

State of Connecticut

Department of Public Safety Division of State Police Uniform Statewide Pursuit Policy

Divisions:

STATE OF CONNECTICUT

UNIFORM STATEWIDE PURSUIT POLICY

The Regulations of Connecticut State Agencies are amended by adding sections 14-283a-1 to 14 follows:

(NEW) Section 14-283a-1. PURPOSE

The purpose of this policy is to establish a Uniform Statewide Pursuit Policy in accordance with the provisions of Act 99-171. This policy shall serve as the minimum standard for all police pursuits in Connecticut. Any requirements adopted by an individual police agency shall not conflict with any provision of this policy.

(NEW) Section 14-283a-2. POLICY

Pursuits of fleeing motor vehicles may present a danger to the lives of the public, officers, and those vehicles involved in the pursuit. Each police agency shall be responsible for assisting police officers in the safe performance of their duties.

(NEW) Section 14-283a-3. DEFINITIONS

- (1) "Pursuit" means an attempt by a police officer in an authorized emergency vehicle to apprehend a fleeing motor vehicle, when the driver of the fleeing vehicle is attempting to avoid arrest by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempt to stop such vehicle.
- (2) "Authorized emergency vehicle" means a police vehicle equipped with operable emergency equipment, including an audible siren and red or blue flashing lights, while such vehicle is being operated by a police officer.
- (3) "Primary unit" means the police vehicle operated by a police officer that initiates a pursuit or any other vehicle operated by a police officer that assumes control of the pursuit.
- (4) "Secondary unit" means any police vehicle operated by a police officer that becomes involved as a secondary unit and follows the primary unit at a safe distance.
- (5) "Supervisor" means a person designated by the police agency to have supervisory control over the operations of the agency's vehicles during a pursuit.
- (6) "Communications" means the central dispatch center or personnel staffing the central dispatch center of the police agency in the jurisdiction where the pursuit is occurring.
- (7) "Uniform Statewide Pursuit Policy," known as "the policy" or "this policy," means Sections 14-283a-1 through 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies.
- (8) "Police agency" means the Division of State Police within the Department of Public Safety or any other police officers serving in municipalities with a Resident State Trooper, or an organized municipal police department.

(NEW) Section 14-283a-4. PROCEDURES

(a) Initiation of Pursuit.

(1) The decision to initiate a pursuit shall be based on the pursuing police officer's conclusion that the immediate danger to the police officer and the public created by the pursuit is less than the immediate or potential danger to the occupants of such vehicle should the occupants of such vehicle remain at large.

(2) In deciding whether to initiate a pursuit, the police officer shall take the following factors into consideration:

- (A) Road, weather and environmental conditions;
- (B) Population density and vehicular and pedestrian traffic;
- (C) Whether the identity of the occupants is known and immediate apprehension is not necessary to protect the public or police officers and apprehension at a later time is feasible;
- (D) The relative performance capabilities of the pursuit vehicle and the vehicle being pursued;
- (E) The seriousness of the offense; and
- (F) The presence of other persons in the police vehicle.

(b) Pursuit Operations.

(1) All authorized emergency vehicle operations shall be conducted in strict conformity with Sections 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies, and section 14-283a of the Connecticut Statutes.

(2) Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate appropriate warning devices. An audible warning device shall be used during all such pursuits.

(3) Upon engaging in a pursuit, the police officer shall immediately notify communications of the location, speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. Communications personnel shall keep communications updated on the pursuit. Communications personnel shall immediately notify the supervisor of the agency or agencies involved in such pursuit, clear the radio channel of non-emergency traffic, provide necessary information to other police officers of the involved police agency or agencies, and adjacent police agencies whose direction the pursuit is proceeding.

(4) When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property.

(5) Unless circumstances dictate otherwise, a pursuit shall consist of no more than three police vehicles. One vehicle shall be designated as the primary unit. No other personnel shall join the pursuit unless instructed to do so by the supervisor.

(6) The primary unit involved in the pursuit shall become secondary when the fleeing vehicle comes under surveillance or when another unit has been assigned primary responsibility.

(c) Supervisory Responsibilities.

(1) When made aware of a pursuit, the appropriate supervisor shall evaluate the situation and conditions to determine if a pursuit to be initiated, the need to continue the pursuit, and shall monitor incoming information, coordinate communications and activities as needed to ensure that proper procedures are used. Such supervisor shall also have the authority to terminate the pursuit. When the agency supervisor communicates a termination directive, all agency personnel shall disengage warning devices and cease the pursuit.

(2) Where possible, a supervisory police officer shall respond to the location where a vehicle has been stopped following a pursuit.

(d) Pursuit Tactics.

(1) Police officers not engaged in the pursuit as the primary or secondary unit shall not normally follow the pursued vehicle on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without creating an unreasonable hazard to other vehicular or pedestrian traffic.

(2) When feasible, available patrol units having the most prominent markings and emergency lights shall pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, it shall become the secondary unit when a marked unit becomes available as the primary unit, and shall drop out of the pursuit when another marked unit becomes available as the secondary unit.

(3) Motorcycles may be used for a pursuit in exigent circumstances including, but not limited to, situations where a crime has been committed, deadly force has been used by a vehicle occupant, or the pursuit is necessary to protect the public, provided that weather and related conditions allow such pursuit to continue. Motorcycles shall disengage from the pursuit when support from marked patrol units becomes available.

(4) All intervention techniques short of deadly force shall be used when it is possible to do so in safety. Such techniques shall include, but not be limited to, boxing in the vehicle or using controlled termination devices.

(5) Firearms shall not be discharged from pursuit vehicles while such vehicles are in motion, except in situations necessary to protect a police officer or innocent person from the imminent use of deadly physical force. The discharge of firearms is prohibited unless specifically authorized by the supervisor in charge after consideration of the necessity for the use of deadly physical force to end the pursuit.

(6) Once the pursued vehicle is stopped, police officers shall utilize appropriate police officer safety tactics. Police officers shall be aware of the necessity to utilize only the force the police officer reasonably believes to be necessary to bring the vehicle into custody.

(e) Termination of the Pursuit.

(1) The police officer serving as the primary unit engaged in the pursuit shall continually re-evaluate the pursuit situation, including all of the initiating factors, and terminate the pursuit whenever he or she reasonably believes that the risks associated with continued pursuit are greater than the public safety benefit of making an apprehension.

(2) The pursuit may be terminated by the primary unit at any time.

(3) A supervisor may order the termination of a pursuit at any time and **shall** order the termination of a pursuit if the potential danger to the public outweighs the need for immediate apprehension. Such decision shall be based on information known to the supervisor at the time of the pursuit.

(4) A pursuit may be terminated if the identity of the occupants has been determined, immediate apprehension is necessary to protect the public or police officers, and apprehension at a later time is feasible.

(5) A pursuit may be terminated when the police officers are prevented from communicating with other police officers.

(f) Inter-jurisdictional Pursuits.

(1) The primary unit shall notify the receiving agency when it is likely that a pursuit will continue into a neighboring agency's area of law enforcement responsibility or cross the state line. Municipal police agencies and the state police shall notify each other whenever entering the other's area of law enforcement responsibility.

(2) A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-jurisdictional agreements.

(3) In all cases where a pursuit enters an area of law enforcement responsibility of a police agency other than the initiating police agency, the police agency in pursuit shall be responsible for immediately notifying the police agency responsible for such area. The desk officer or duty supervisor for the police agency responsible for such area shall determine if assistance is necessary and police officers from agencies other than the initiating agency shall not be used outside pursuit unless:

- (A) Directed by such duty supervisor or desk officer; or
- (B) The involved pursuit unit is unable to request assistance; or
- (C) The situation demands immediate assistance.

The supervisors of the respective police agencies involved in the pursuit shall communicate with each other to determine the respective responsibilities of each police agency and to determine which police agency will have operational control of the pursuit. The supervisors shall also communicate with each other regarding conditions pertinent to the continued conduct of the pursuit. Communications between police agencies shall be controlled by inter-agency police radio systems, if they exist, or by telephone, if they do not.

(4) In all cases where the pursuit enters a municipality without a regularly organized police department, notification shall be made to the State Police troop responsible for that area. Such troop shall maintain radio communication with local police officers serving in any such municipality.

(g) After-pursuit Reporting.

(1) Whenever a police officer engages in a pursuit, the police officer shall file a written report on the form required by his or her agency describing the circumstances. This report shall be reviewed by the appropriate supervisor or supervisors to determine if policy has been complied with and to detect and correct any training deficiencies.

(2) Each police agency shall periodically analyze its police pursuit activity and identify any additional modifications warranted in agency pursuit procedures.

(h) Training.

Police officers who drive police vehicles shall be given initial and periodic update training in the agency and in safe driving tactics. The provisions of Sections 14-283a-1 to 14-283a-4, inclusive, of the Connecticut State Agencies shall be a part of the curriculum for all police basic recruit-training and continuing education programs in Connecticut.

Statement of Purpose: To adopt regulations in accordance with the provisions of Public Act 99

Effective August 24, 2000