

	Newington Police Department General Order		Number 41.6
Vehicle Pursuits			
Chapter 41 – Patrol Operations			
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1. Purpose
 - A. The purpose of this general order is to establish a Newington Police Department Pursuit Policy 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 shall serve as the standard for all police pursuits initiated and engaged in by Newington Police Officers.
2. Policy
 - A. Pursuits of fleeing motor vehicles may present a danger to the lives of the public, officers, and those vehicle occupants involved in the pursuit. Each police agency shall be responsible for assisting police officers in the safe performance of their duties.
3. Definitions
 - A. “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.
 - B. “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.
 - C. “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.
 - D. “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.
 - E. “Supervisor” means a person designated by the police agency to have supervisory control over the operation of the agency’s vehicles during a pursuit.
 - F. “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.
 - G. “Uniform Statewide Pursuit Policy,” known as “the policy” or “this policy,” means Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies.
 - H. “Police agency” means the Division of 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.
 - I. “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.
4. Procedures
 - A. 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

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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.

- B. 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.
- C. 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.
- D. 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 a pursuit shall be based upon the following:
 - 1. The underlying crime for which the operator or occupants are suspected of committing;
 - 2. Whether the identity of the operator or occupant is known and apprehension by other means is possible;
 - 3. 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;
 - 4. Location, speed, direction of other traffic, population density, type of vehicle being pursued and operators driving behaviors;
 - 5. Environmental factors such as, weather, time of the day, visibility;
 - 6. Relative capability of the police vehicle(s) and the vehicle being pursued;
 - 7. Road conditions, including surface type, wet, icy, dry roadway. Road typography, traffic controls;
 - 8. The presence of other people in the police vehicle;
 - 9. Population density, vehicular and pedestrian traffic.

5. 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 appropriate warning equipment. An audible warning device shall be used during all such pursuits.
- C. Upon engaging in a pursuit, the police officer shall immediately notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The police officers shall keep communications updated on the pursuit. Communications personnel shall

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immediately notify any available supervisor of the agency or agencies involved in such pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other police officers of the involved police agency or agencies, and adjacent police agencies in whose direction the pursuit is proceeding.

- D. When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property.
- E. 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.
- F. 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.

6. 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. When the agency supervisor communicates a termination directive, all agency vehicles shall disengage warning devices and cease the pursuit.
- B. Where possible, a supervisory police officer shall respond to the location where a vehicle has been stopped following a pursuit.

7. 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. 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.

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- 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.

8. Use of a Firearm During a 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.

9. Termination of the 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 of 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.

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10. 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 desk 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:
 - 1. Directed by such duty supervisor or desk officer; or
 - 2. The involved pursuit unit is unable to request assistance; or
 - 3. 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, if they exist, 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, providing that agency with all available information pertinent to the pursuit, including but not limited to:
 - 1. The reason(s) for the pursuit, or primary offense the driver or occupant(s) are believed to have committed
 - 2. Location, speed, and direction of travel
 - 3. Vehicle and occupant(s) description
 - 4. The number of vehicles and agencies involved in the pursuit
 - 5. Whether assistance is requested/needed or not
 - 6. 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. Any agency involved in the pursuit

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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.

11. Post-Pursuit Reporting

- A. Whenever a police officer engages in a pursuit, the police officer shall file a written report on the appropriate form required by his or her agency describing the circumstances. This report shall be reviewed in a timely manner by a supervisor not involved in the pursuit to determine if policy has been complied with and to detect and correct any training deficiencies. Each report following a motor vehicle pursuit shall be forwarded to a command-level officer.
- B. The Newington Police Department shall conduct an annual, documented analysis of motor vehicle pursuits. This documented analysis shall be forwarded to the Chief of Police. The purpose of this analysis is to evaluate police pursuit activity and identify any additions, deletions or modifications warranted in agency pursuit procedures.
- C. Post-Pursuit reports shall be completed for each police pursuit in accordance with department policy and training.
- 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, each Chief of Police and the Commissioner of the Department of Emergency Services and Public Protection 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. Each police agency involved in the pursuit must report their involvement to POSTC on the Pursuit Tracking Form. Departments shall indicate on the form whether they were the initiating agency or a secondary unit.

12. 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 unless permission is obtained from a supervisor, in accordance with established written policy

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- 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.

13. Forced Stop Procedures (Alternative Measures)

- A. Forced stop procedures, to include but not limited to PIT Maneuver, Boxing-in, and Intentional collision. 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 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.

1. Roadblocks

- a. 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;
 - 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
 - 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.
 - The use of a roadblock shall be used in accordance with department policy and training.

2. Boxing-In

- a. Boxing in shall only be performed at relatively low speeds. The use of such a tactic must be carefully coordinated with all involved vehicles,

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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.

- b. 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.
- c. 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.
- d. Boxing-in techniques shall be used in accordance with department policy and training.

3. Intentional Collision of Offending Vehicle

- a. 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.
- b. This technique should be used in accordance with department policy and training.
- c. 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-offs causing the police vehicle to become disabled.

4. Tire Deflation Devices – Stop Sticks

- a. 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.
- b. Stop Sticks shall not be deployed to stop Motorcycles, or other vehicles with less than four (4) wheels.
- c. Exceptions
 - 1. 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.
 - 2. 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

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officer employing such measures will comply with all additional requirements under this policy.

14. Vehicle Pursuit 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.

1. Pursuit Training Programs shall consist of:
 - a. Knowledge of applicable statutes
 - b. Court decisions impacting police pursuits
 - c. Department policy
 - d. Supervisory and individual responsibilities in a police pursuit
 - e. Reporting requirements
 - f. Inter-jurisdictional considerations
 - g. Pursuit driving skills and techniques.

By Order of: _____

Stephen M. Clark
Chief of Police

Date