

CHAPTER 4.0

PATROL

4.7 PURSUIT AND EMERGENCY DRIVING

4.7.1 Definitions

The following definitions pertain to their use within this policy and should not be construed as legal or binding definitions for any other purpose.

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 his speed or by ignoring the police officer's attempt to stop such vehicle. (An authorized emergency vehicle by statute must be making use of an audible warning device, which means a siren, and have visible flashing or revolving emergency lights, re: C.G.S Section 14-80 and 14-96p in operation when in pursuit. For the purpose of this directive, only patrol vehicles properly equipped with emergency equipment as defined by 14-80 and 14-96p shall engage in pursuit). Emergency lights and siren must be in use at all times.

Unmarked vehicles with authorized emergency equipment may initially engage in pursuits until relieved by a marked unit, only if the officer observes that the vehicle committed a serious offense, as defined below.

Unmarked vehicles withOUT authorized emergency equipment SHALL NOT engage in pursuits. If the officer observes a serious offense, as defined below, he shall contact communications and request a marked unit to the area while attempting maintaining a constant visual sight on such vehicle.

Motorcycle units 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 become available.

High speed

Any speed in excess of that which would be considered an acceptable operating speed for vehicles considering the road conditions, weather conditions, lighting, type of area, and any other factors having an effect upon the ability of the operator to safely control all aspects of vehicular operation.

Serious offense

An offense which has caused SERIOUS PHYSICAL INJURY to a victim. An offense in which the USE OR THREATENED USE OF DEADLY FORCE WAS INVOLVED or an offense as cited above in which the perpetrator PRESENTS AN IMMEDIATE OR CONTINUED THREAT to the safety and welfare of the public if not apprehended.

Jurisdiction

The geographical area over which an organized police department has a responsibility for law enforcement and service.

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.

Communications

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

Supervisor

The officer in charge or, responsible for the operation and administration of a particular work shift, platoon, or other unit during a specific period of time, or any ranking supervisor on duty.

Roadblock

The placement of a barricade of any type across the travel portion or other area of a roadway so as to deter or stop vehicle(s) from passing beyond that point.

Caravanning

More than two police vehicles in close proximity having visual contact with each other and pursuing the same subject vehicle over the same traveled area or route.

Uniform Statewide Pursuit Policy

Connecticut General Statutes, Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies.

4.7.2 General Considerations and Guidelines

1. Pursuit driving, especially high-speed pursuit, should be used only as a last resort and apprehending the violator should never be the sole deciding factor in a pursuit situation. All emergency vehicle operations shall be conducted in strict conformity with Sections 14-283, 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. Pursuit driving is a very serious matter. When a police officer initiates pursuit of a fleeing vehicle, he/she may have a tendency to consider only himself and the occupants of the fleeing vehicle. This is not adequate. It must be remembered that other citizens using public highways do not expect their travel to be interrupted by a police chase that may very well result in an accident. Officers shall drive with due regard for the safety of persons and property.

3. Police officers should make reasonable efforts to apprehend a fleeing violator, but pursuit should not be carried to such an extent as to endanger the lives of innocent users of our streets and highways, or the officer.
4. Pursuit is not recommended when the potential danger to the officer and the public outweighs the potential advantage of apprehending a fleeing vehicle. Pursuit is clearly inappropriate when the pursuit itself endangers life more than the escape of the person pursued. The nature and seriousness of the offense must be a paramount consideration when faced with pursuit. Non-hazardous violations such as equipment, registration, or completed motor vehicle violations (e.g., passing a stop sign, running a red light) would not warrant high-speed pursuit. Obtaining the registration of the violator or the identity of the operator is known can resolve the need to pursue the vehicle any further.
5. However, hazardous violations that present a continuing danger to the public may require immediate and sometimes aggressive pursuit. Driving under the influence, reckless operation or excessive speed, are examples of hazardous violations. The officer must remember though, that he is not relieved of the duty to drive with due regard for the safety of all persons, nor is he protected from the consequences of any reckless disregard for safety.
6. The seriousness of the possible outcome of a pursuit commands a police officer to weigh many factors when deciding whether or not to engage in the chase. Some of the specific questions officers must address when deciding whether or not to pursue include:
 - The nature of the offense
 - Does the offense really justify pursuit? (e.g., simple misdemeanor situation or serious felony?)
 - Time of day (12:00 noon, 4:30 PM, 3:00 AM?)
 - Weather conditions (Clear, rainy, fog, ice or snow?)
 - Road conditions
 - Traffic conditions
 - Geographic location (school zone, hospital zone, congested area?)
 - Population density (pedestrians in the area, children playing?)
 - Familiarity with the area
 - The relative capabilities and reliability of the police vehicle and the vehicle being pursued
 - Presence of passengers in police vehicle
 - Whether the identity of the occupants is known and apprehension at a later time is feasible
7. 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.

4.7.3 **Procedures**

Decision to Pursue

The decision to pursue a vehicle is made by the officer involved upon considering the factors cited in Directive 4.7.2.

It is important that an officer weigh the seriousness of the offense which has been committed against the hazards present to the health and welfare of citizens that might be affected by the chase. If pursuit is initiated, a continuous balancing of seriousness versus public safety is mandatory.

The primary unit and secondary unit, if any, must terminate the pursuit when, in the officer's opinion, the hazards to the officer and other citizens outweighs the seriousness of the offense committed.

If an officer receives a communication from the telecommunicator or supervisor to terminate the chase, he shall do so immediately. The officer shall turn off the emergency lights and the vehicle siren and return to normal vehicle operation. The officer will report to the telecommunicator the final location and direction of travel of the pursued vehicle at the time of termination.

Use of Emergency Equipment

The primary unit and secondary unit, if any, involved in the pursuit shall immediately activate both the vehicle siren and emergency lighting equipment.

Both the siren and emergency lighting equipment shall remain in use throughout the entire pursuit.

Notification

The primary unit shall make the following notifications and provide that information required or any other pertinent information requested by the telecommunicator or supervisor.

- Immediately notify the telecommunicator of the situation and the offense involved.
- Supply the telecommunicator with a complete description of the vehicle, including their location and direction of travel. Attempt to provide an accurate registration number, if possible.
- Maintain continued radio contact with the telecommunicator giving their location, direction of travel and speed.
- Immediately advise the telecommunicator when a pursuit has been terminated due to apprehension or the vehicle has been lost, the vehicle was involved in a collision, or the officer called off the chase. Give last known location and direction of travel.

The secondary unit shall follow the primary unit at a safe distance and assist in providing pertinent information as stated above.

The telecommunicator, upon receipt of information from the primary unit shall:

- Immediately notify the supervisor of the pursuit and supply whatever pertinent information required or requested by the supervisor.
- Advise all units not directly involved in the pursuit, to refrain from non-emergency radio transmissions.
- Relay necessary information to other police officers involved in the pursuit.
- Relay information to adjacent police agencies in whose direction the pursuit is proceeding.

Caravanning

A pursuit shall consist of no more than two police vehicles, one of which will be identified as the primary unit and one which will be identified as the secondary unit.

No other personnel shall join the pursuit unless instructed to participate by a supervisor.

The primary unit shall become secondary when the fleeing vehicle comes under police air surveillance or when another unit is assigned the primary responsibility. The secondary unit shall then terminate their involvement in the pursuit unless instructed to participate by a supervisor.

Caravanning as defined in Directive 4.7.1 is prohibited.

Paralleling

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.

Supervisor's Duties During Pursuit

- Primary command responsibility for the conducting and terminating the pursuit is that of the supervisor.
- The supervisor shall be responsible for the direction and coordination of patrol units involved in the pursuit.
- Assignment of other units to assist the pursuing unit shall be made by the supervisor.
- Assisting units will advise the supervisor of their location in order that coordination of the pursuit can be accomplished.
- The decision to continue or terminate the pursuit shall be made by the supervisor based upon those factors cited in Directive 4.7.1.
- Unless there are special factors present in the pursuit situation, which may be unknown to the pursuing units, supervisors should not require the pursuit to continue if the pursuing unit deems it appropriate to terminate the pursuit.

Where possible, a supervisor shall respond to the location where a vehicle has been stopped following a pursuit.

In order to maintain objectivity, supervisors shall refrain from becoming directly involved in any pursuit, unless exigent circumstances are present.

The officer in charge of any platoon, shall not become directly involved in any pursuit, unless exigent circumstances are present.

Intervention Techniques

Except in extraordinary circumstances, a supervisor must approve the use of any intervention technique for stopping a pursuit and must reevaluate the general considerations and guidelines in determining the best course of action.

Forcibly stopping a motor vehicle through the use of intervention techniques such as road blocks, slow moving vehicle stops, and tire deflation devices are authorized only if properly trained in the activation of such device or technique.

If speeds are sufficiently slow and conditions are such that do not present a grave threat of injury to suspect, public, or officers, a slow speed moving vehicle stop is permitted based on totality of circumstances.

If speeds are high and conditions are such that do present a grave threat of injury to the public or officers, an officer may consider the use of deadly force in accordance with C.G.S. 53a-3, C.G.S. 53a-22, and Directive 11.1.

Tire Deflation Devices

Tire Deflation Devices (i.e. – stop sticks) will be available only in supervisor vehicles. Only supervisors trained in the use of stop sticks shall be authorized to deploy the devices. The use shall be consistent with such training.

Stop stick is designed to be used on vehicles with four or more tires, and shall NOT be used on motorcycles and all terrain vehicles (ATV's)

Stop Stick should be deployed on paved surfaces such as blacktop or concrete for optimal performance.

The deploying supervisor shall take into consideration the location, his/her own safety, the safety of the pursuing officer, the suspect and the general public, road conditions, adequate line of sight for deployment, communication with the pursuing officer and the seriousness of the offense, when deciding to deploy the stop stick. The supervisor should deploy the stop stick only after considering the totality of the circumstances.

Deploying supervisor shall advise communication of the intent and location where the stop sticks shall be deployed. Communications personnel shall advise the pursuing units of the deployment location of the stop stick so that the pursuing unit(s) can slow to avoid the stop sticks themselves.

Any deployment of stop sticks shall be documented in the deploying supervisor's report and a stop stick pursuit report form. All used stop sticks will be returned to the training unit for replacement.

Roadblocks or Slow Moving Vehicle Stops

Roadblocks are prohibited unless specifically authorized by the supervisor after consideration of the necessity of applying deadly physical force to end the pursuit. Slow moving vehicle stops may only be authorized by the supervisor after consideration of all safety factors concerning officers, the public, and occupants of the vehicle. The supervisor will monitor and/or directly supervise the operation.

All precautions possible will be taken to ensure the safest location for the roadblock or slow moving vehicle stop is selected.

The primary consideration in determining how and where to utilize a roadblock or slow moving vehicle stop is the safety of the officers and the public. Roadblocks or slow moving vehicle stops will be avoided in areas where the subject vehicle will have an avenue of escape once the vehicles are in view.

If possible, city owned vehicles will be used in roadblocks. Officers will not remain inside the blocking vehicles. Officers will move to a place of safety away from vehicles. All officers will be on the same side of the roadway in the event of firearms usage to avoid a crossfire situation. Pursuing units must be advised of the roadblock or slow moving vehicle stop and position of officers to avoid being caught in line of fire areas.

Use of Firearms

Firearms shall not be discharged by an officer while driving or occupying a vehicle engaged in a pursuit while still in motion. Accuracy may be severely impacted when firing from a moving vehicle and firing from a moving vehicle may increase the risk of harm to officers or other citizens.

Officers engaged in a pursuit shall not discharge any firearm into or at a fleeing motor vehicle, unless the officer has reasonable belief that there is an imminent threat of death to an officer or another person posed by the fleeing motor vehicle or an occupant of such motor vehicle.

Post Stop Procedures

Once the pursued vehicle is stopped, police officer 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 the occupants into custody.

Officers are discouraged from immediately approaching a stopped vehicle at the conclusion of a pursuit or other high-risk stop. Where reasonably possible, officer shall use the felony stop tactic.

Reports

Officers involved in a pursuit must file reports prior to the end of their tour of duty. Officer's reports shall include the following:

- complete and specific details
- the reasons for initiating and continuing the pursuit
- the results of the pursuit
- all charges placed against the person pursued must be substantiated individually by a clear showing of probable cause.
- The initiating officer shall complete the State of Connecticut Standardized Pursuit Tracking Form. Only one form needs to be completed per pursuit, not per officer involved.

(Note: Do not include the subject's identifying information on state form)

Supervisors shall review all reports and form(s) for accuracy and completeness prior to acceptance.

Supervisors shall write a synopsis to be ready for review by the Deputy Chief of Operations. The synopsis shall include:

- Police file or report number.
- Reason for initiating and continuing pursuit.
- Review of time of day, traffic, and weather conditions.
- 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.
- Whether pursuit was within policy.
- Completed State of Connecticut Standardized Pursuit Tracking Form.

Deputy Chief of Operations or his designee shall submit all required forms and paperwork to POST or their designated organization as required by law.

4.7.4 Inter-Jurisdictional Pursuits

General

When a pursuit is about to leave the boundaries of the City of Norwalk, officers shall review the necessity of continuing the pursuit. Officers involved in a pursuit are directed to constantly weigh all

factors in determining whether a pursuit should continue. This is paramount because officers are more likely to be unfamiliar with the roads, population density, school zones, traffic conditions, etc. of the jurisdiction they are entering. The fact that a pursuit is leaving city boundaries shall be weighed heavily along with all other factors. However, the mere fact that a pursuit is leaving city boundaries shall not, in and of itself, be the determining factor in deciding whether a pursuit should be terminated.

Pursuits initiated in Norwalk

When a pursuit crosses into or is about to cross into another jurisdiction, Communications shall make notification to the other jurisdiction(s).

Notification may be made by inter-agency radio systems or by telephone.

Sufficient information should be provided to the second jurisdiction to allow that department to make appropriate decisions.

- Description of vehicle, registration number, and number and description of occupants.
- Location of vehicle being pursued, direction of travel, and speed.
- Reason for the pursuit.
- Number of vehicles and agencies involved in pursuit.
- Whether assistance is requested/needed or not and any other available information.

The supervisor for the second jurisdiction shall determine if assistance is necessary. Officers from the second jurisdiction shall not join the pursuit unless:

- Directed to do so by their supervisor
- 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.

If direct contact, with the pursuit is lost, the unit should be directed to the location of the apprehension by the apprehending jurisdiction or directed as to a course of travel which would allow the unit from the initiating jurisdiction to remain in close proximity to the pursuit.

If the jurisdiction into which the pursuit has gone refuses to become engaged in the pursuit, and the supervisor responsible for the pursuit determines, based upon the facts and circumstances, that a continuance of the pursuit is justified, he shall direct initiating units from this department to continue the pursuit.

If a pursuit enters a municipality without a regularly organized police department, notification shall be made to the State Police troop responsible for that area.

Pursuits outside the state of Connecticut shall be in compliance with Connecticut General Statute 54-156.

Pursuits from other jurisdictions entering Norwalk

When pursuits enter Norwalk from outside jurisdictions it is the responsibility of the pursuing jurisdiction to notify this agency that a pursuit is crossing into or is about to cross into Norwalk. Sufficient information should be obtained from the second jurisdiction to allow this department to make appropriate decisions.

- Description of vehicle, registration number, and number and description of occupants.
- Location of vehicle being pursued and direction of travel.
- Reason for the pursuit.
- Location and direction of travel of police vehicles involved in the pursuit.

This agency has the responsibility for determining if officers will assist in the pursuit. No officer shall assist in the pursuit unless instructed to do so by a supervisor. This decision should be based upon the same factors as cited in Directive 4.7.1. If the supervisor monitoring the situation determines that the safety of the pursuing officer may be in jeopardy, the supervisor may direct units from this agency to assist as needed for the purposes of the safety of the pursuing officer(s). Additionally, Officers may be directed to monitor highway exits, or other intersections.

Investigation and reports

Investigations

Each jurisdiction is responsible for conducting any investigation required for offenses and violations occurring in their jurisdiction during or as a result of the pursuit.

Jurisdiction may request and should receive assistance from the initiating jurisdiction in the conducting of investigations.

Reports

Each jurisdiction shall file appropriate reports detailing the offenses or violations occurring in their jurisdiction and forward a copy of all reports to the initiating jurisdiction.

The initiating jurisdiction shall provide all jurisdictions involved in the pursuit a copy of all reports written by other jurisdictions involved.

Each jurisdiction charging the pursued subject with a violation or offense must submit the appropriate arrest form (Infraction, Summons, U.A.R.) to their respective G.A.'s.

A copy of all reports filed by all participating jurisdictions should be included with arrest forms.

Copies of arrest forms should be sent with reports to the initiating jurisdiction.

Custody of the pursued subject should be decided on the following priorities:

Jurisdiction in which pursued subject committed the most serious offense.

If offenses of equal seriousness were committed in more than one jurisdiction:

- Initiating jurisdiction - if one of the equally serious offenses were committed within.
- Jurisdiction in which apprehension was made if one of the equally serious offenses were committed within.
- Nearest jurisdiction in which one of the equally serious offenses were committed.
- Other factors should be considered, such as holding facilities and required medical treatment.

The G.A.'s at which the subject will be arraigned and tried will be determined by the State's Attorney's responsible for the various jurisdictions.

4.7.5 Annual Analysis and State Report of Pursuits

The Deputy Chief of Operations or his designee shall conduct an annual analysis of all pursuits, whether initiated inside or outside the City of Norwalk, and reports of those pursuits. The analysis shall be documented and include identified training needs, review of policy and procedures, and the need for any necessary modifications. The absence of pursuits does not remove the requirement to review the policies, procedures, and practices. This report shall be prepared in January and forwarded to the Chief of Police.

4.7.6 Training

Officers and communications personnel shall receive initial and annual review training in the department's Pursuit and Emergency Driving Directive. Officers shall receive biennial training in safe driving tactics. The provisions of the Connecticut General Statutes, 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.

4.7.7 Foot Pursuits

A situation where an officer chases, on foot, a person in an effort to detain or arrest the individual, whom the officer has reasonable suspicion to believe is about to commit, is committing, or has committed a crime, and is resisting apprehension by fleeing from the officer on foot.

Flight alone does not constitute sufficient justification to deploy a taser to terminate a foot pursuit. Similarly, flight alone does not constitute sufficient legal justification to detain or arrest an individual. Flight must be accompanied by one or more other factors that together provide sufficient justification to support an investigatory stop.

Decision to Pursue

The decision to pursue a person is made by the officer involved, upon considering the following factors:

- When an officer reasonably believes the suspect has committed or is about to commit a crime that would permit the officer to detain or arrest the suspect.
- When an officer reasonably believes that the suspect poses an immediate threat to the safety of the public, himself, or other officers.
- The officer should weigh the seriousness of the offense with an awareness of the degree of risk to which the officer exposes themselves and others.
- The officer's fitness level and that of the suspect or multiple suspects.
- Surrounding area, terrain, and environment.
- The urgency of the situation, whether there are reasonable alternatives or support available.

Initiating Officer's Responsibilities

The primary officer initiating the foot pursuit shall bear responsibility for the foot pursuit unless circumstances dictate otherwise. The officer initiating a foot pursuit shall make the following notifications and provide that information required or any other pertinent information requested by dispatcher or supervisor.

- Immediately notify communications.
- Supply communications with a location, direction of travel and a complete description of the suspect(s).
- Identify if the suspect(s) is armed, if known.
- Maintain radio contact with communications.
- Remember radio transmission, while running and in other tactical situations, may be difficult to understand and may have to be repeated.
- Immediately advise communications when a pursuit has been terminated and the status, i.e. apprehension or if the suspect has eluded officers.
- Request assistance they deem necessary, i.e. additional officers, K9 unit, supervisors, EMS, transport vehicle.

Guidelines

Unless the officer reasonably believes exigent circumstances exist, officers should consider alternatives to engaging in or continuing a foot pursuit under the following conditions:

- The officer is unsure of his location and direction of travel.
- The officer becomes aware of unanticipated or unforeseen circumstances.
- The officer loses essential equipment.
- The suspect's location is no longer known.
- The suspect enters a building, structure, confined space, or otherwise isolated area, the officer may await the arrival of other officers to establish a containment perimeter and consider using specialized units.
- The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time and it reasonably appears there is no immediate threat to officers or the public.

Communications

The telecommunicator, upon receipt of information from the officer shall:

- Immediately notify the supervisor of the pursuit and supply whatever pertinent information required or requested by the supervisor.
- Dispatch additional back up units to appropriate location(s).
- Advise all units not directly involved in the pursuit, to refrain from non-emergency radio transmissions.
- Relay necessary information to other police officers involved in the pursuit.

Reports

Officers involved in a foot pursuit must file reports and complete any required forms prior to the end of their tour of duty and in accordance with Directive 4.7.3.

