

# Old Saybrook Department of Police Services



## General Order - 5.32



Police Pursuits & Controlled Termination Devices	Issued By: Michael A. Spera, Chief of Police
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### Policy

It is the Policy of the Old Saybrook Department of Police Services to establish uniform guidelines for the use of police vehicles and controlled termination devices in pursuit of fleeing motor vehicles to assist police officers in the safe performance of their duties in accordance with the Connecticut General Statutes.

### Definitions

**Pursuit:** An attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempt to stop such vehicle.

**Authorized Emergency Vehicle:** A police vehicle equipped with operable emergency equipment, including audible siren and red or blue flashing lights, while such vehicle is being operated by a police officer.

**Primary Unit:** The police vehicle operated by a police officer that initiates a pursuit or any police vehicle operated by a police officer that assumes control of the pursuit.

**Secondary Unit:** Any police vehicle operated by a police officer that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

**Supervisor:** A person designated by the police agency to have supervisory control over the operation of the agency's vehicles during the pursuit.

**Communications:** The central dispatch center or personnel staffing the central dispatch center of the police agency in the jurisdiction where the pursuit is occurring.

**Controlled Termination Device:** A device used to impede or stop the movement of automobiles.

**Uniform Statewide Pursuit Policy:** Sections 14-283a-1 to 14-0283a-4, inclusive, of the Regulations of Connecticut State Agencies.

**Police Agency:** the Division of the State Police within the Department of Public Safety, including local police officers serving in municipalities with a Resident State Trooper, or an organized municipal police department.

**Crime of Violence:** An offense in which physical force, the attempted use or threatened use of physical force, is used against another person(s) for the purpose of, injuring, damaging or abusing another person(s), or any offense that is a felony and that involves a substantial risk that physical force against another person may be used in the course of committing the offense.

## **Procedure**

### **A Initiation of Pursuit**

1. A police officer may only engage another vehicle in pursuit if the officer has reasonable suspicion to believe that the driver or occupant has committed or is attempting to commit a crime of violence, or there are exigent circumstances that warrant the need to apprehend the suspect in a timely manner because of the potential for harm to the public if the apprehension does not occur. The officers must be able to articulate the exigent need to apprehend the driver or occupant because of the potential harm or risk to the public.
2. Offenses that constitute infractions, property crimes (to include stolen motor vehicles), non-violent misdemeanors and non-violent felonies shall not be justification to engage in a pursuit of another vehicle, absent articulable exigent circumstances.
3. The officers involved in the pursuit and their supervisor's shall continuously reassess the factors listed above to determine whether the pursuit shall continue or be terminated.
4. In deciding whether to initiate a pursuit, even where allowable by other provisions of this policy, the police officer shall make an objectively reasonable determination with the information available at the time that the threat of imminent death or serious physical injury to the officer, the public or both, created by the pursuit is less than the immediate or potential danger to the public, should the suspect(s) or occupant(s) remain at large. A decision to engage in pursuit shall be based upon the following:
  - a. The underlying crime for which the operator or occupants are suspected of committing;
  - b. Whether the identity of the operator or occupant is known and apprehension by other means is possible;
  - c. That the immediate danger to the public and the police officer created by the pursuit is less than the immediate danger to the public should the occupants of the pursued vehicle remain at large;
  - d. Location, speed, direction of other traffic, and operators driving behaviors;
  - e. Road conditions, road topography, traffic controls, weather and environmental conditions;
  - f. Population density, vehicular and pedestrian traffic;
  - g. The relative performance capabilities of the pursuit vehicle and the vehicle being pursued;
  - h. The presence of other persons in the police vehicle.

## B Pursuit Operations

1. All emergency vehicle operations shall be conducted in strict conformity with sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies and section 14-283a of the Connecticut General Statutes.
  2. Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate appropriate warning equipment. An audible warning device shall be used during all such pursuits.
  3. Upon engaging in a pursuit, the police officer shall immediately notify the communications center of:
    - a. Pursuing officer's identity and location;
    - b. Direction and speed of the pursuit;
    - c. The description of the pursued vehicle;
    - d. The initial purpose of the stop; and
    - e. Traffic and road conditions at the location.
  4. When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property and shall update Communications periodically and/or as conditions change.
  5. Unless circumstances dictate otherwise, a pursuit shall consist of no more than three police vehicles, one of which shall be designated as the primary unit.
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6. No other personnel shall join the pursuit unless instructed to participate by a supervisor.
  7. The primary unit may terminate the pursuit at any time if the pursuing officer concludes 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 public should the occupants of such vehicle remain at large.
  8. The primary unit involved in the pursuit shall become secondary when:
    - a. The fleeing vehicle comes under police air surveillance; or
    - b. Another unit has been assigned primary unit responsibility.
  9. Secondary unit responsibilities are as follows:
    - a. Assist in radio communications, so as to allow the primary unit to continue the pursuit without the distraction of radio traffic;
    - b. Maintain a safe distance from the primary unit in order to facilitate a good field of view and be in position to render back-up when required; and
    - c. If the primary unit becomes disabled, the secondary unit will notify communications and will become the primary unit.

## C Communication Center Responsibilities

1. When notified of a pursuit in or entering into our jurisdiction, the Public Safety Dispatcher shall:
  - a. Clear the radio channel of non-emergency traffic.
  - b. Immediately notify the Shift Supervisor of the pursuit, advising of the officer and/or agencies involved and the initial reason for the attempt to stop.
  - c. Relay necessary information to other police officers of the involved police agency or agencies and notify any adjacent police agencies whose direction the pursuit is proceeding.
  - d. Begin real time CAD entries to notify all on-duty units of pursuit updates.
  - e. Perform the necessary criminal and motor vehicle related checks in order to ascertain the fleeing vehicle's information and identity of occupants.
  - f. Coordinate assistance from and disseminate information to neighboring police jurisdictions that may be impacted by the pursuit.

#### D Supervisor Responsibility

1. When made aware of a pursuit, the shift supervisor shall:
  - a. Evaluate the situation and conditions that caused the pursuit to be initiated;
  - b. Evaluate the need to continue the pursuit;
  - c. Monitor incoming information;
  - d. Coordinate and direct activities as needed to ensure that proper procedures are used.
2. The Shift Supervisor shall have the authority to terminate the pursuit.
3. When the Shift Supervisor communicates a termination directive, all agency vehicles shall disengage all emergency lights and warning devices and cease the pursuit.
4. The Shift Supervisor shall have the authority to deploy or direct deployment of controlled termination devices.
5. The Shift Supervisor shall communicate with supervisors from respective police agencies involved in the pursuit to:
  - a. Advise of any external conditions or hazards pertinent to the continued conduct of the pursuit.
  - b. Determine the respective responsibilities of each agency and to determine which agency will assume primary operational control of the pursuit.
  - c. The communications shall be controlled by inter-agency police radio systems, if they exist, or by telephone.
6. The Shift Supervisor shall respond to the location where a vehicle has been stopped following a pursuit.
7. Following a pursuit termination, the Shift Supervisor should respond and meet with involved officers as soon as practicable to direct appropriate reporting and follow up action.

#### E Pursuit Tactics

1. Officers not engaged in the pursuit as the primary or secondary unit shall not normally follow the pursuit on parallel streets unless authorized by a Supervisor or when possible to conduct such operation without reasonable hazard to other vehicular or pedestrian traffic.
2. When feasible, available patrol units having the most prominent markings and emergency lights shall be used as primary pursuit units. When a pursuit is initiated by an unmarked unit, the unmarked unit shall become secondary when a marked unit becomes available as the primary unit and the unmarked unit shall disengage when additional marked units are available.
3. Motorcycles, police all-terrain vehicles, and police mountain bicycles shall not become engaged in pursuit.
4. All intervention techniques short of deadly force shall be used when it is possible to safely do so and when the officers utilizing the techniques have received appropriate training in their use. Such techniques shall include, but are not limited to, boxing in and controlled termination devices.
5. Firearms shall not be discharged from pursuit vehicles while such vehicles are in motion, except to the extent necessary to protect a police officer or civilian from the imminent use of deadly physical force.
6. Roadblocks are prohibited unless specifically authorized by the Shift Supervisor after consideration of the necessity of applying deadly physical force to end the pursuit.
7. Officers shall not pursue suspects traveling in the wrong direction or wrong way on limited access highways or on any divided roadway.
8. Secondary units shall not attempt to pass the primary unit unless such action is specifically authorized by a Supervisor.
9. Once the pursued vehicle is stopped, officers shall use appropriate officer safety tactics and shall be aware of the necessity to utilize only the force the police officer reasonably believes is necessary to take the vehicle occupants into custody.

## F Pursuit Considerations

1. High Speed Operation
  - a. A police officer in pursuit may only operate their vehicle at a speed that the condition of the vehicle, existing road, traffic, environmental conditions, and the officer's driving abilities will safely permit.
2. Number of Involved Pursuit Vehicles
  - a. No more than three police vehicles shall be actively involved in a pursuit, unless directed by a supervisor.

- b. All police officers should be alert to the progress and location of any ongoing pursuit in their vicinity.
3. **Offensive Driving Tactics**
  - a. Deliberate contact between vehicles shall not be attempted unless directed by a supervisor, in accordance with Department policy and training.
4. **Vehicle Spacing**
  - a. All police units in active pursuit shall space themselves at a reasonable and safe distance to permit adequate braking and reaction time if any preceding vehicle stops, slows, turns, becomes disabled or collides with any vehicle or object
5. Police officers shall operate available emergency warning lights and their vehicle siren to alert other motorists to unexpected pursuit.

#### **G Use of Firearms During a Pursuit**

1. Officers shall not discharge their firearms at a moving vehicle or its occupants unless, the occupants are using, or threatened the use of deadly physical force, against the officer or another person present, by means other than the vehicle.
  - a. This does not preclude exigent circumstances such as, but not limited to, where the officer reasonably believes there are no other means available to avert the threat of the vehicle, or if such vehicle is being utilized as a weapon against the officer(s), or another person, such as in a vehicle ramming attack.
  - b. No officer should intentionally position their body into the path of a fleeing motor vehicle. Whenever possible, the officer involved should make an effort to move into an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.

#### **H Termination of Pursuit**

1. The police officer serving as the primary unit engaged in the pursuit shall continually re-evaluate and assess the pursuit situation, including all of the initiating factors, and terminate the pursuit whenever he/she reasonably believes that the risks associated with the continued pursuit are greater than the public safety benefit of making an immediate 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 when 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 not 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 their supervisors, Communications or other police officers.
6. A pursuit shall be terminated if the police officer knows or is reasonably certain, that the fleeing motor vehicle is being operated by a juvenile and the suspected offense is not a violent felony.
7. Upon termination of a pursuit, the Shift Supervisor shall meet with the involved officers as soon as practicable to direct appropriate reporting and follow-up action.

#### I Controlled Termination Devices

1. An officer's use of a controlled termination device, Stop Sticks, must be based on the 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 public should the occupants of the vehicle remain at large.
2. The Shift Supervisor shall have the sole authority to deploy or direct deployment of a controlled termination device.
3. Only officers trained in the specific controlled termination device shall deploy such device.
4. The deploying officer should be in a predetermined location to allow sufficient time for safe deployment.
5. The deploying officer shall advise pursuing vehicles via police radio communication the location where the controlled termination device will be deployed and any hazards in the area.
6. The deploying officer shall safely remove any controlled termination device following use and advise all units via police radio communications when the roadway is clear to pass.
7. The deploying officer shall take all possible steps to avoid inadvertent deployment on non-involved civilian vehicles.
8. Stop Sticks shall not be deployed on motorcycles, or other vehicles with less than four wheels.

#### J Forced Stop Procedures and Roadblocks

1. The use of forced stop procedures, to include but not limited to PIT Maneuver, Roadblocks, Ramming and Boxing-in may be considered to stop a fleeing vehicle when other reasonable alternatives have been exhausted or would be ineffective.
  2. Forced stop procedures may be considered when the necessity for an immediate apprehension outweighs the dangers presented to all parties involved, including innocent persons.
  3. Forced stop procedures inherently present serious safety hazards to participants and innocent persons present.
  4. Forced stop procedures shall be reasonably and properly applied by police officers who have received appropriate training in their use and have received authorization from a supervisor, absent exigent circumstances.
  5. Forced stop procedures shall be conducted in accordance with all Department policy and training.
  6. Roadblocks
    - a. The use of a Roadblocks shall only be considered where deadly force can be reasonably applied in order to apprehend a dangerous fleeing felon or a person who is operating a motor vehicle recklessly and in such a manner as to be reasonably likely to cause death or serious injury to any other person should they be allowed to continue operation of a fleeing vehicle.
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7. Boxing-in
    - a. Boxing-in shall only be performed at relatively slow speeds.
    - b. Two or more police units positioned around a violator to form a box or blocking pattern during a low speed pursuit.
    - c. Once the blocking pattern is assumed, police units gradually reduce speed to a stop, causing the violator to stop.
    - d. The use of this tactic must be carefully coordinated with all involved police vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to police officers, the public and occupants of the violator vehicle.
    - e. It must be anticipated that the violator may attempt to maneuver past the lead blocking vehicle or intentionally collide with it or one of the other blocking vehicles to move out of the blocking pattern.
  8. Intentional Collision
    - a. A deliberate contact between a police vehicle and a violator's vehicle that is intended to cause the violator to spin, stop or leave the roadway in a slow and controlled manner.
    - b. When considering intentional collision of a violator, each police officer and supervisor must be aware that these actions may result in serious physical injury or death and may activate the vehicle airbags or fuel system shut-off causing the police vehicle to become disabled.



## **K Inter-jurisdictional Pursuits**

1. The primary unit shall notify communications when it is likely that a pursuit will continue into a neighboring police agency jurisdiction, area of responsibility, or cross state lines.
2. The Connecticut State Police shall be notified when a pursuit enters Interstate 95, US Route 9, or a jurisdiction where the State Police have law enforcement authority.
3. A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-agency agreements.
4. In all cases where a pursuit enters an area of law enforcement responsibility of a police agency other than that of the initiating police agency, the police agency in pursuit shall be responsible for immediately notifying the police agency responsible for such area.
5. The Shift Supervisor shall determine if assistance is necessary and direct officers to assist.
6. Department officers shall not join an outside agency pursuit unless directed by the Shift Supervisor, the involved unit is unable to request assistance or the situation demands immediate assistance.
7. 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 assume primary operational control of the pursuit.

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8. The Shift Supervisors shall also communicate with each other regarding any external conditions pertinent to the continued conduct of the pursuit.
9. Communications between police agencies shall be controlled by inter-agency police radio systems, if they exist, or by telephone, or by both.
10. 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.
11. Agencies pursuing a vehicle into another jurisdiction shall notify that jurisdiction as soon as practical, provided that agency with all available information pertinent to the pursuit, including but not limited to:
  - a. The reason(s) for the pursuit, or primary offense the driver or occupant(s) are believed to have committed
  - b. Location, speed, and direction of travel
  - c. Vehicle and occupant(s) description
  - d. The number of vehicles and agencies involved in the pursuit
  - e. Whether or not assistance is being requested from that agency
  - f. Other available information as to the conditions of the pursuit
  - g. When the pursuit has been terminated or is leaving their jurisdiction.

12. Any agency involved in the pursuit may, at its discretion, choose to terminate its involvement in a pursuit at any time. The shift supervisor and the police officers involved in the pursuit shall make their own determination whether their officers shall enter, continue or terminate the pursuit within their jurisdiction.

#### L Post-Pursuit Reporting

1. The initiating officer shall complete an incident report chronicling all aspects of the pursuit, to include all factors relative to the actions of the suspect before, during and after the pursuit.
2. All additional officers involved in the pursuit will complete supplemental reports.
3. Shift Supervisors shall review all pursuit reports to determine compliance with this directive and to detect, correct and report any training deficiencies.
4. The Shift Supervisor shall request, through established internal means, that a copy of all phone and radio transmissions and mobile video recordings of the pursuit be preserved as evidence.
5. A Post-Pursuit Review and Report shall be completed for each police pursuit by a supervisor directed by the Chief of Police.
6. In accordance with Section 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes the Chief of Police shall cause an annual report to be submitted to the Police Officers Standards and Training Council regarding pursuits by police officers, on the standardized form developed and promulgated by POSTC.
7. Each police agency involved in the pursuit must report their involvement to POSTC on the designated reporting form. Departments shall indicate on the form whether they were the initiating agency or a secondary unit.

#### M Annual Pursuit Review

1. At the direction of the Chief of Police an annual review of pursuits shall be conducted to determine compliance with Connecticut General Statutes and this directive.
2. This directive shall be updated to include all identified additions, deletions or modifications warranted in agency procedures.
3. This review may reveal patterns or trends that indicate training needs.

#### N Basic and Periodic Pursuit and Controlled Termination Device Training

1. Officers shall be given initial Pursuit training at the Connecticut POSTC training academy and initial directive training during Field Training.

2. Periodic update training in the agency pursuit directive and safe driving tactics shall be conducted on an annual basis.
3. The provisions of sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies, and section 14-283a of the Connecticut General Statutes, shall be a part of the curriculum for all police basic recruit training and re-certification training programs.

### **Revision History**

June 18, 2020  
February 1, 2017

Updated per Public Act 19-90, Section 5, C.G.S. 14-283a  
Replaces OSPD Pursuit Policy issued on or about 8/2000