

NEW HAVEN DEPARTMENT OF POLICE SERVICE

GENERAL ORDERS



Reference CLESP Standard 3

GENERAL ORDER 12.03

EFFECTIVE DATE: June 14, 2023

VEHICLE PURSUITS

12.03.01 PURPOSE

The purpose of this General Order is to provide Officers guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Pursuits of suspected or known violators of the law expose innocent citizens, Police Officers, and fleeing suspects to serious injury or death. Vehicle pursuits require Officers to exhibit a high degree of common sense and sound judgment.

12.03.02 POLICY

It is the policy of the New Haven Department of Police Service (NHPD) that a pursuit shall be based on the Police Officer's conclusion that the immediate danger to the Police Officer and the public created by the pursuit is less than the immediate or potential danger to the public should the occupant(s) of such vehicle remain at large. Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no Officer or Supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit because of the risk involved. It is recognized that vehicle pursuit situations are not always predictable, and decisions made pursuant to this General Order will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

12.03.03 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. The mere fact that an Officer has activated his or her lights or siren does not constitute a pursuit.

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: An Officer of the rank of Sergeant or above.

COMMUNICATIONS: 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: Also known as "the policy" or "this policy," refers to C.G.S. Sec. 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies.

POLICE AGENCY: 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.

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.

BOXING IN: A deliberate tactic by two or more police vehicles to force a pursued vehicle in a specific direction or to force a pursued vehicle to stop or reduce speed by the maneuvering of police vehicles in front of, behind, or beside a pursued vehicle.

FORCING COLLISION: A deliberate tactic by a police operator to cause a pursued vehicle to crash into parked vehicles or fixed objects.

OVERTAKING: The passing of a pursued vehicle by a Police Officer operating an authorized emergency vehicle.

RAMMING: The deliberate tactic by one or more police vehicles to forcibly strike, while attempting to stop, a pursued vehicle.

ROADBLOCK: Any method, restriction, or obstruction used or intended for the purpose of preventing passage of a motor vehicle.

PIT MANEUVER (PURSUIT INTERVENTION TECHNIQUE): A deliberate tactic by a police operator to cause a pursued vehicle to turn sideways abruptly which causes the driver to lose control and stop. This tactic is performed when an Officer places the front quarter of their cruiser next to the back quarter of the fleeing vehicle. The Officer then steers into and taps the rear of the fleeing vehicle. This slight contact causes the fleeing vehicle to lose traction, spin around and stall.

12.03.04 PROCEDURES

INITIATION OF PURSUIT

- An 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 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.
- Offenses that constitute infractions, city ordinances, 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.
- 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.
- Officers **shall** activate their body-worn cameras at the initiation of any motor vehicle stop, or whenever they have a reasonable belief that a vehicle will engage them in a vehicle pursuit in accordance with General Order 7.01 "Body-Worn Cameras."
- 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 or 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:

- 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.
- Officers will not engage in a motor vehicle pursuit while there is an arrestee or non-law enforcement personnel in the Department vehicle.

PURSUIT OPERATIONS

- All authorized emergency vehicle operations shall be conducted in strict conformity with C.G.S. Secs. 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies, and C.G.S. Sec. 14-283a.
- Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate the appropriate warning equipment simultaneously, which includes both emergency lights and audible sirens so that individuals with sensory and/or auditory disabilities can be made reasonably aware of the pursuit. An audible warning device and emergency lights shall be used during the entirety of all such pursuits.
- Upon engaging in a pursuit, the 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 Officers shall keep Communications updated on the pursuit. Communications personnel shall immediately notify the Supervisor of the Officer involved in the pursuit, or in that

Supervisor's absence, an available Supervisor and the Shift Commander, clear the radio channel of non-emergency traffic, and relay necessary information to other Officers of the involved police agency or agencies, and adjacent police agencies in whose direction the pursuit is proceeding.

- When engaged in a pursuit, Officers shall drive with due regard for the safety of persons and property.
- 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. The third vehicle shall be, when appropriate, a Supervisor, to provide on-scene supervision. No other personnel shall join the pursuit unless instructed to participate by a Supervisor.
- The primary unit involved in the pursuit shall become secondary when another unit has been assigned primary responsibility.

SUPERVISORY RESPONSIBILITIES

- 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 Supervisor communicates a termination directive, all Department vehicles shall disengage warning devices and cease the pursuit.
- The Supervisor shall control and manage New Haven units when a pursuit enters another jurisdiction.
- Where possible, a Supervisor shall respond to the location where a vehicle has been stopped following a pursuit.

SHIFT COMMANDER RESPONSIBILITIES

Upon becoming aware that a pursuit has been initiated, the Shift Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this General Order. The Shift Commander has the final responsibility for the coordination, control and termination of a vehicle pursuit, and shall be in overall command.

The Shift Commander shall review all pertinent reports and the Supervisor's post-pursuit memorandum and forward to the Patrol Commander.

PURSUIT TACTICS

- 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.
- 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.
- 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.
- The secondary unit may follow at a safe distance and may be responsible for all radio communications, allowing the primary pursuing unit to devote full attention to driving
 - Exception: If the primary unit is a two-officer vehicle, the unit may opt to maintain responsibility for radio communications. In such a case, the passenger officer will assume responsibility for all communications.
- 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.
- The following activities are prohibited during the course of a motor vehicle pursuit:
 - Boxing in
 - Forcing collision
 - Overtaking
 - Ramming

- Roadblocks
- PIT and brake checking maneuvers
- Officers shall not pursue suspects the wrong way on a limited access highway unless specifically authorized by a Supervisor.

USE OF FIREARMS DURING A PURSUIT

- 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.
 - 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.
 - No Officer should intentionally position his or her body into the path of a fleeing motor vehicle. 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.

TERMINATION OF THE PURSUIT

- The 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.
- The pursuit may be terminated by the primary unit at any time.
- 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.
- A pursuit may be terminated if the identity of the occupants has been determined, immediate apprehension is not necessary to protect the public or Officers, and apprehension at a later time is feasible.
- A pursuit may be terminated when the Officers are prevented from communicating with their Supervisors, Communications or other Officers.

- A pursuit shall be terminated if the 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.
- When a decision is made to terminate a pursuit, Officers shall:
 - Immediately pull over, turn off their emergency lights and siren, notify the Dispatcher of their location, and acknowledge the order to terminate the pursuit;
 - No longer follow or parallel the suspect vehicle;
 - Remain at the termination point until instructions are received from a Supervisor.

INTER-JURISDICTIONAL PURSUITS

- 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.
- A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-agency agreements.
- In all cases where a pursuit enters an area of law enforcement responsibility of a police agency other than that of the NHPD, NHPD Communications shall be responsible for immediately notifying the police agency responsible for such area. The assigned patrol supervisor or shift commander 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 the assigned patrol supervisor, or shift commander; 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, if they exist, or by telephone, or by both.

- 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.
- Agencies pursuing a vehicle into another jurisdiction must notify that jurisdiction as soon as practical, and provide 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
- 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 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.
- This Department shall not join a pursuit by another police agency that enters this jurisdiction unless specifically requested to do so by that agency.
 - The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this Department, with authorization from a Supervisor, may join the pursuit until enough units from the initiating agency join the pursuit.
 - The agency that initiates a pursuit shall be responsible for conducting the pursuit.

- When a request is made for this Department to assist or take over a pursuit from another agency that has entered this jurisdiction, the Shift Commander or a Supervisor is responsible for approving or denying the request. The Shift Commander or Supervisor should consider the following factors when making this decision:
 - Ability to maintain the pursuit.
 - Circumstances serious enough to continue the pursuit.
 - Adequate staffing to continue the pursuit.
 - The public's safety within this jurisdiction.
 - Safety of the pursuing Officers.
- This Department's assistance to another agency involved in a pursuit in this jurisdiction will terminate at the city limits provided that the pursuing Officers have sufficient assistance. Ongoing participation from this Department may continue only until sufficient assistance is present.
- In the event that a pursuit from another agency terminates within this jurisdiction Officers from this Department shall provide appropriate assistance to Officers from the other agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

OTHER PURSUIT CONSIDERATIONS

- High speed operation: An 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.
- 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 Officers should be alert to the progress and location of any nearby and ongoing pursuit.
- 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.
- Officers shall operate available emergency warning lights and their vehicle siren to alert other motorists to unexpected pursuit vehicle maneuvers.

- 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.

POST-PURSUIT REPORTING

Primary Officer

- The primary Officer shall complete the appropriate incident or arrest report.
- The reports shall be completed prior to the end of the Officer's shift unless there are extenuating circumstances. For example, Officers shall not be required to complete reports by the end of their shift if they are involved in a pursuit that results in serious injury or death.

Supervisor's Responsibilities

- The Supervisor overseeing the pursuit shall complete the Pursuit Module in the Records Management System (RMS).
- The Supervisor responsible for overseeing the pursuit is required to complete the POSTC Pursuit Form.
 - It should be indicated on the form whether the NHPD was the initiating agency or a secondary unit.
 - The Form shall be emailed to the designated Record Unit Supervisor.
- The Supervisor shall conduct a post-pursuit review to determine if applicable policy has been complied with and ensure that deficiencies are corrected through training. The Supervisor shall request the radio transmissions from PSAP. The radio transmissions and body-worn and dash camera video shall be reviewed. A memo shall be prepared and forwarded through the chain of command to the Shift Commander and Patrol Commander. The memo shall include:
 - Date, Time, Location, Case number
 - Weather
 - Road conditions
 - Traffic conditions
 - Distance traveled
 - Speeds reached
 - Duration of the pursuit
 - Violations that led to the pursuit
 - The identity of all Officers involved in the pursuit
 - The number of police vehicles involved in the pursuit

- Was the identity of the suspect driver known?
 - All charges if the suspect(s) were apprehended
 - Did the pursuit enter another jurisdiction?
 - Did a Supervisor terminate the pursuit?
 - Was policy followed?
 - If not what actions will be taken (inspections or formal discipline write up)
 - Any injuries to Officers, suspects, or innocent civilians during the pursuit and/or subsequent arrest
 - Damage to any city vehicles
- The memo shall be reviewed through the chain of command by Supervisors not involved in the pursuit.
 - The memo shall be forwarded to the Internal Affairs Unit.

Internal Affairs Responsibilities

- Each pursuit will be reviewed by the Internal Affairs Unit. The scope of the review will include compliance with this policy and the identification of any training deficiencies, as well as suggestions for changes and/or modifications to this policy.
- The Internal Affairs Unit shall prepare an annual vehicular pursuit summary report to the Chief's Office by January 1st of each year. The yearly report shall contain the following information:
 - Total number of pursuits
 - Number of pursuits which resulted in accidents, injuries, death and number of arrests
 - The number and types of vehicles involved in accidents
 - A description of the individuals injured or killed (police, violator, third party)
 - The number of violators involved and arrested in pursuit incidents, including passengers
 - All charges filed
- No later than January 31, 2020, and annually thereafter, the Internal Affairs Unit shall submit an annual report to POSTC regarding pursuits on a standardized form as determined by POSTC.

VEHICLE PURSUIT TRAINING

- Officers who drive police vehicles shall be given initial and biennial update training in the Department's pursuit policy and in safe driving tactics. This includes, but is not limited to, in-service training and line-up training. The provisions of C.G.S. Sec. 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.


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

This supersedes General Order 12.03 – issued on September 14, 2021.

*History: General Order 302 – issued on January 15, 2012
General Order 94-2 - issued on February 7, 1994*

*This General Order was approved by the Civilian Board of Police Commissioners on June 13, 2023.


Chief of Police
(Signature and Date)


Chair, Board of Police Commissioners
(Signature and Date)