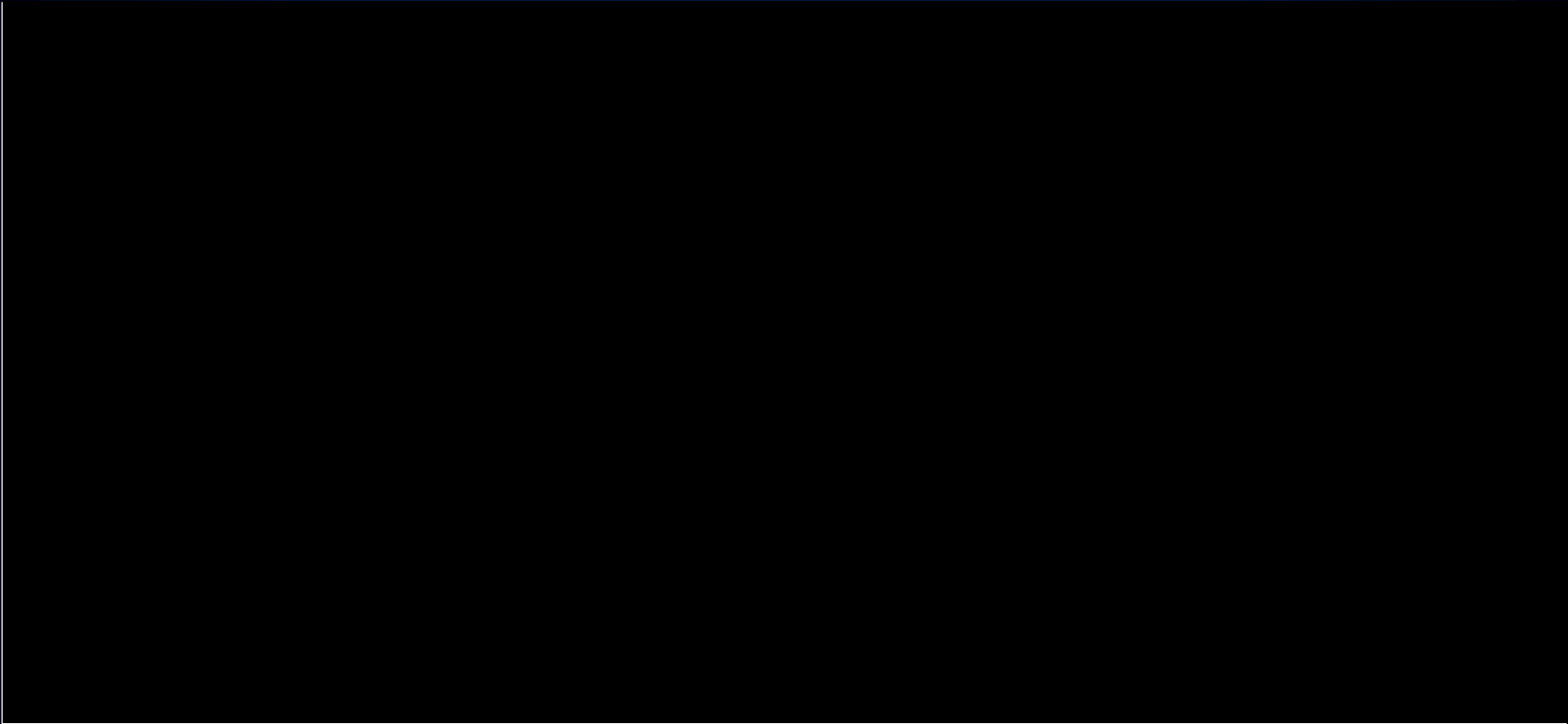
ROLE OF THE PURSUING OFFICER



ROLE OF THE PURSUING OFFICER



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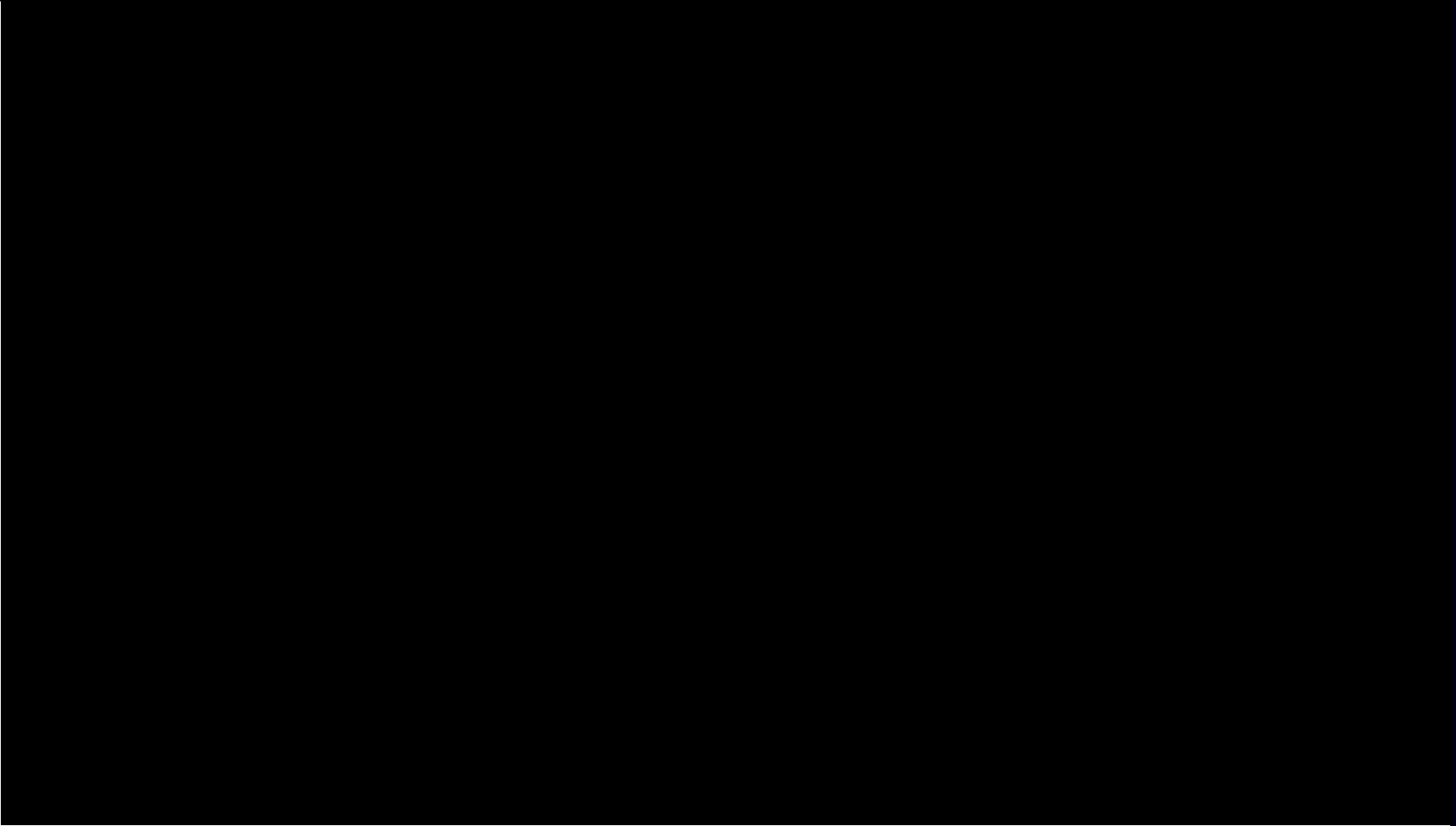
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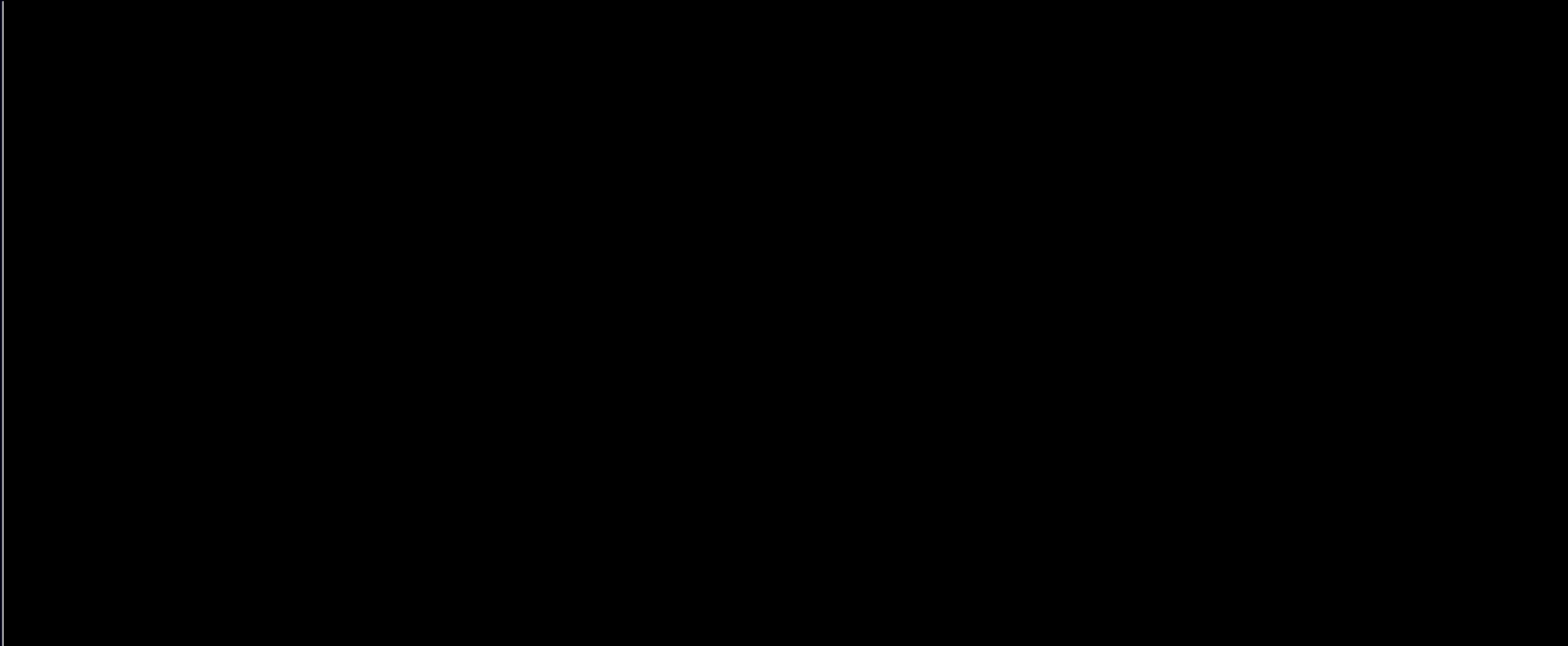
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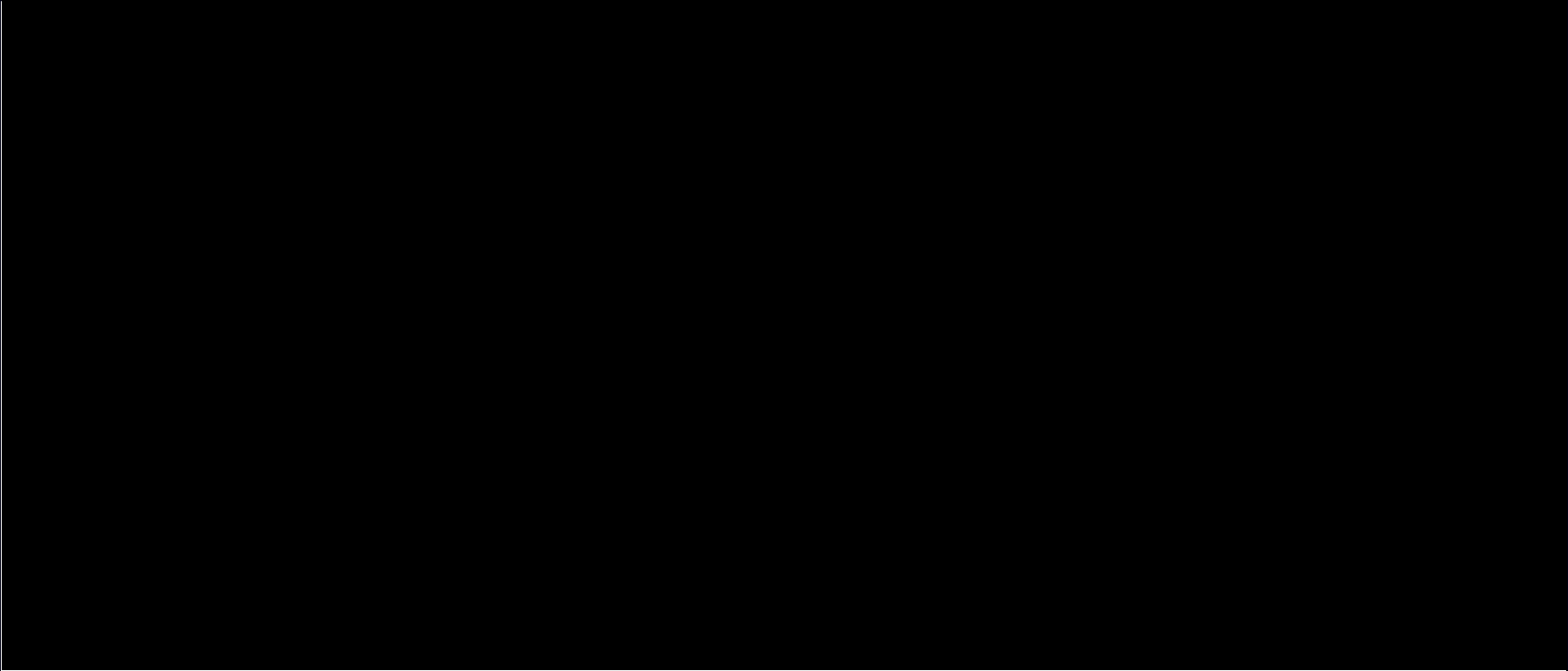
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ROLE OF THE SECONDARY UNIT



ADDITIONAL UNITS



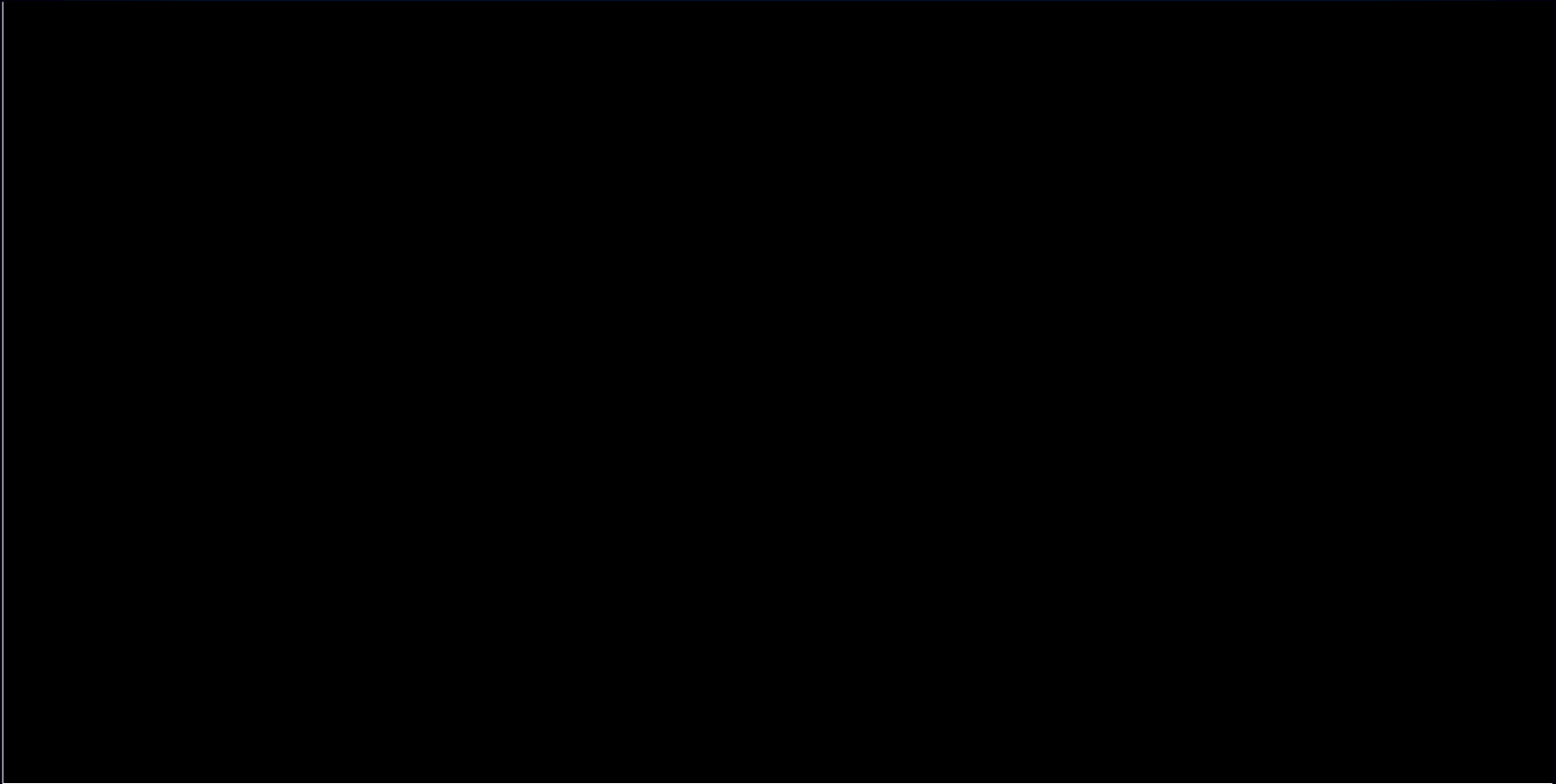


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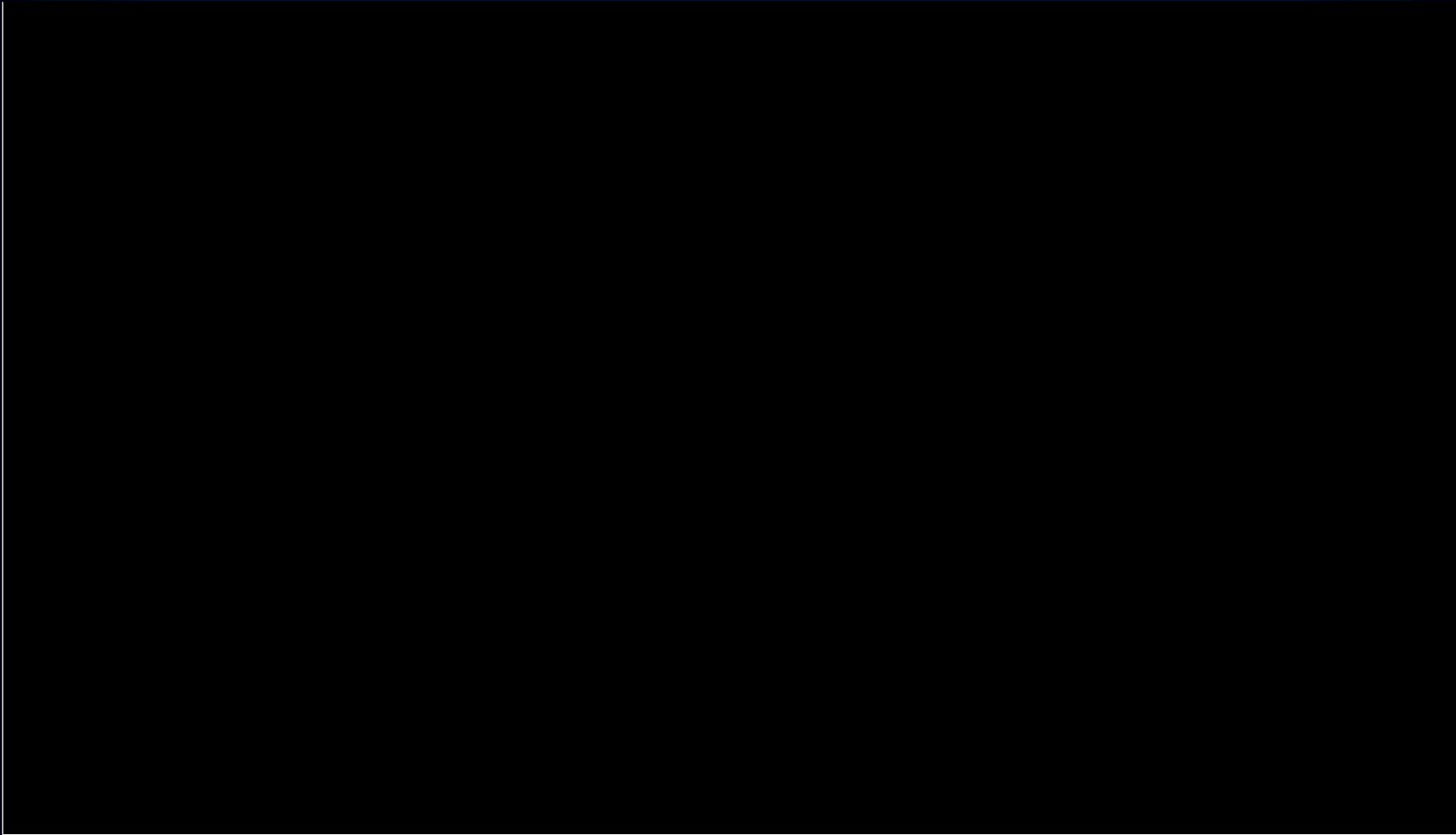
FOOT PURSUIT



FOOT PURSUIT



FOOT PURSUIT





Chapter 9

RESTRICTIONS

RESTRICTIONS



RESTRICTIONS



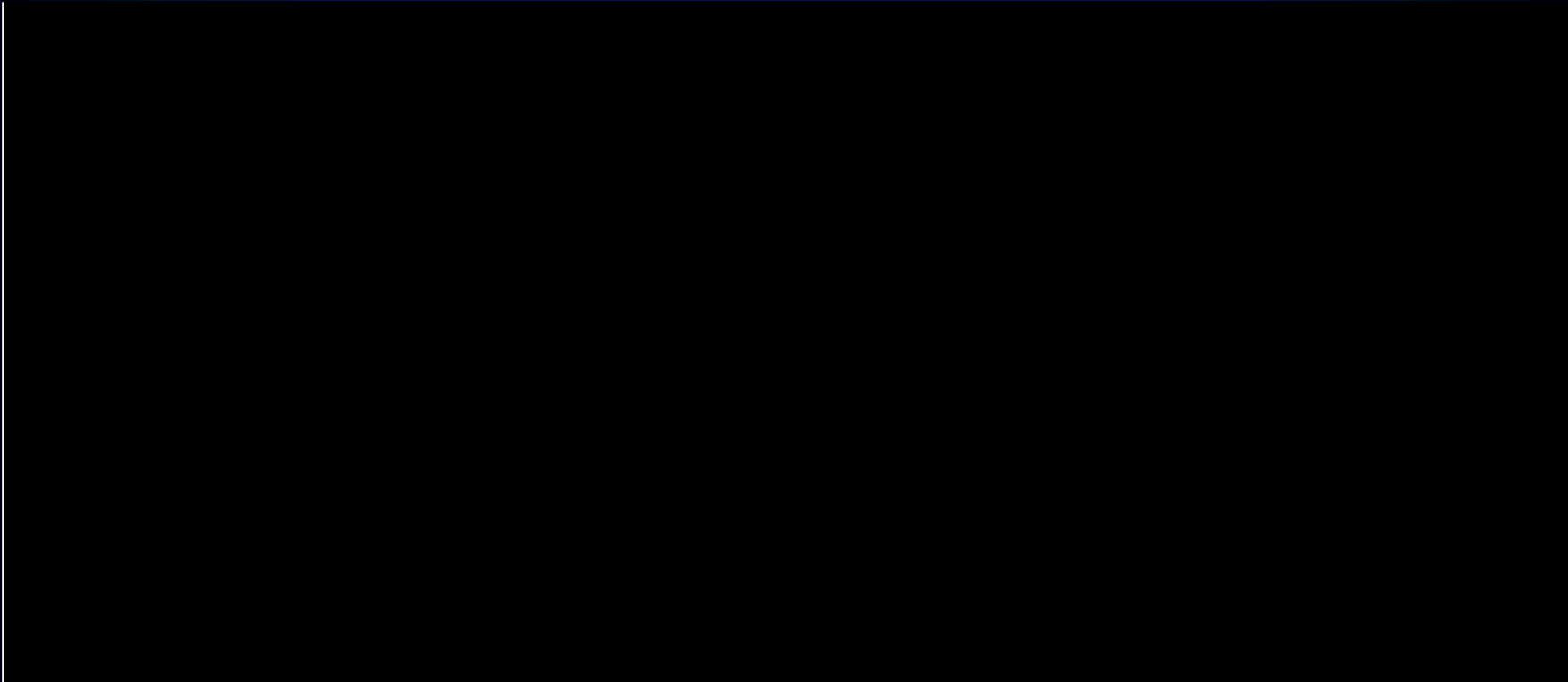
RESTRICTIONS



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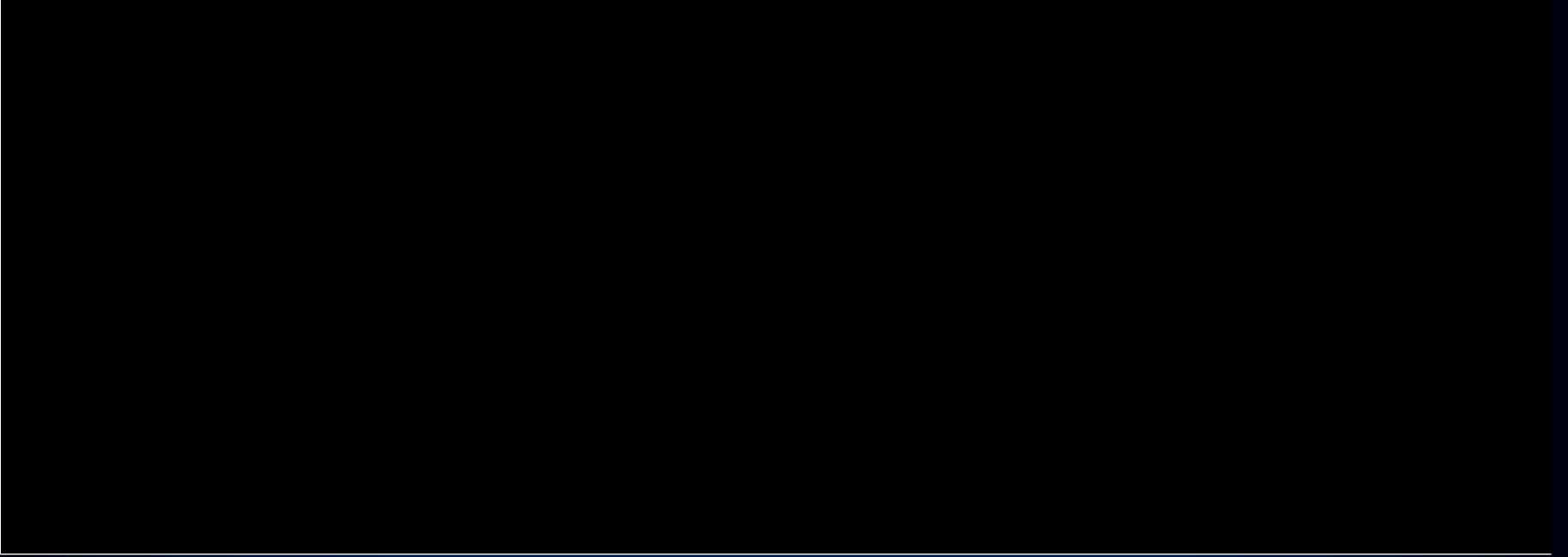


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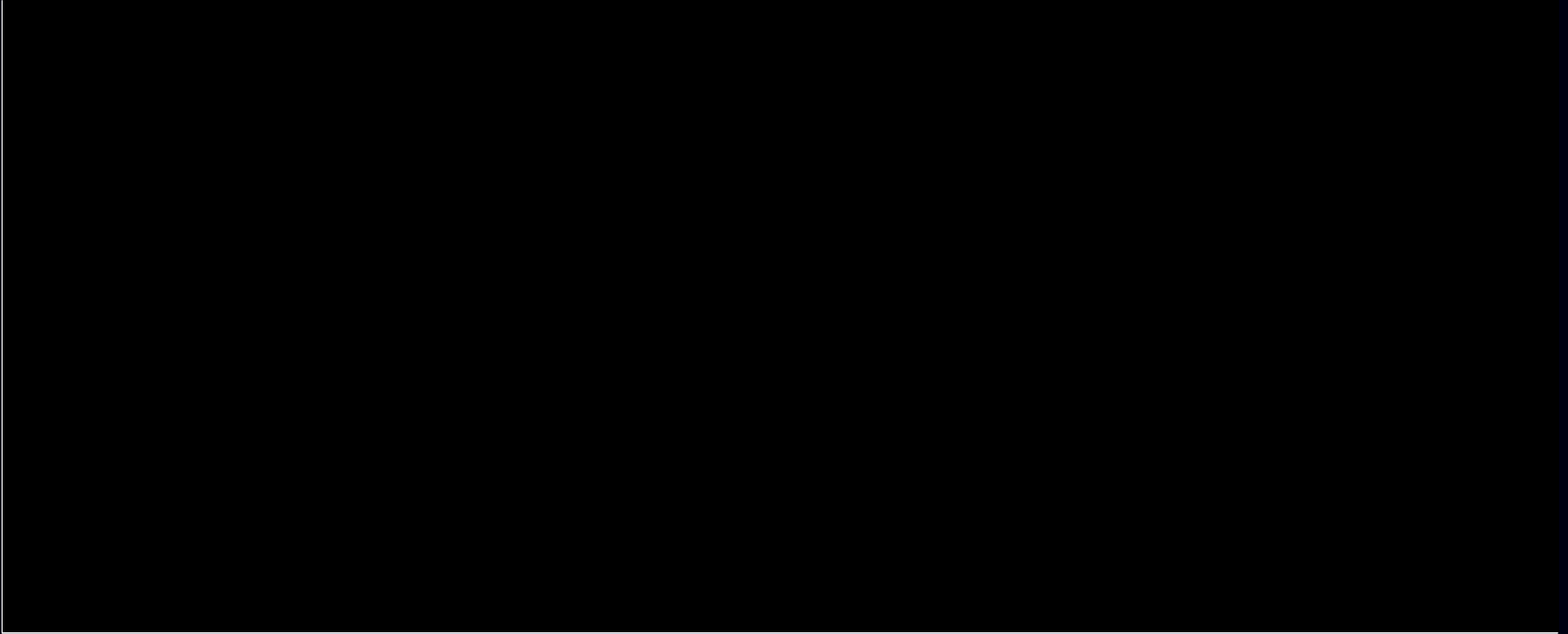
FORCIBLE STOPPING



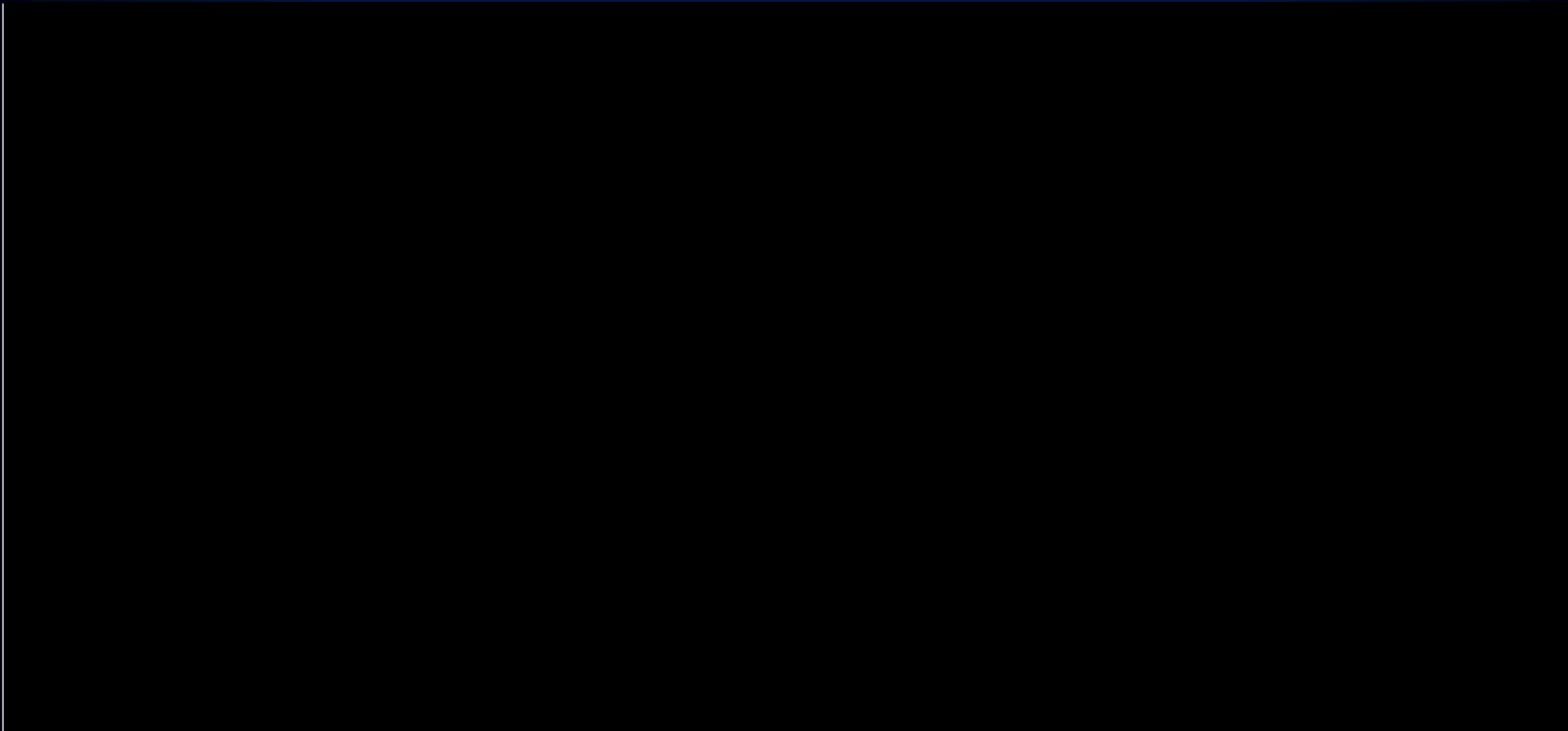
FORCIBLE STOPPING



AUTHORIZED TIRE DEFLATION DEVICES



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BOXING IN / HEADING OFF



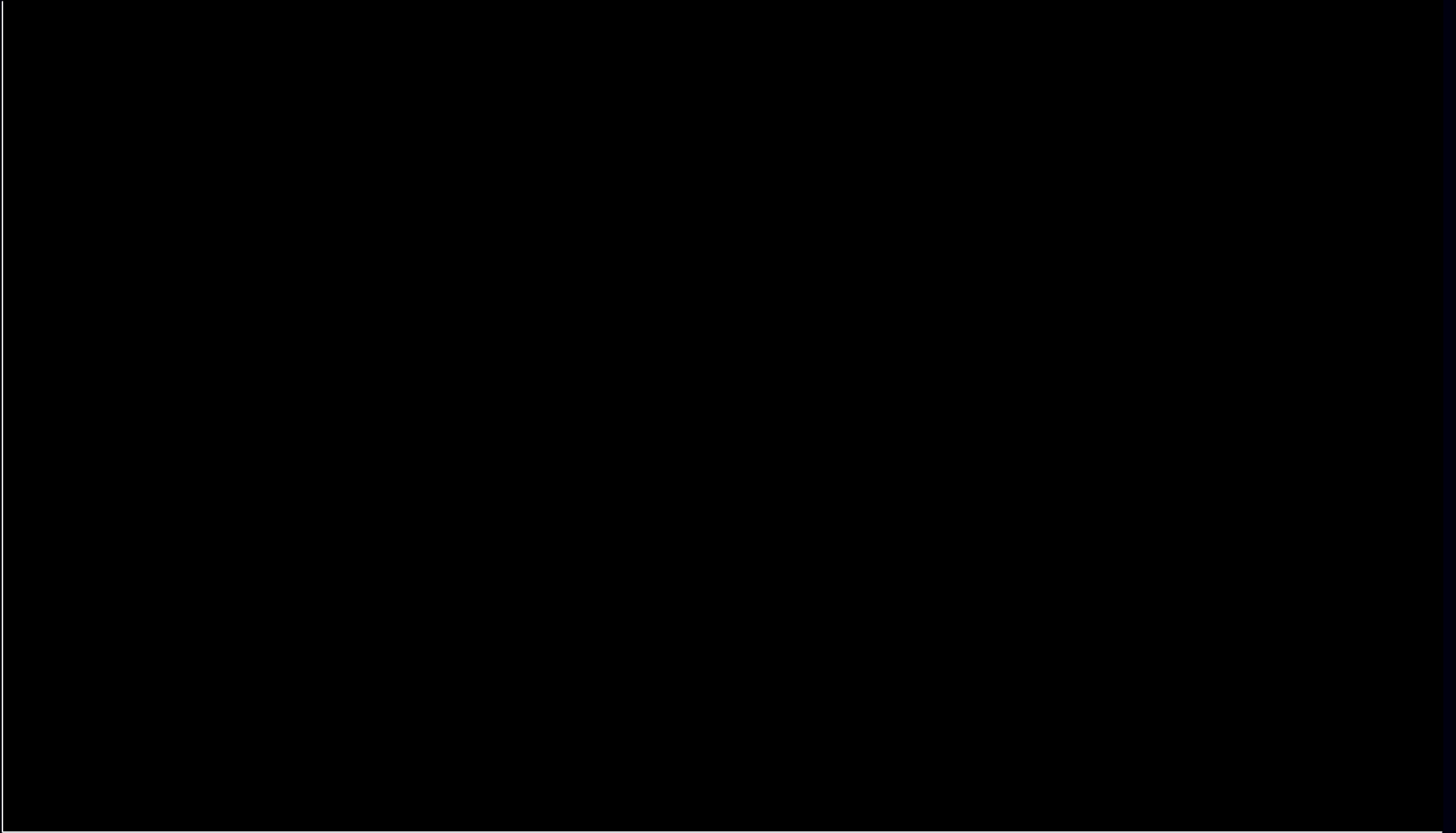
ROADBLOCKS



ROADBLOCKS



ROADBLOCKS



ROADBLOCKS



ROADBLOCKS



APPROACHING THE VEHICLE AFTER A FORCIBLE STOPPING INCIDENT





Chapter 11

ROLE OF THE SUPERVISOR



ROLE OF THE SUPERVISOR



ROLE OF THE SUPERVISOR



ROLE OF THE SUPERVISOR



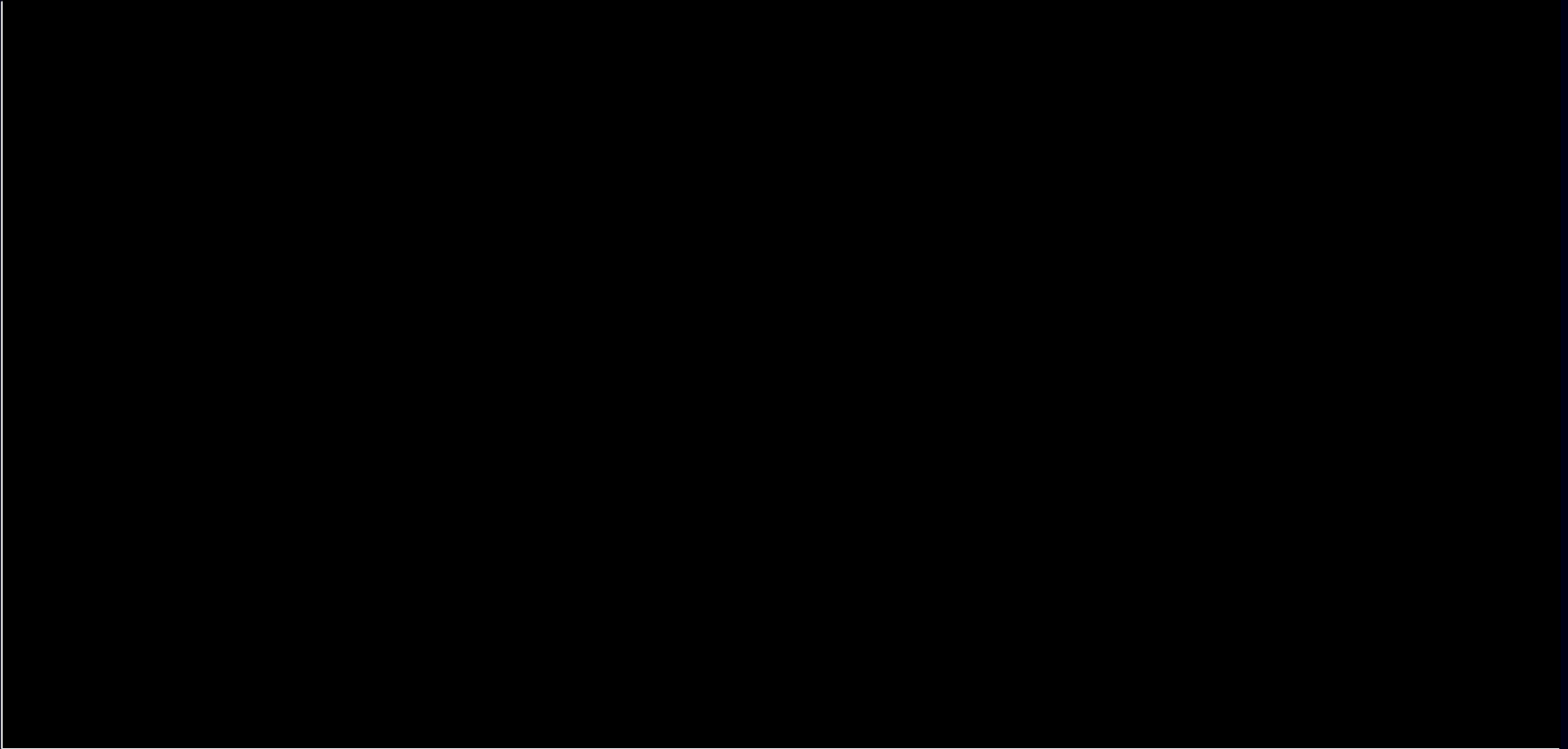
ROLE OF THE SUPERVISOR



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ROLE OF THE SUPERVISOR





Chapter 12

REINSTATEMENT

INTER/INTRAJURISDICTIONAL PURSUITS



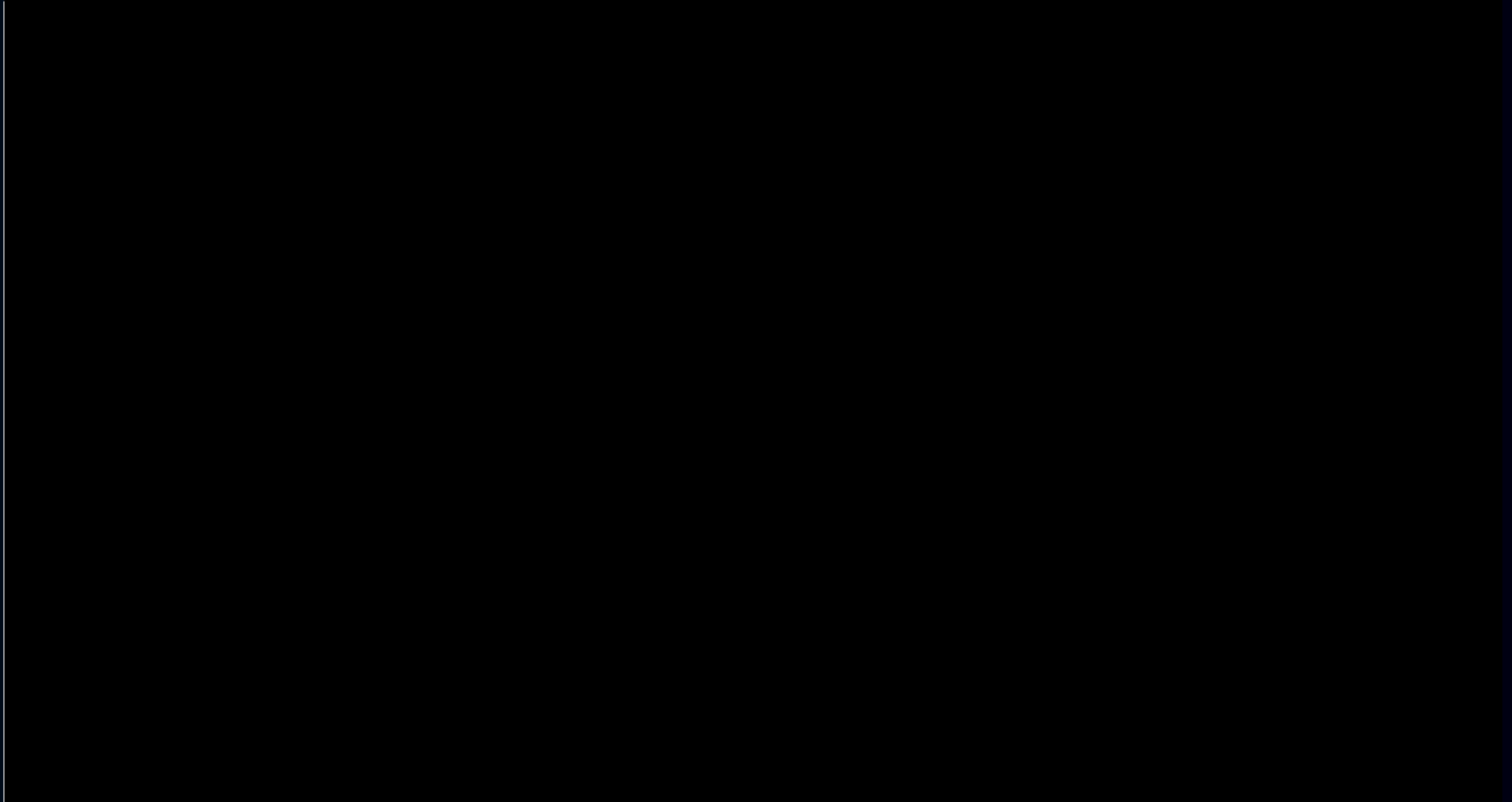
ROLE OF COMMUNICATIONS



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The Summit PD Spring 2021 Vehicular Pursuit
Training Module



ROLE OF COMMUNICATIONS

The Summit PD Spring 2021 Vehicular Pursuit
Training Module



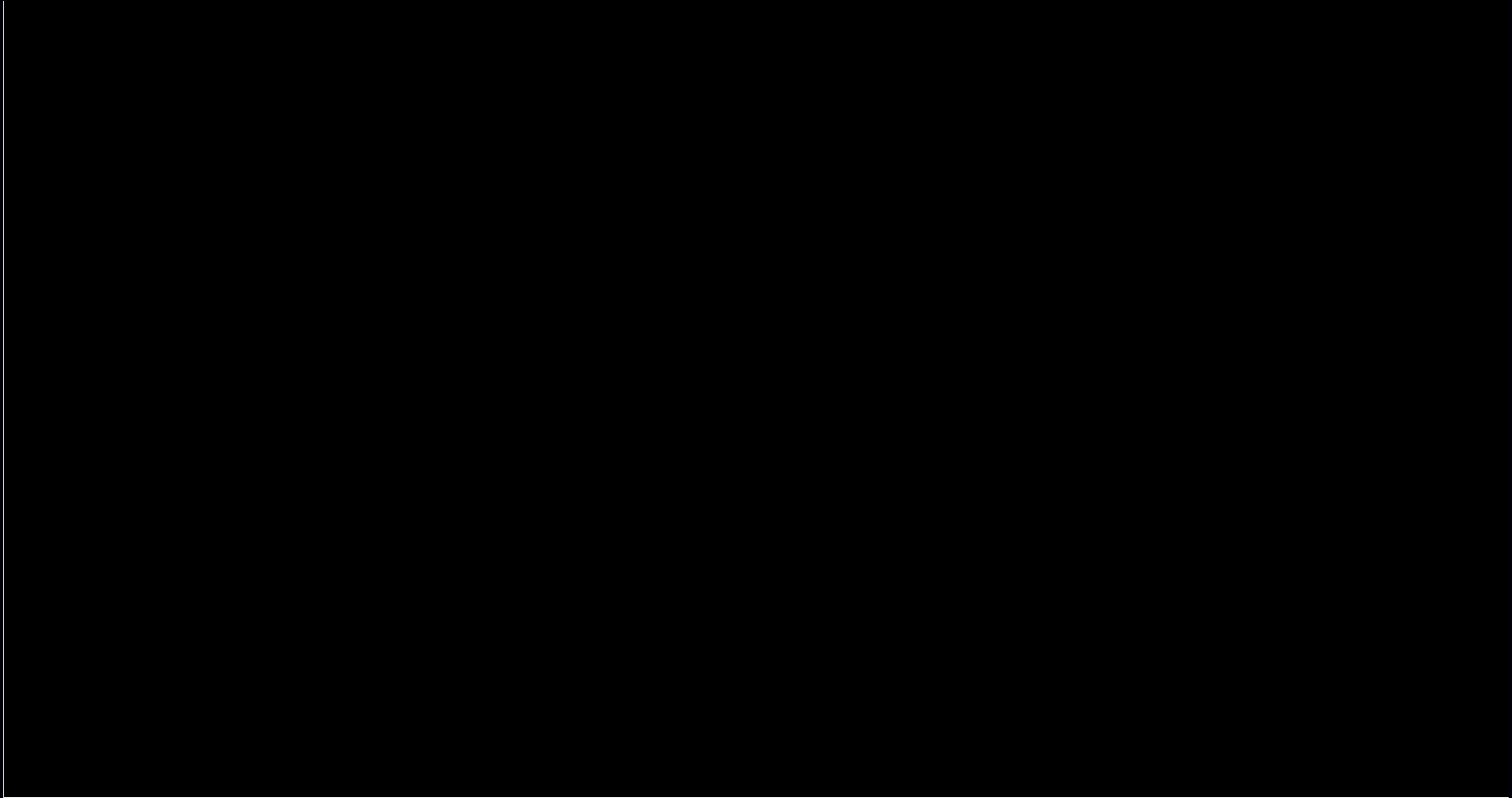


Chapter 13

REINSTATEMENT OF THE PURSUIT INTER/INTRAJURISDICTIONAL PURSUITS



REINSTATEMENT OF PURSUIT



REINSTATEMENT OF PURSUIT

The Summit PD Spring 2021 Vehicular
Pursuit Training Module



INTER/INTRAJURISDICTIONAL PURSUITS



INTER/INTRAJURISDICTIONAL PURSUITS

Pursuit Training Module



INTER/INTRAJURISDICTIONAL PURSUITS

The Summit PD Spring 2021 Vehicular
Pursuit Training Module



INTER/INTRAJURISDICTIONAL PURSUITS



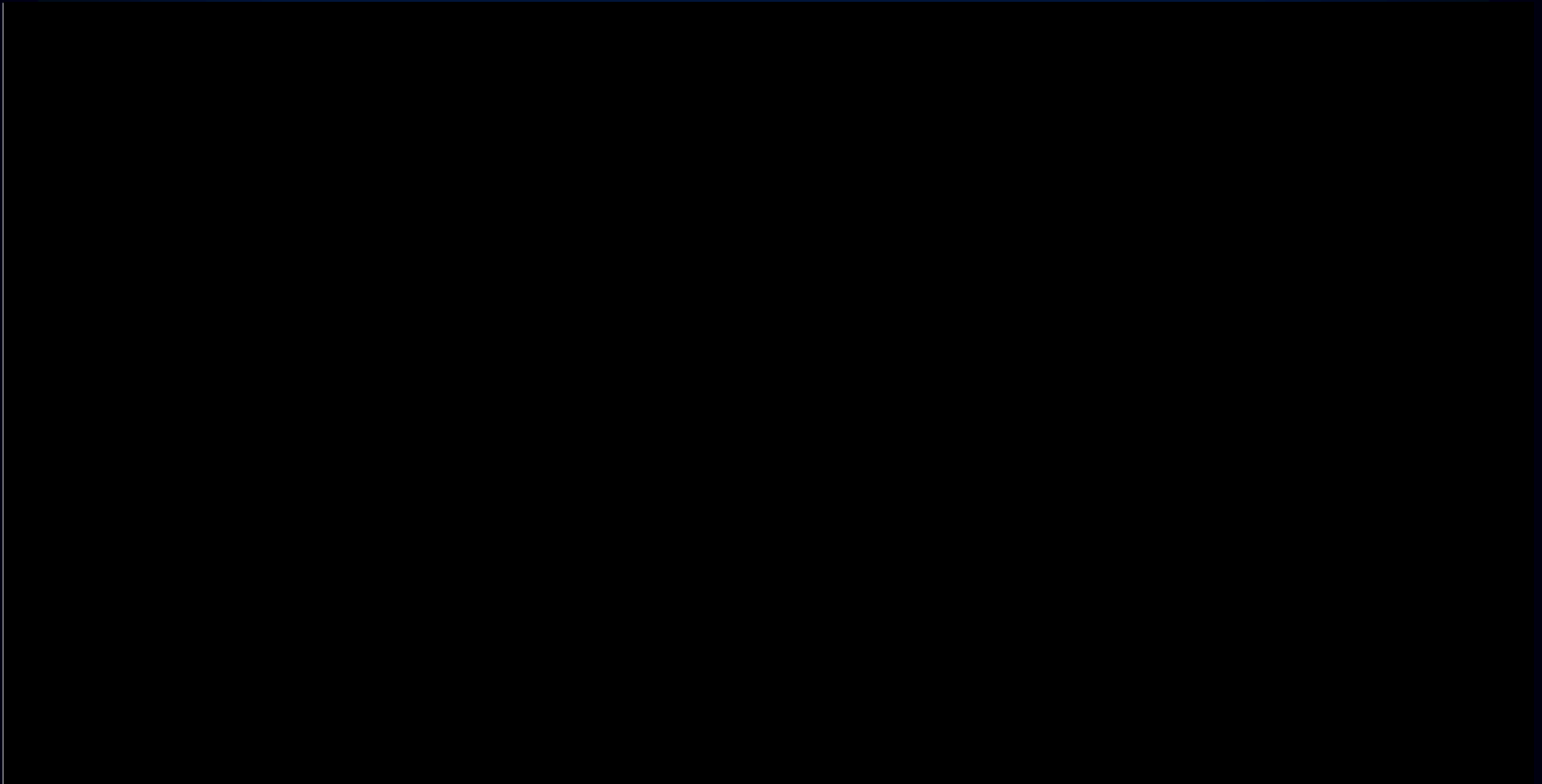
INTER/INTRAJURISDICTIONAL PURSUITS



INTER/INTRAJURISDICTIONAL PURSUITS



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INTER/INTRAJURISDICTIONAL PURSUITS



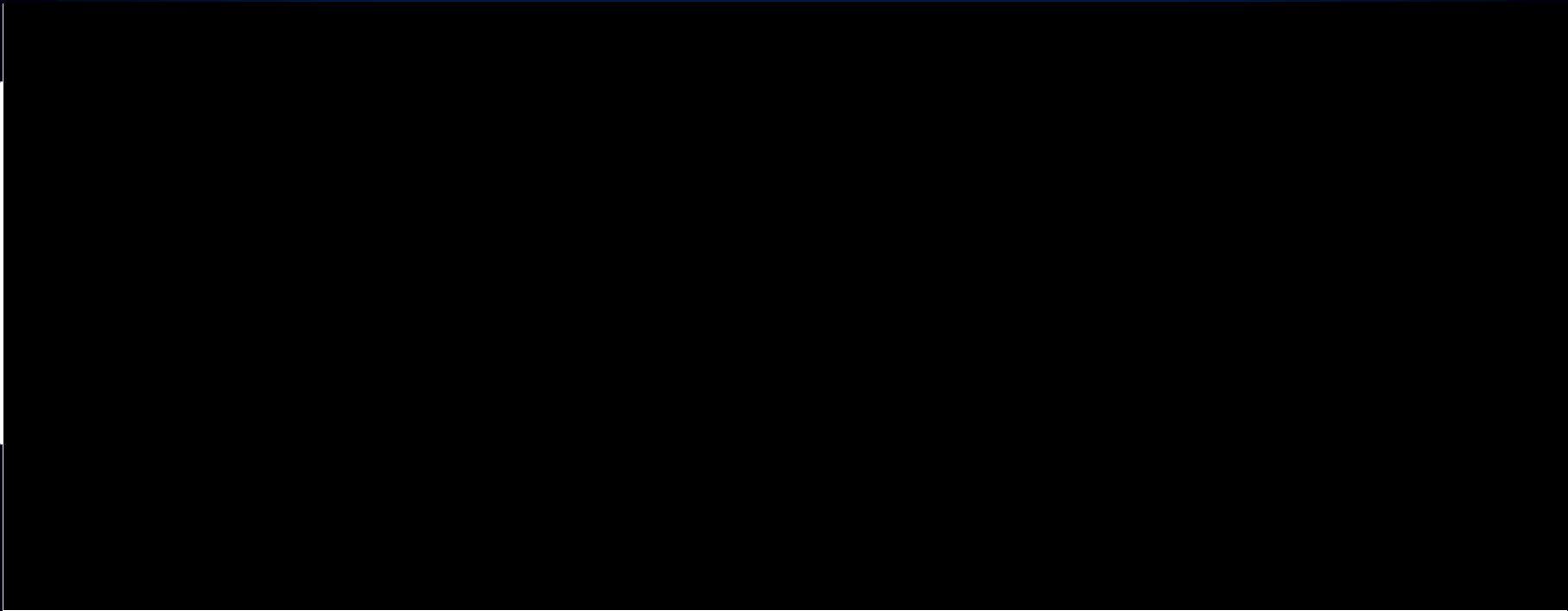


Chapter 14

REPORTING / REVIEW / NOTIFICATIONS / TRAINING



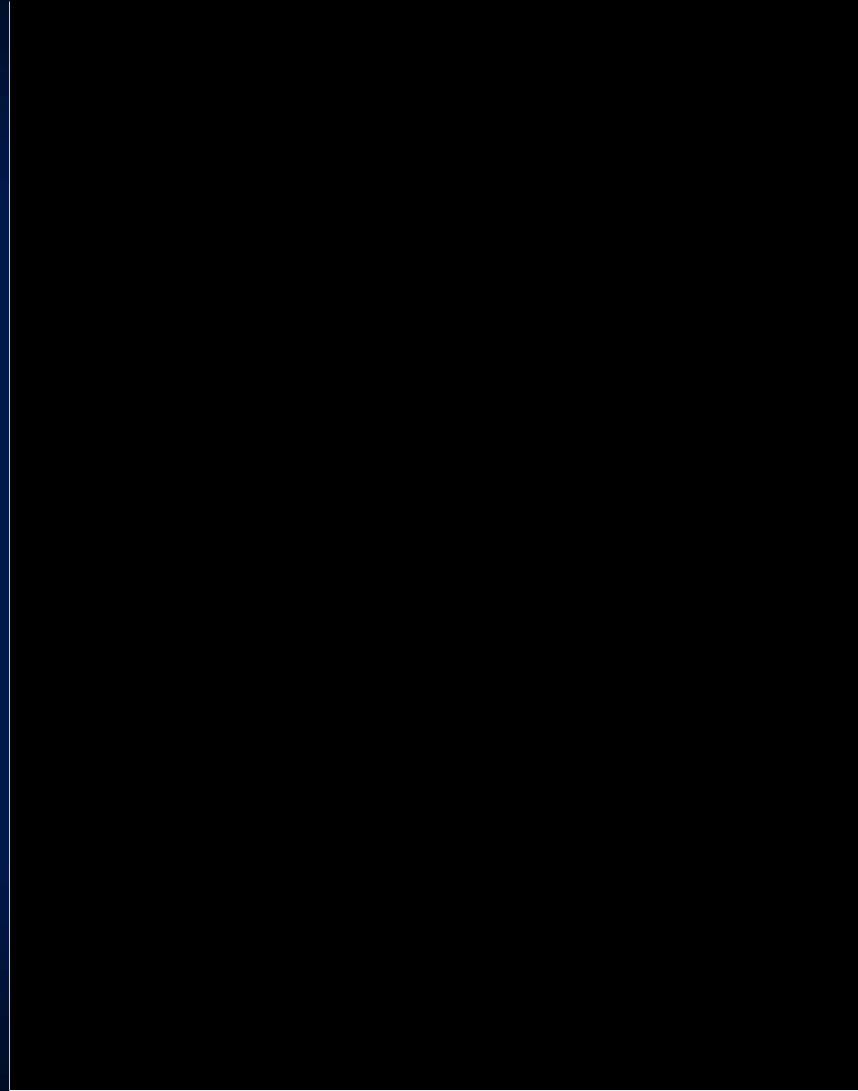
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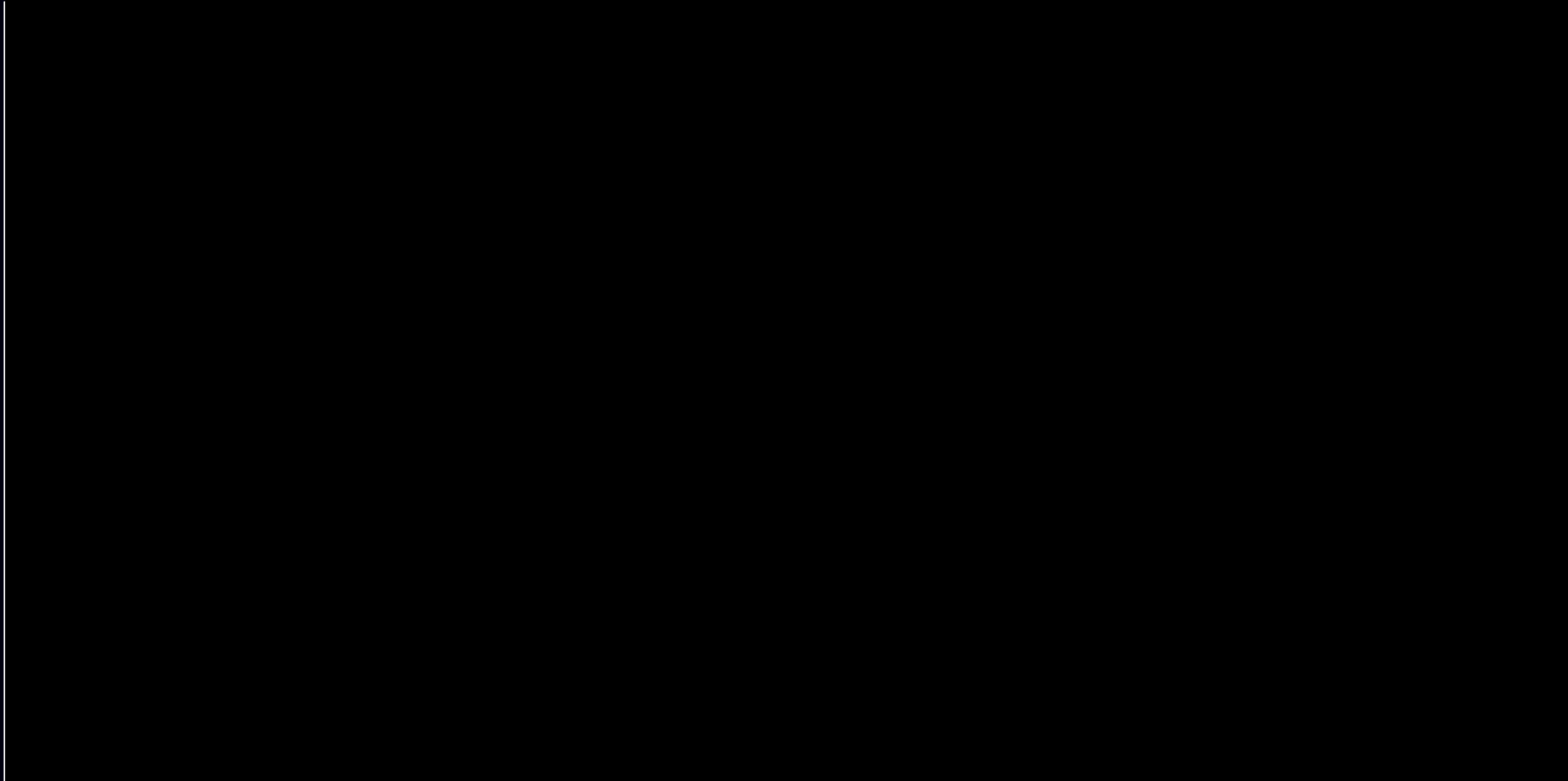
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Vehicular Pursuit Training Module



REPORTING REQUIREMENTS



INVESTIGATION REPORT REQUIRED



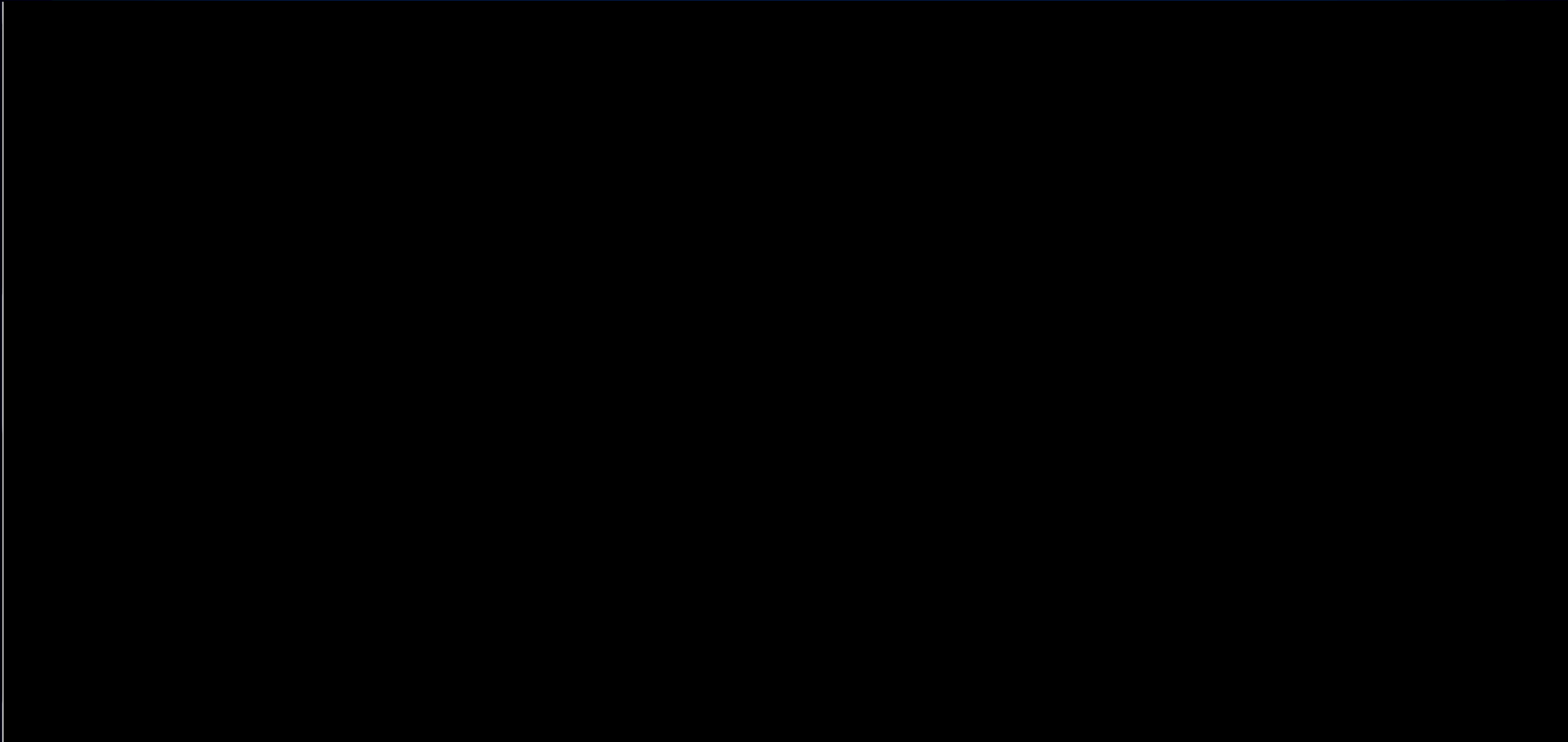
The Summit PD Spring 2021
Vehicular Pursuit Training Module



INVESTIGATION REPORT REQUIRED



REPORTING REQUIREMENTS



The Summit PD Spring 2021
Vehicular Pursuit Training Module



ANNUAL PURSUIT SUMMARY REPORT



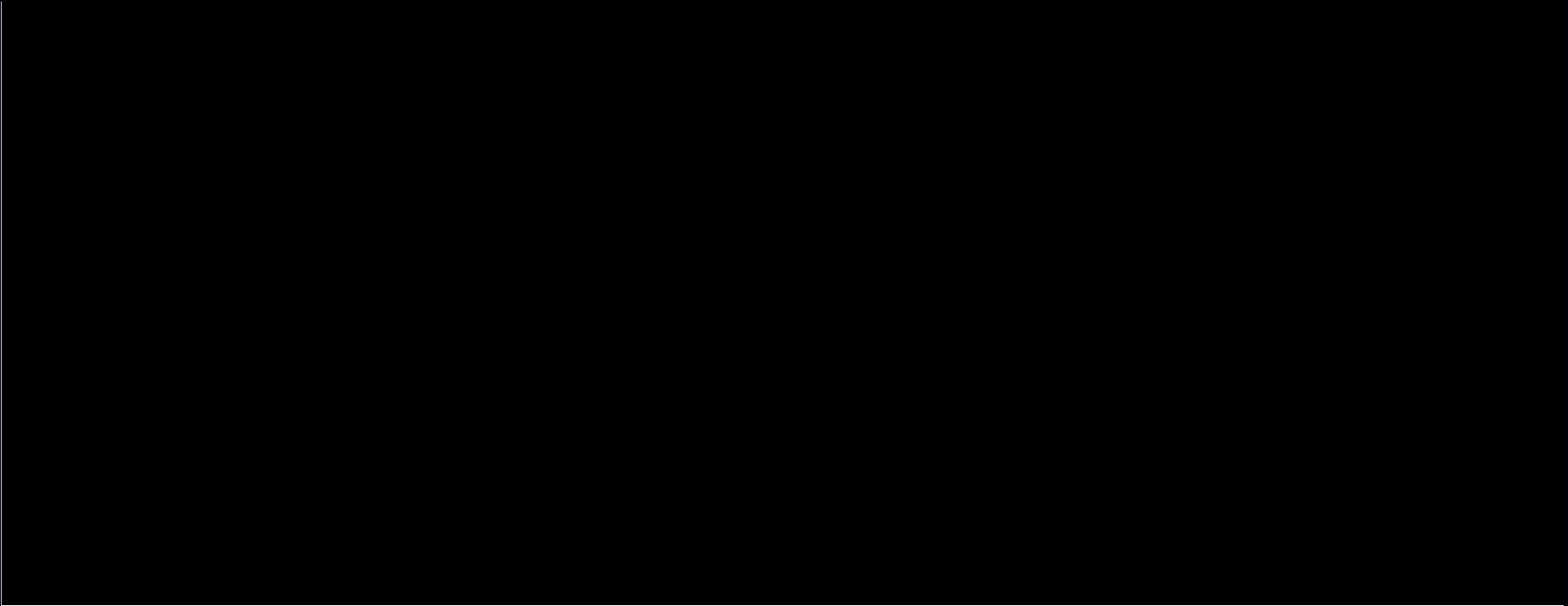
ANNUAL PURSUIT ANALYSIS



MEANINGFUL COMMAND REVIEW



MEANINGFUL COMMAND REVIEW



MEANINGFUL COMMAND REVIEW



MEANINGFUL COMMAND REVIEW





Chapter 15

COLLISION INVESTIGATION REQUIRED NOTIFICATIONS



COLLISION INVESTIGATION



COLLISION INVESTIGATION



REQUIRED NOTIFICATIONS



COLLISION INVESTIGATION



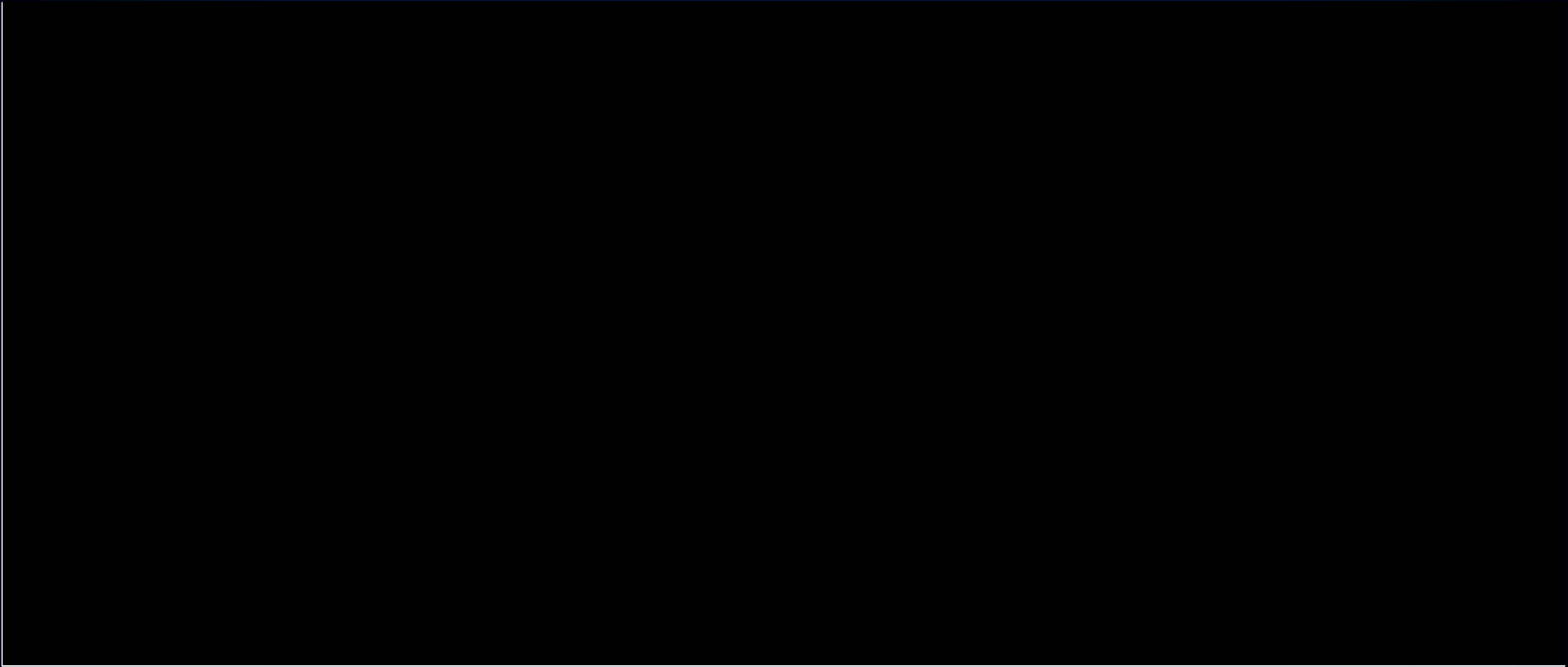
COLLISION INVESTIGATION



COLLISION INVESTIGATION



COLLISION INVESTIGATION



COLLISION INVESTIGATION



ARRIVAL OF INVESTIGATIVE PERSONNEL



COLLISION INVESTIGATION



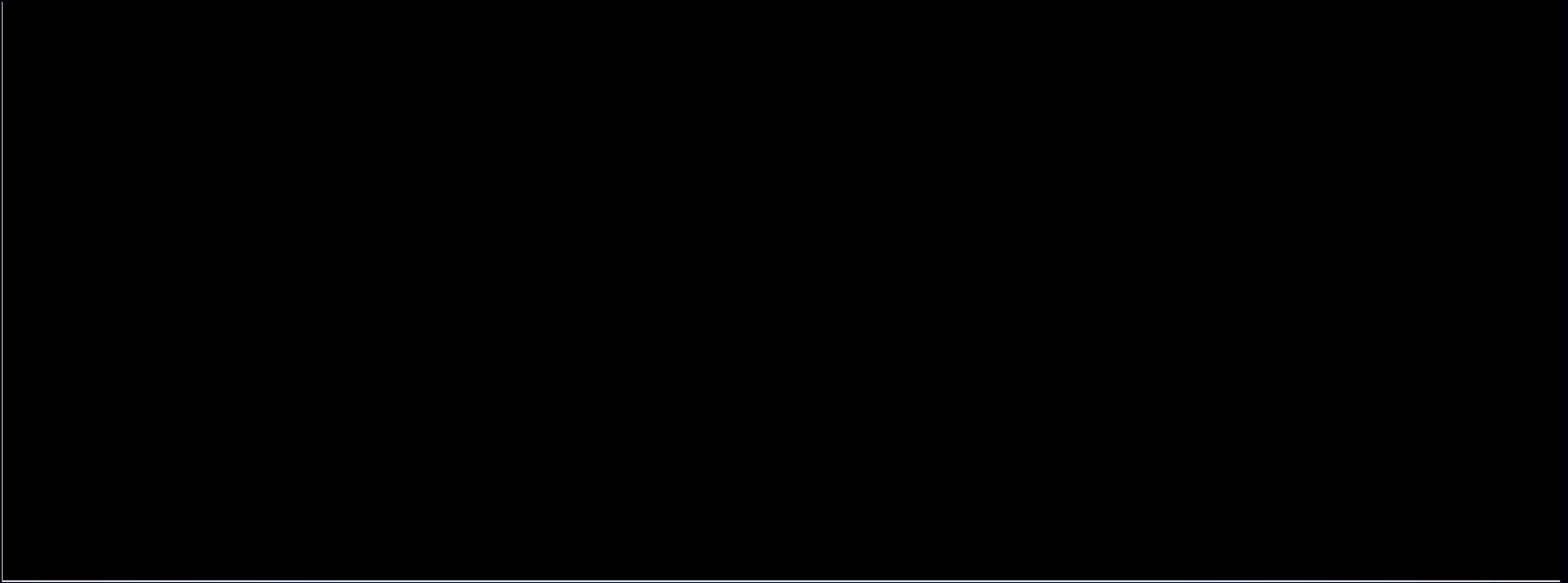
TOWING OPERATORS



CRASH INVESTIGATION REPORT



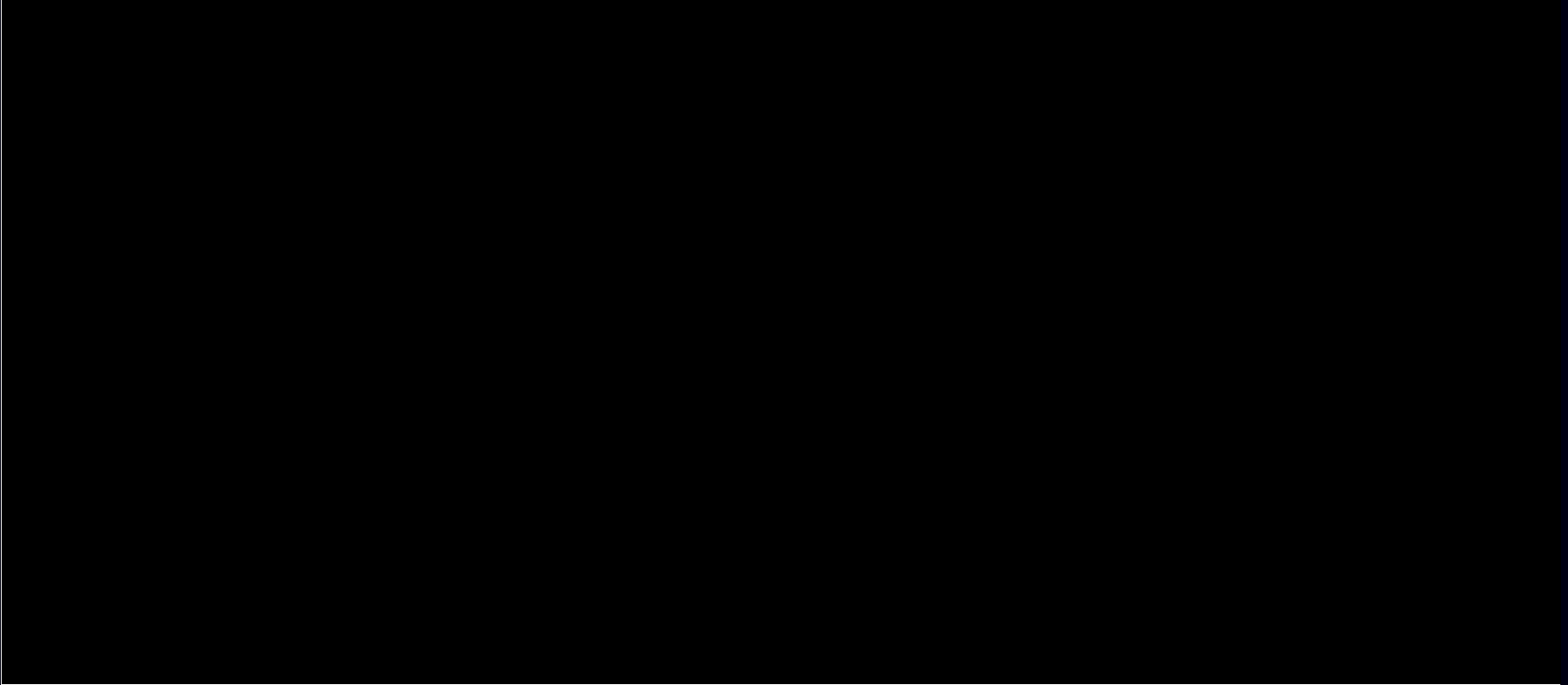
SHARING INFORMATION RESTRICTION



OFFICER WITNESS



DISSEMINATION OF INFORMATION



TRAINING REQUIREMENTS



TRAINING REQUIREMENTS

