



TRUMBULL POLICE DEPARTMENT POLICY

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|  | POLICY TITLE | | POLICY NUMBER |
| | Vehicle Pursuits | | 8.5.4 |
| | EFFECTIVE DATE June 9, 2003 | REVISION DATE(S) February 5, 2015, January 1, 2020, August 31, 2022 | |
| APPROVAL AUTHORITY SIGNATURE: | |  | |

I. PURPOSE:

The purpose of this policy is to establish pursuit guidelines for Trumbull Police Officers attempting to apprehend violent criminals in accordance with the provisions of 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes. This policy is in accordance with the minimum standards for all police pursuits in Connecticut, this department shall adopt the following policy regarding pursuits and it shall not conflict with state statute.

II. POLICY:

1. Pursuits of fleeing motor vehicles may present a danger to the lives of the public, officers, and those vehicle occupants involved in the pursuit. It will be the responsibility of all officers of this Police Department to study, understand, and follow this policy and the procedures set forth and established in this document.
2. It is the responsibility of this police department to assist its police officers in the safe performance of their duties.

III. DEFINITIONS:

“Pursuit” means 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” means 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” means 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” means 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” means a person designated by the police agency to have supervisory control over the operation of the agency’s vehicles during a pursuit.

“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.

“Uniform Statewide Pursuit Policy” means Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies.

“Police agency” means the Division of State Police, 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.

IV. PROCEDURES:

A. Initiation of Pursuit:

1. A police officer may only engage another vehicle in a 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 officer(s) 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 supervisors shall continuously reassess the factors listed above to determine whether the pursuit shall continue or be terminated.
4. A pursuit shall not be undertaken, even if allowable by other provisions of this policy, unless and until the officer, based upon the information available to him/her at the time, shall make an objectively reasonable determination 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 or to continue a pursuit, shall be based upon the following:
 - The underlying crime for which the operator or occupants are suspected of committing;
 - Whether the identity of the operator or occupant is known and apprehension by other means is possible;
 - 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;
 - Location, speed, direction of other traffic, population density, type of vehicle being pursued and operators driving behaviors;
 - Environmental factors such as, weather, time of the day, visibility;
 - Relative capability of the police vehicle(s) and the vehicle being pursued;
 - Road conditions, including surface type, wet, icy, dry roadway. Road typography, traffic controls;
 - The presence of other people in the police vehicle;
 - Population density, vehicular and pedestrian traffic.
5. Officers engaging in a pursuit, shall continuously evaluate the factors bulleted above and the requirements set forth in subsection IX, items A – F, during the pursuit.

V. PURSUIT OPERATIONS:

- A. All authorized 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.

- B. Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate all appropriate warning equipment. An audible warning device (siren) shall be used at all times, during all such pursuits.
- C. Upon engaging in a pursuit, the police officer shall immediately notify communications of the:
 - The location, direction and speed of the pursuit,
 - The registration number, description of the pursued vehicle and number of occupants (with their descriptions if possible) and
 - The initial purpose of the stop (crime involved).
- D. Officers shall keep communications updated on the pursuit. When a secondary unit becomes involved, they will advise that they are now relaying to communications, allowing the primary officer to fully concentrate on the task of driving and pursuing the fleeing vehicle.
- E. Communications personnel shall maintain contact with the pursuing unit(s), clear the radio channel of non-emergency traffic, immediately notify any available supervisor of the pursuit or if other agencies are involved in a pursuit entering or heading into our jurisdiction.
- F. Communications personnel shall relay necessary information to other Trumbull officers involved in the pursuit, communicate with other agencies using the CSP Hotline or FAPERL Radio frequencies when a pursuit either enters our jurisdiction or to notify adjacent police agencies in whose direction the pursuit is proceeding.
- G. When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property.
- H. 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. No other personnel shall join the pursuit unless instructed to participate by a supervisor.
- I. The primary unit involved in the pursuit shall become secondary when the fleeing vehicle comes under police air surveillance or when another unit has been assigned primary responsibility.
- J. Divided Highways: Pursuing field units will never follow a pursued vehicle the wrong way on a divided highway, but will, instead, attempt to keep sight of the vehicle by driving on the correct side of the highway.
- K. One-Way Streets: Pursuing field units will not pursue a vehicle the wrong way down a one-way street. Pursuing units will, instead, try to keep sight of the vehicle by driving in a parallel direction.

VI. SUPERVISORY RESPONSIBILITIES:

- A. When made aware of a pursuit, the appropriate supervisor shall evaluate the situation and conditions that caused the pursuit to be initiated, the need to continue the pursuit, and shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used. Such supervisor shall also have the authority to terminate the pursuit.
- B. The supervisor will monitor and continuously evaluate information and conditions affecting the pursuit. The supervisor will use discretion based on the factors listed in subsections IV item 4, and IX items A-F as factors to decide to terminate the pursuit.

- C. When the agency supervisor communicates a termination directive, all agency vehicles shall disengage warning devices, cease the pursuit and state their location and direction of travel.
- D. Where possible, a supervisory police officer shall respond to the location where a vehicle has been stopped following a pursuit.
- E. Should a pursuit result in physical injury to any party or extensive property damage, the shift supervisor will cause the Deputy Chief of the Patrol Division and Chief of Police to be notified.
- F. See section XI for post-pursuit supervisory review and reporting requirements also.

VII. PURSUIT TACTICS:

- A. Police 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 it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.
- B. When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. Officers operating unmarked vehicles (the vehicle must be equipped with emergency lights and siren) may engage in pursuit only when the fleeing vehicle presents an immediate and direct threat to life or property. When a pursuit is initiated by other than a marked patrol unit, such unit shall become the secondary unit when a marked unit becomes available as the primary unit, and such unit shall disengage from the pursuit when another marked unit becomes available as the secondary unit.
- C. Motorcycles may be used for a pursuit in exigent circumstances including, but not limited to, situations where a felony has been committed, deadly force has been used by a vehicle occupant, or the pursuit is necessary to preserve a life, 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.
- D. Once the pursued vehicle is stopped, police officers shall utilize appropriate police officer safety tactics and shall be aware of the necessity to utilize only the force the police officer reasonably believes to be necessary to take occupants into custody.
- E. All intervention techniques short of deadly force shall be used when it is possible to do so in safety and when the police officers utilizing them have received appropriate training in their use. Such techniques shall include, but not be limited to, boxing in the vehicle or using controlled termination devices such as stop sticks.
- F. Roadblocks are prohibited unless specifically authorized by the supervisor in charge after consideration of the necessity of applying deadly physical force to end the pursuit.

VIII. USE OF FIREARMS DURING PURSUIT:

- A. 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.
 - 1. 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.

2. No officer should intentionally position his or her body into the path of a fleeing motor vehicle, unless such action is a tactic approved by the law enforcement unit, that employs such police officer and in accordance with an established written policy. Whenever possible, the involved officer should make an effort to move to an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.
3. See also TPD Policy # 7.3, Use of Deadly Force, § E.5

IX. TERMINATION OF PURSUIT:

- A. 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 or she reasonably believes that the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.
- B. The pursuit may be terminated by the primary unit at any time.
- C. 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 immediate apprehension. Such decision shall be based on information known to the supervisor at the time of the pursuit.
- D. 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.
- E. A pursuit may be terminated when the police officers are prevented from communicating with their supervisors, communications or other police officers.
- F. 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.

X. INTER-JURISDICTIONAL PURSUITS:

- A. The primary unit shall notify communications when it is likely that a pursuit will continue into a neighboring police 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.
- B. A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-agency agreements.
- C. 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. The communications officer or duty supervisor for the police agency responsible for such area shall determine if assistance is necessary and police officers from police agencies other than the initiating agency shall not join the outside pursuit unless:
 - Directed by such duty Supervisor or Communications Officer; or
 - The involved pursuit unit is unable to request assistance; or
 - 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

assume primary operational control of the pursuit. The supervisors shall also communicate with each other regarding any external conditions pertinent to the continued conduct of the pursuit.

- Communications between police agencies shall be controlled by inter-agency police radio systems or by telephone, or by both.
- D. 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 communications with all local police officers serving in any such municipality.
- E. Agencies pursuing a vehicle into another jurisdiction must notify that jurisdiction as soon as practical, provided that agency with all available information pertinent to the pursuit, including but not limited to:
- The reason(s) for the pursuit, or primary offense the driver or occupant(s) are believed to have committed,
 - Location, speed, and direction of travel,
 - Vehicle and occupant(s) description,
 - The number of vehicles and agencies involved in the pursuit,
 - Whether assistance is requested/needed or not,
 - Other available information as to the conditions of the pursuit.
- F. The pursuing agency will notify the other jurisdiction whether or not the pursuit has been terminated or is leaving their jurisdiction.
- G. Any agency involved in the pursuit may, at its discretion, choose to terminate its involvement in a pursuit at any time. The 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.

XI. POST PURSUIT REPORTING:

- A. Whenever a police officer engages in a pursuit, the police officer shall file a written incident report and complete the CT Pursuit Tracking Form, prior to the end of their shift. The police report shall be reviewed by the appropriate supervisor to determine if policy has been complied with and to detect and correct any training deficiencies. The Supervisor review section of CT Pursuit Tracking Form shall also be completed by the Supervisor.
- B. Supervisory Review:
1. Supervisors shall write a report to be reviewed by a higher-ranking supervisor who was not involved in the pursuit and then directed to the Patrol Division Commander. The report shall include:
 - ✓ Police file or report number.
 - ✓ Reason for initiating and continuing pursuit.
 - ✓ Method of termination of pursuit.
 - ✓ Officers involved.
 - ✓ Injuries and property damage.
 - ✓ Subject(s) arrested or person(s) sought.
 - ✓ Charges against subject(s) arrested or sought.
 - ✓ Accident Information.

- C. This agency shall periodically analyze the police pursuit activity and identify any additions, deletions or modifications warranted in agency pursuit procedures.
- D. Each police agency involved in a 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. After approval by the Patrol Division Commander, the Records Division shall submit the reports to POSTC.
- E. Also see Section XIV § C & D, for annual administrative reporting requirements.

XII. OTHER PURSUIT CONSIDERATIONS:

- A. High speed operation - A police officer in pursuit may 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.
- B. Number of involved pursuit vehicles - No more than three police vehicles shall be actively involved in a pursuit, unless directed otherwise by a commander, superior officer, or supervisor, however, all police officers should be alert to the progress and location of any nearby and ongoing pursuit.
- C. Offensive driving tactics are limited - Deliberate contact between vehicles, (i.e., intentional collision, PIT Maneuver, or ramming) shall NOT be attempted.
- D. Spacing of Vehicles - All police units in active pursuit shall space themselves at reasonable and safe distances to permit adequate braking and reaction times if any preceding vehicle stops, slows, turns, becomes disabled or collides with any vehicle or object.
- E. Police officers shall operate available emergency warning lights and their vehicle siren to alert other motorists to unexpected pursuit vehicle maneuvers.
- F. A police pursuit vehicle entering any intersection against traffic control signals or signs shall slow to safe speeds and be prepared to slow or stop to avoid any collision.

XIII. FORCED STOP PROCEDURES (Alternative Measures):

- A. Forced stop procedures, to include but not limited to Boxing-in and Roadblocks, short of deadly force, may be considered to stop a fleeing vehicle;
- B. Forced stop procedures may be considered when the necessity for an immediate apprehension outweighs the dangers presented to all parties involved and innocent persons.
- C. Forcing vehicles to stop usually presents serious safety hazards to participants and any innocent persons who are present.
- D. Forced stop procedures must be reasonably and properly applied by police officers only who have received appropriate training in their use and have received authorization from their supervisor, absent exigent circumstances.
- E. Forced stop procedures shall be conducted in accordance with department policy and training.
- F. Roadblocks:
 - 1. Use of a roadblock, ramming or forcing a vehicle from the roadway may be employed if deadly force can be reasonably applied to apprehend one of the following persons, after all other reasonable alternatives have been exhausted or would be ineffective;

2. A dangerous fleeing felon - A person for whom there is reasonable cause to believe that the person has committed a violent felony involving an actual or threatened attack which the police officer has reasonable cause to believe could or has resulted in death or serious physical injury; or
3. Any 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 the vehicle.
4. The use of a roadblock shall be used in accordance with department policy. See TPD Policy "Use of Deadly Force" § V. F.

G. Boxing-In:

1. Boxing in shall only be performed at relatively low speeds. The use of such a tactic must be carefully coordinated with all involved 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 the occupants of the violator vehicle.
2. Boxing in normally requires two or more police units to position themselves around the violator to form a box at low speeds pursuits. Once the fleeing vehicle is blocked, the police pursuit vehicles slowly and gradually reduce their speed, causing the violator to stop.
3. It must be anticipated that a 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 box.
4. Boxing-in techniques shall be used in accordance with department policy and training.

H. Intentional Collision of the Offending Vehicle:

1. A deliberate contact between a police vehicle and a violator's vehicle and is intended to cause the violator to spin or leave the roadway in a slow and controlled manner.
2. This procedure is NOT authorized for use by this department.

I. Tire Deflation Devices – Stop Sticks:

1. Police officers must first complete a department required training course on the use of Tire Deflation Devices. These devices shall only be used in accordance with department policy.
2. Stop Sticks shall not be deployed to stop Motorcycles, or other vehicles with less than four (4) wheels.
3. Exceptions
 - a. Immediate Action - Forced stop procedures utilizing the tire deflation devices must be reasonably and properly applied by police officers who have received appropriate training in their use and have received authorization from their supervisor. Prior authorization shall not be required in exigent circumstances involving a rapidly evolving commission of a violent crime, requiring the police officer to take immediate action.
 - b. Pursuit Prevention- Prior to attempting a motor vehicle stop or after stopping a motor vehicle, situations may arise where a police officer reasonably believes that the operator may attempt to; escape, elude law enforcement or otherwise initiate a pursuit. Officers may consider a prophylactic measure, thereby preventing the engagement in a pursuit by utilizing tire deflation devices. The officer employing such measures will comply with all additional requirements under this policy.

XIV. VEHICLE PURSUIT ANNUAL REPORTING AND TRAINING:

- A. Police officers who drive police vehicles shall be given initial and biennial update training in the agency's pursuit policy and in safe driving tactics. The provisions of Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies shall be a part of the curriculum for all police basic recruit training and re-certification programs in Connecticut.
- B. Pursuit Training Programs shall consist of:
 - 1. Knowledge of applicable statutes
 - 2. Court decisions impacting police pursuits
 - 3. Department policy
 - 4. Supervisory and individual responsibilities in a police pursuit
 - 5. Reporting requirements
 - 6. Inter-jurisdictional considerations
 - 7. Pursuit driving skills and techniques.
- C. The Patrol Division Commander shall conduct an annual analysis of all pursuits and reports of those pursuits. The analysis shall be documented, and include identified training needs and/or policy modifications. This report shall be prepared in January and forwarded to the Chief of Police.
- D. In accordance with Section 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes, not later than January 31, 2020, and annually thereafter, the Chief of Police shall submit an annual report to the Police Officers Standards and Training Council regarding pursuits by police officers, on the standardized form developed and promulgated by POSTC.
- E. It will be the responsibility of the Professional Standards Unit, of this Police Department to annually review the content of this policy along with any departmental review of pursuits specified in item C above, which identified training needs and/or policy modifications. In addition, the unit commander shall seek any applicable changes made by Statute, POST-C general notices or model policies that will cause revisions to be made to this department policy.
- F. The Training Division, under the direction of the Professional Standards Unit Commander, shall annually re-publish in Power DMS, the current version of this policy for all sworn officers and police dispatchers to read. Additionally, the Training Division shall also develop and attach a "test" to the policy to ensure that all personnel comprehend and acknowledge the content. The Training Division will submit an annual report of the test results to the Chief of Police.