

	Department of Emergency Services and Public Protection	
	Administration and Operations Manual	
A&O Section # 13.07.01	<i>Subject:</i> Vehicle Pursuits	<i>Revision Date:</i> March 12, 2021
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A. PURPOSE

- (1) The purpose of this policy is to provide guidelines for troopers and police officers under the direction and jurisdiction of the Division of State Police for the initiation, continuation, termination and reporting of vehicle pursuits.

B. POLICY

- (1) It is the policy of this department that at all times:
- (a) **A police officer is always authorized to stop certain persons**
Each police officer has the legal authority at all times to stop any person suspected of committing an arrestable crime or a traffic violation.
 - (b) **It is the violator who initiates any pursuit**
Troopers and police officers initiate traffic stops, but it is always the violator who begins a pursuit.
 - (c) **A trooper or police officer must continuously weigh risk potential before and during pursuit**
A trooper or police officer's decision to pursue or continue to pursue shall always be undertaken with a high level of awareness of the potential for any risk of harm to the trooper/police officer, the violator or other persons.
 - (d) **Troopers and police officers shall only engage in vehicle pursuits subject to the provisions of this policy**
It is better to either delay the arrest or terminate the pursuit than to risk harm to innocent people, troopers or police officers.
 - (e) **An involved trooper or police officer shall always have the authority to self-terminate a pursuit**
In recognition of the potential risks inherent in vehicle pursuits, no trooper or police officer shall be counseled or disciplined for a decision not to engage in a vehicle pursuit or to terminate a vehicle pursuit based on the risk involved, even in circumstances where this policy authorizes a vehicle pursuit.

C. DEFINITIONS

- (1) The following terms are defined for purposes of this policy:

- (a) **Boxing in** — Boxing in is the surrounding of a violator's moving vehicle with moving pursuit vehicles, which are then slowed to a stop along with the violator's vehicle.
- (b) **Clear and unreasonable danger** — In regard to emergency response or pursuit driving, a clear and unreasonable danger exists whenever:
1. Vehicle speeds are dangerously excessive or the speed of the police vehicle dangerously exceeds the speed of any overtaken vehicle; or
 2. Vehicle or pedestrian traffic requires dangerous maneuvering which exceeds the performance capabilities of the police vehicle or its operator.
- (c) **Crime of Violence** — Means:
1. An offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another; or
 2. Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.
- (d) **Divided highway** — A divided highway is any roadway, which includes a physical barrier or median between traffic traveling in opposite directions.
- (e) **Evader** — An evader is a driver who continues to drive his or her vehicle, refusing to pull to the right and stop when he or she knows or should know that audible and/or visual signals are directed to him by a trooper or police officer, but who does not stop and attempts to escape by driving recklessly or at any speed.
- (f) **Heading off** — Heading off is an attempt to terminate a pursuit by pulling ahead of, alongside or toward a violator's moving vehicle to force it to the side of the road or otherwise force it to come to a stop.
- (g) **Paralleling** —
1. **Street paralleling**
Street paralleling is the driving of a police vehicle on a street parallel to a street on which a pursuit is occurring;
 2. **Vehicle paralleling**
Vehicle paralleling is a deliberate offensive tactic or maneuver of one or more patrol vehicles caused by driving alongside the pursued vehicle while it is in motion.
Vehicle paralleling should not be undertaken without prior authorization.
- (h) **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.
- (i) **Pursuit vehicle** —
1. **Primary unit**
The primary unit is any police vehicle that initiates a pursuit or any unit that assumes control of the pursuit as the lead police vehicle behind a fleeing suspect or violator;
 2. **Backup unit**

A backup unit is any police vehicle that becomes involved in a pursuit as a first or subsequent backup to the primary unit by following the primary unit at a safe distance.

- (j) **Reckless evader** — A reckless evader is any driver who, in order to escape or avoid apprehension by a trooper or police officer, drives a vehicle recklessly and/or at speeds which are so extreme under the prevailing conditions that his or her involvement in a collision is probable should he or she continue.
- (k) **Roadblock** — A roadblock is a restriction or obstruction, which is used to prevent the free passage of motor vehicles on a roadway in order to apprehend a suspect or traffic violator. A roadblock may be established as a partial (restrictive) or a complete (obstructive) roadblock.
 - 1. **Avenue of escape**
An avenue of escape is any gap in a partial roadblock, which requires the violator to decrease his or her vehicle's speed in order to bypass the roadblock;
 - 2. **Blocking vehicle**
A blocking vehicle is an *unoccupied police vehicle*, which is placed perpendicular to a roadway or angled in such a way as to create an obstruction to traffic.
- (l) **Supervisor** — For the purposes of this section a supervisor is any trooper who, by virtue of rank, function or assignment, is responsible for the direction or supervision of the activities of other troopers or police officers in active pursuit.
- (m) **Vehicle contact action** — Vehicle contact action is any action undertaken by a pursuing trooper or police officer that is intended to result in contact between a moving pursuit vehicle and the vehicle being pursued.
- (n) **Violator** — A violator is a person who a trooper or police officer reasonably believes:
 - 1. Has committed an arrestable crime or a traffic violation; or
 - 2. Is a driver who poses an immediate threat to the safety of the public or to any police officer.
- (o) **Violent felony** — A violent felony involves an actual or threatened attack, which the trooper or police officer has reasonable cause to believe could or has resulted in death or serious bodily injury.

D. ENGAGING IN VEHICLE PURSUITS CALEA 41.2.2b

- (1) A trooper or police officer may only engage in a vehicle pursuit if he or she has reasonable suspicion to believe the driver or occupant(s) of the pursued vehicle has committed, is attempting to commit or will imminently commit a crime of violence (actual or threatened), or there are articulable exigent circumstances that warrant the need to apprehend the suspect in a timely manner because of the potential for harm to the public if apprehension does not occur.
 - (a) Infractions, property crimes (including stolen vehicles), non-violent misdemeanors and non-violent felonies are not cause to engage in pursuit, absent articulable exigent circumstances.
 - 1. The act of eluding alone by a violator shall not constitute justification to engage in a pursuit of such a violator.
- (2) A pursuit shall not be automatically undertaken, even if otherwise allowed by subsection (1) of this policy immediately above. A trooper or police officer shall make an objectively reasonable determination to engage in or continue a vehicle pursuit based on an assessment that the immediate

danger to the trooper or police officer and the public created by the pursuit is less than the immediate or potential danger to the public should the vehicle occupants remain at large. Such a determination shall be based on the following factors: CALEA 41.2.2a

- (a) The underlying crime for which the suspect is being pursued (e.g. whether the crime is a violent felony versus a property crime);
 - (b) The actions of the violator vehicle;
 - (c) Whether the identity of the suspect is known to the point where later apprehension is possible;
 - (d) Volume, type, speed and direction of vehicular traffic, including the vehicle pursued;
 - (e) Nature of and familiarity with the area (e.g. residential, commercial, school zone, limited access highway);
 - (f) Environmental factors (e.g. weather, darkness, lighting, visibility);
 - (g) Road conditions (e.g. roadway topography, road surface condition, work zone, traffic controls, ice);
 - (h) Population density and volume of pedestrian and bicycle traffic;
 - (i) Police vehicle capability and condition;
 - (j) Type of vehicle being pursued;
 - (k) The pursuing trooper or police officer knows, or reasonably believes the operator of the fleeing vehicle is a juvenile; and
 - (l) The perceived mindset of the violator, if known, and their ability to properly assess the dangerousness of their actions during the course of pursuit.
- (3) The factors listed in subsection (2) above shall be continuously reassessed for the duration of the pursuit.

E. PRIMARY PURSUIT UNIT DUTIES AND RESPONSIBILITIES CALEA 41.2.2c

- (1) In addition to all other pertinent directives of this manual, troopers and police officers in pursuit shall:
- (a) **Close the distance on the violator's vehicle to safely effect a traffic stop**
There will be times when a suspect or traffic violator is operating his or her vehicle too fast or too erratically to employ a gradual preplanned approach, but whenever possible:
 - 1. **Pass vehicles carefully**
Exercise caution when overtaking other vehicles, since a vehicle operator may change lanes abruptly or stop without warning.
 - 2. **Obtain and call in the suspect vehicle registration number**
Before signaling a violator or suspect to stop, position your vehicle behind his or her vehicle so that you can read the registration number, describe the vehicle and radio in the information while also being able to more effectively observe the motorist, the vehicle and any passengers or load.
 - 3. **Use emergency lights and siren**

When pursuing a violator, the police vehicle's emergency lights and siren shall be activated throughout the duration of the pursuit, with the police vehicle positioned so that audible or visual signals to halt can be effectively communicated to the motorist.

[a] Ensure that the vehicle's Mobile Video Recorder (MVR) and the trooper or police officer's Body-Worn Camera (BWC), if equipped, have all video and audio recording activated and are continuously operated for the duration of the pursuit, including during the actions taken to bring the pursuit to its final outcome (e.g. arrest, use of force, termination).

4. **Notify the troop of the pursuit as early as possible**

If a violator appears to be attempting to evade apprehension after being signaled to stop, immediately alert the troop which has operational control of the area where the pursuit begins, via radio.

(b) **Provide necessary information to troop dispatch at the start of the pursuit**

1. **Call in as much of the following information as possible**

A trooper or police officer in pursuit shall immediately provide as much of the following as possible:

[a] Radio ID number of the trooper or police officer;

[b] Violator vehicle description and registration number;

[c] Location and direction of travel;

[d] Initial reason for pursuit;

[e] Number of occupants observed; and

[f] Presence of hazardous traffic, weather, or road conditions.

2. **Effect of failure to provide requested information**

Failure to fulfill any reasonable request for information shall be sufficient cause for termination of pursuit by the commander, duty supervisor or desk officer.

(c) **Be aware of operational control considerations**

The pursuing trooper or police officer has original operational control of the pursuit. Original operational control only pertains to the immediate field of operations, which is at all times subordinate to the directives of a commander, duty supervisor, or desk officer.

(d) **Maintain safe distances between vehicles**

(e) **Always consider voluntary termination of pursuit** CALEA 41.2.2h,i

The decision to begin to pursue or to continue to pursue is always reversible and the involved trooper/police officer and supervisor or desk officer must constantly question if the need for an immediate apprehension justifies beginning or continuing pursuit. The involved trooper or police officer always has the authority to self-terminate a pursuit.

1. **Notify the troop whenever you discontinue pursuit**

Notify the troop of your termination of a pursuit as soon as possible so that all other responding mobile units may be alerted by the desk officer to resume normal driving operations, thereby reducing risks to all persons.

2. **Alert motorists around you by taking deliberate action**
Upon termination of the pursuit, all pursuit units shall pull to the right side of the roadway and stop at the nearest location where it is practical and safe to do so. Deactivate the siren and at least the forward facing emergency lights as soon as possible.

[a] Such actions alert motorists around you that you are no longer in pursuit.

[b] If the violator observes your actions, he or she is more likely to realize that you are no longer pursuing and high risk driving behavior may be discontinued, thereby posing less of a threat to public safety (See ***Mason v. Bitton***, 85 Wash. 2d 321, 534 P. 2d 1360 [1975]).

- (f) **Follow criteria for mandatory termination of pursuit** CALEA 41.2.2h,i

Pursuit shall end whenever any one of the following ten conditions or events occurs (See section J for a more comprehensive explanation of factors):

1. When instructed to do so by a commander, duty supervisor or desk officer;
2. When risks outweigh the need for an immediate apprehension;
3. When a violator's identity has been adequately established, and later apprehension can occur;
4. When the pursuing trooper or police officer knows or is reasonably certain that the fleeing vehicle is operated by a juvenile, and the offense is not a violent felony;
5. When poor environmental conditions exist;
6. When the pursued vehicle's location is unknown or its capabilities are excessive;
7. When injury to any person occurs or is likely to have occurred;
8. When a clear and unreasonable danger exists;
9. During certain unanticipated conditions, events or circumstances; or
10. During pursuit of a reckless traffic evader under certain conditions.

F. BACKUP UNIT DUTIES AND RESPONSIBILITIES CALEA 41.2.2d

- (1) In addition to all other pertinent directives of this manual, troopers and police officers engaged in an active pursuit shall:

- (a) **Notify the troop as you become engaged in an active pursuit**

1. ***Up to two backup units are normally permitted in active pursuit***
 Pursuers are normally limited to one primary unit and two back-up units.

2. ***Additional units may be authorized by a supervisor or commander***
 Additional back-up units will be determined by:

[a] Nature and severity of any offense; or

[b] Presence of multiple suspects or vehicles; or

- [c] Whenever facts warrant the risk created by involvement of additional pursuit vehicles.
- [d] A desk officer may not authorize more than three units into a pursuit, except as directed by the supervisor or commander.
- [e] Other units should be aware of the direction and progress of the pursuit, but should not actively join or parallel the pursuit unless so ordered.

(b) **Assume primary responsibility for radio communications during the pursuit**

A primary duty of the first back-up unit shall assume responsibility for radio communications, allowing the primary unit to devote full attention to driving.

(c) **Maintain safe intervals between all vehicles**

(d) **Avoid intersecting the path of any high speed suspect, pursuit, or other vehicle**

(e) **Be prepared to assume primary pursuit unit duties**

If the primary unit is disabled or is involved in a crash, the first back-up unit will become the primary unit and request another back-up unit to join in the pursuit.

1. The second back-up unit will immediately discontinue pursuit and assist disabled vehicles or injured persons.
2. If only one back-up unit is available when a crash occurs, that unit will stop, render aid, and notify the troop of the circumstances.
3. The troop will advise the troop supervisor that a new back-up unit is required and the next unit to join in pursuit will radio in as the back-up or primary unit as required.

(f) **Use emergency lights and siren**

When pursuing a violator, the police vehicle's emergency lights and siren shall be activated throughout the duration of the pursuit, with the police vehicle positioned so that audible or visual signals to halt can be effectively communicated to the motorist.

1. Ensure that the vehicle's Mobile Video Recorder (MVR) and the trooper or police officer's Body-Worn Camera (BWC), if equipped, have all video and audio recording activated and are continuously operated for the duration of the pursuit, including during the actions taken to bring the pursuit to its final outcome (e.g. arrest, use of force, termination).

G. COMMUNICATION PERSONNEL DUTIES AND RESPONSIBILITIES CALEA 41.2.2f

- (1) In addition to all other pertinent directives of this manual, communication personnel involved in pursuit operations shall be responsible for the following:

(a) **Avoid the unnecessary use of codes and signals**

Troop communication personnel shall direct pursuit operations in plain language by avoiding the routine use of radio codes and signals that may confuse unassigned personnel who can monitor the radio and assist or avoid the pursuit.

(b) **The troop desk officer shall:**

1. Advise all units that a pursuit is active;
2. Maintain and control radio communications;

3. Coordinate assistance at the direction of the duty supervisor or troop commander;
4. Monitor the pursuit until it concludes or crosses into another troop area, and operational control has been turned over to the other troop area.

(c) **The troop desk officer will direct an available dispatcher to:**

1. Record the following incident information for input into the Computer Aided Dispatch (CAD) system event for the pursuit:
 - [a] Date and time pursuit began and ended;
 - [b] ID numbers of involved troopers and / or police officers;
 - [c] Initial reason given for pursuit;
 - [d] Pursuit result;
 - [e] Name of the commander, supervisor, or desk officer in charge.
2. Notify the duty supervisor and/or troop commander that pursuit has begun;
3. Perform all relevant operator/motor vehicle inquiries;
4. Advise the DESPP Communications Center of the pursuit;
5. Monitor incoming calls for emergencies;
6. Provide a chronology of the events of the pursuit to the supervisor having operational control of the pursuit to assist with completion of required after-pursuit reporting.

(d) **Notify all units whenever the pursuit ends or is terminated**

H. SUPERVISOR DUTIES AND RESPONSIBILITIES CALEA 41.2.2g

The duty supervisor, or for (1), (2), and (3) below in the absence of a duty supervisor, the desk officer shall:

(1) **Upon notification that a pursuit has begun, evaluate the situation**

- (a) If pursuit appears justified, the supervisor shall assert control over it immediately and may order other units into or out of the pursuit;
- (b) If pursuit appears not to be justified or the risks known outweigh the need for an immediate apprehension, the supervisor shall order termination of the pursuit.

(2) **When assuming control over the pursuit, the duty supervisor should:**

- (a) Verify that no more than the required units are involved;
- (b) Designate the number and identity of appropriate back-up units;
- (c) Request assistance from available department aircraft and similar resources;
- (d) Consider the use of electronic remote engine disablement features installed on the violator vehicle, if any, when appropriate (e.g. OnStar for stolen vehicle);
- (e) Determine if the proper radio frequency is being used;

- (f) Alert adjacent troops and police departments to the progress of the pursuit;
- (g) Terminate the pursuit if such action is appropriate or prudent.
- (3) **Direct and control the pursuit**

The supervisor shall direct and control the pursuit to the greatest extent possible until the pursuit ends or operational control is turned over to another troop or police department.

 - (a) In the absence of pertinent information requested from pursuit units, the duty supervisor may terminate pursuit.
 - (b) As with most tactical situations, it is not necessary that the duty supervisor be physically present at the scene to coordinate or assert control over a pursuit.
 - (c) If pursuit enters another troop area, that troop supervisor or desk officer shall assume operational control of the pursuit as soon as feasible.
- (4) **Respond to the scene as required**
 - (a) Whenever practical, a supervisor should respond to the scene where a vehicle has been stopped following a pursuit.
 - (b) If the pursuit ends in a traffic crash or otherwise results in death or injuries, the supervisor of the troop area where the pursuit ends shall respond to the scene and submit a written report to the district commander detailing the circumstances of the incident as soon as practical, through the chain of command.
 - 1. **Mandatory notification to the Commanding Officer of the Traffic Services Unit shall be made for a response by the Collision Analysis and Reconstruction Squad (C.A.R.S.), whenever any serious injury or fatal accident arises from a department pursuit, including those undertaken by police officers under the direction and jurisdiction of the Division of State Police.**
- (5) **Conduct after-pursuit activities and determine the status of all involved parties**
 - (a) At the end of each pursuit, the supervisor shall account for the status of each trooper and police officer involved or potentially involved in the pursuit and shall assign follow-up duties such as who is responsible for crash investigations, status reports for injured persons, and the writing of various reports, etc.
 - (b) In accordance with section L below, supervisors shall complete a morning report synopsis for submission to the Office of Field Operations, and conduct a thorough investigation of the facts and circumstances of the pursuit, documenting such on the Motor Vehicle Pursuit Summary, Analysis, and Critique Report, form DPS-63-C.

I. TROOP COMMANDER DUTIES AND RESPONSIBILITIES

- (1) **Assume control over the pursuit**
 - (a) A troop commander shall exert overall command and control through the supervisor or desk officer or may take personal operational control of the pursuit if physically present at the troop when a pursuit occurs.
- (2) **Require written Pursuit Summary, Analysis and Critique Report**

- (a) In accordance with section L below, commanders shall ensure pursuits are properly documented and analyzed. Commanders shall also review all pursuit related reports and media made available to them to review the performance of those involved.

J. CONDUCTING VEHICLE PURSUITS

- (1) Once any pursuit is entered into by a trooper or police officer, the following matters shall be adhered to:
- (a) **Notify troop dispatch of the pursuit**
1. Report the pursuit immediately to troop dispatch via radio.
 2. The desk officer will then notify the troop commander or duty supervisor of the pursuit.
- (b) **Operational control of the pursuit**
1. The troop commander or the duty supervisor shall assume overall command of the pursuit as soon as possible and will exercise control and supervision through the desk officer.
 2. Responsibility for pursuit extends to all involved persons.
 3. If a troop commander or shift supervisor is unavailable, operational control will be assumed by the desk officer.
- (c) **Terminating pursuit** CALEA 41.2.2h,i
1. **General considerations**
The decision to begin to pursue or to continue to pursue is always reversible and the involved trooper / police officer and supervisor must constantly question if the need for an immediate apprehension justifies beginning or continuing a pursuit. The involved trooper or police officer always has the authority to self-terminate a pursuit.
 2. **A pursuit shall be terminated whenever:**
 - [a] **Instructed to do so by the commander, on-duty shift supervisor or desk officer; or**
 - [b] **Risks of pursuit outweigh the need for an immediate apprehension**
When in the opinion of the trooper or police officer in pursuit or any commander, duty supervisor, or desk officer in charge, *there is a clear and unreasonable danger* to the trooper, police officer or other users of the highway created by the pursuit, which outweigh the necessity for an immediate apprehension to eliminate the threat to public safety that would reasonably be posed by the escape of the violator or suspect, or by continuation of his or her actions; or
 - [c] **The violator's identity is adequately established and later apprehension can occur**
The violator's identity has been established to a point where an apprehension can be reasonably accomplished later, *and there is no longer a need for an immediate apprehension to eliminate the threat to the safety of the public or to any police officer; or*

- [d] **The pursuing trooper or police officer knows, or is reasonably certain that the fleeing vehicle is operated by a juvenile, and the offense is not a violent felony;**
The stress of a pursuit situation may be more than a juvenile operator can be expected to cope with, and there may be a significantly higher likelihood that a juvenile operator will not properly assess the consequences of dangerous operation of a vehicle during a pursuit; or
- [e] **Poor environmental conditions exist**
Environmental conditions, including the weather, may reasonably be construed to indicate the futility of undertaking or continuing pursuit; or
- [f] **The pursued vehicle location is unknown or its capabilities are excessive**
Situations may happen where the location of the pursued vehicle becomes unknown or the distance between the pursuit vehicle and pursued vehicle becomes so great that further pursuit becomes futile; or
- [g] **Injury to persons occurs or is likely to have occurred**
This most likely occurs subsequent to a traffic crash where one or more persons is injured or is likely to have been injured and there are no other police or medical personnel able to render assistance and no one else immediately available to continue pursuit; or
- [h] **A clear and unreasonable danger exists**
A clear and unreasonable danger exists whenever:
- [1] Vehicle speeds are dangerously excessive or the speed of the pursuing police vehicle dangerously exceeds the speed of any overtaken vehicle; or
- [2] Vehicle or pedestrian traffic requires dangerous maneuvering which exceeds the performance capabilities of the police vehicle or its operator; or
- [i] **Certain unanticipated conditions, events or circumstances occur**
If advised of any unanticipated condition, event or circumstance which substantially increases the risk to public safety inherent to the pursuit; or
- [j] **During pursuit of a reckless traffic evader under certain conditions**
Pursuit of a reckless traffic evader *into heavy traffic or densely populated areas* shall terminate when any of the following conditions also occurs:
- [1] The reason for the pursuit is a minor traffic offense;
- [2] There is no reason to believe that a suspect or violator has committed a violent felony;
- [3] It is reasonable to believe that the violator will cease hazardous operation if pursuit ends;
- [4] The violator's identity has been established and apprehension can be accomplished later; or
- [5] Environmental conditions render pursuit futile.

3. **Whenever a supervisor or desk officer communicates a termination directive, all pursuing vehicles shall disengage emergency warning devices, cease pursuit and acknowledge termination of the pursuit via the radio. Upon termination of the pursuit, all pursuit units shall pull to the right side of the roadway and stop at the nearest location where it is practical and safe to do so.**

(d) **Pursuit methods**

The following pursuit methods occur to some degree in all pursuits and may be employed at the discretion of the pursuing trooper:

1. **Trailing**

Trailing is simply following and maintaining a safe interval behind the violator, while providing visual and audible signals, which indicate that the violator should stop.

2. **Offset Pursuit Position**

Positioning the police vehicle approximately one half vehicle width to either side while trailing permits a view of oncoming or overtaken vehicles and exposes forward facing emergency warning lights to oncoming traffic.

- [a] This position places the trooper or police officer in a better position from which to anticipate the violator's actions due to enhanced forward visibility.
- [b] On approaching an intersection, this position may encourage the violator to turn in a direction opposite to the side on which the police vehicle is located and toward other police units or onto lightly traveled side streets.
- [c] Often a fleeing violator approaching a busy intersection will turn right instead of left to avoid crossing one or more additional lanes of traffic.

(e) **Overtaking another pursuit vehicle**

Efforts by a back-up unit to overtake a primary pursuit unit or attempts by a primary unit to yield his position to a back-up unit should be sufficiently communicated beforehand between affected parties.

(f) **Department motorcycle pursuits** CALEA 41.2.2e

Motorcycles may be used for pursuit in exigent circumstances, including but not limited to: situations where the trooper reasonably believes deadly force has been used by any vehicle occupant, or the pursuit is necessary to protect a life other than the motorcycle operator.

1. Department motorcycle operators shall not undertake a high-speed pursuit whenever hazardous road and/or weather conditions exist;
2. If a troop or supervisor cannot be immediately contacted during the pursuit, the motorcycle pursuit shall be immediately terminated.
3. When the motorcycle unit is joined by a department or another police agency 4-wheeled pursuit vehicle, the motorcycle shall drop back and assume duties as a back-up unit.
4. If a second 4-wheel unit joins pursuit, the motorcycle will only follow along at safe speeds.
5. Motorcycle units must be acutely aware at all times of the high potential for offensive driving actions that can be used against them.
6. Refer to subsection (j) below for pursuing violators operating motorcycles.

(g) **Other pursuit considerations**

1. **Aircraft assistance**

- [a] Whenever a department aircraft establishes visual contact with a pursued vehicle, all ground units shall be so notified by the desk officer immediately.
- [b] The aircraft pilot shall direct the movement of pursuit units and other assistance pursuant to the authority of the commander or supervisor.
- [c] Pursuit units shall continue, but shall reduce their speed while responding to the directions of the aircraft pilot to subsequently locate and apprehend the suspect.

2. **Arrest considerations**

Because of the high level of emotions generated during pursuits, troopers and police officers must be aware that any physical force used to apprehend a violator must be reasonable and consistent with both state laws and department policy regarding the use of force.

3. **Caravanning is prohibited**

Pursuit units should not form an unbroken line of more than three pursuit vehicles behind a violator.

4. **Civilian occupants of police vehicles**

Troopers and police officers shall not engage in pursuits when any passenger in a pursuit vehicle is not a sworn police officer.

- [a] If pursuit is contemplated but not yet engaged, passengers may be dropped off at a safe place and retrieved after the pursuit ends.

5. **Crossing intersections**

Upon approaching an intersection controlled by traffic signals or signs signaling vehicles to stop or yield to traffic, where a substantial likelihood of a collision exists, ***the operator of each pursuit vehicle prior to entering the intersection shall reduce speed or stop as necessary*** and shall control the department vehicle so as to reasonably avoid collision with any vehicle or pedestrian. Audible signals and emergency lights must be in use when crossing such intersections.

6. **High speed operation**

A trooper or police officer in pursuit may operate his or her vehicle as fast as the condition of his or her vehicle, existing conditions, and his or her driving abilities will safely permit.

7. **Number of involved pursuit vehicles**

No more than three department vehicles shall be actively involved in a pursuit, unless directed otherwise by a commander or supervisor, but all troopers and police officers should be alert to the progress and location of any nearby and ongoing pursuit.

8. **Offensive driving tactics are limited**

Deliberate contact between vehicles (i.e., intentional collision or ramming) shall not be attempted unless deadly force or potentially deadly force is indicated and permission is obtained from a supervisor.

9. **Operating against the flow of traffic is prohibited**

A trooper or police officer shall not pursue a violator operating against the flow of traffic on any limited access highway, divided highway, highway access ramp or one-way street.

10. **Spacing of vehicles**

All 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.

11. **Traffic control devices**

[a] Extreme caution shall be used whenever a trooper or police officer disregards traffic signs or signals pursuant to C.G.S. §§ 14-283 and 14-290.

[b] Troopers and police officers shall operate available emergency warning lights and their vehicle siren to alert other motorists to unexpected pursuit vehicle maneuvers.

[c] A 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.

(h) **Inter-jurisdictional pursuits** CALEA 41.2.2]

1. Notice of a pursuit by another agency or troop is not an open invitation to join that pursuit.

2. Troopers and police officers shall not join a vehicle pursuit initiated by another law enforcement agency unless they have reasonable cause to believe the vehicle pursuit meets the criteria of this policy.

3. The desk officer or duty supervisor will determine if assistance is requested and troopers and police officers shall not join outside pursuits unless:

[a] The criteria for participating in a pursuit described in section D above are met; and

[b] The supervisor or desk officer has not ordered personnel to refrain from participating in the pursuit.

4. During interagency pursuits the pursuit policy of this department shall be controlling upon department troopers and police officers under the direction and jurisdiction of the Division of State Police.

5. Communication personnel shall:

[a] Prior to alerting field units, obtain essentially the same information that would be provided for a department pursuit.

[b] The desk officer shall not direct units into the pursuit without authorization unless no department supervisor or commander is on duty.

[c] Use interagency police communications systems whenever possible.

6. When alerted to assist an outside agency pursuit, the first unit to arrive will join as a backup unit.

7. Additional units must be authorized by a supervisor or commander.

8. If a pursuit enters the jurisdiction of another police agency or troop, the pursuing troop shall immediately notify the other police agency or troop that has jurisdiction over such area of such pursuit.
9. The duty supervisor or troop commander may order notice directed to another police agency or troop that a pursuit is nearing their area. The desk officer or dispatcher should indicate whether this notice is a request for assistance or a courtesy.

(i) **Pursuing a violator after discontinuation of an original pursuit**

1. Whenever a violator out distances a pursuing trooper or police officer and is again observed a reasonably short time later, pursuit may be reinstated as part of the original pursuit, provided the authorization criteria for the pursuit are met at the time of reinstatement.
2. If a violator is observed by another trooper or police officer after pursuit has formally ended, that trooper or police officer may stop and identify the operator for anticipated legal action arising from the original pursuit or may arrest the violator for an arrestable crime. If the violator refuses to stop at this time, a new pursuit may be undertaken, provided the authorization criteria for the pursuit are met at that time.

(j) **Pursuing violators operating motorcycles**

1. There are heightened risks when a trooper or police officer engages in a pursuit of a motorcycle. In most cases there is a clear and unreasonable danger that outweighs the need for an immediate apprehension of the pursued motorcyclist.
2. Pursuing motorcycles shall only be conducted where the trooper or police officer reasonably believes deadly force has been used by the operator or passenger, or the pursuit is necessary to protect a life other than the motorcycle operator.
3. **Pursuing motorcycles for routine motor vehicle violations is prohibited.**
4. High speed pursuits whenever hazardous road and/or weather conditions exist shall not be allowed, unless the trooper or police officer reasonably believes deadly force has been used by the operator or passenger, or the pursuit is necessary to protect a life other than the motorcycle operator.

K. FORCED STOP PROCEDURES

(1) **General considerations** CALEA 41.2.3a

- (a) Forced stop procedures short of deadly force may be considered to stop a fleeing vehicle only after all other reasonable alternatives have failed;
- (b) Forced stop procedures may be considered when the necessity for an immediate apprehension outweighs the dangers presented to 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 troopers and police officers who have received appropriate training in their use. CALEA 41.2.3c

(2) **Deadly force considerations**

- (a) The U.S. Supreme Court has held that the death of a driver of a stolen car was an unreasonable Fourth Amendment seizure of the person due to the placement of a roadblock by police in such a manner that the death of the driver was likely. *Brower v. County of Inyo*, 489 U.S. 593, (1989).
- (b) A concurring opinion in that case held that *Brower v. County of Inyo* was controlled by *Tennessee v. Garner*, 471 U.S. 1, 105 (1985), which held in part that "*there can be no question that apprehension by the use of deadly force is a seizure subject to the reasonableness requirement of the Fourth Amendment.*" (471 U.S., at 7, 105 S.Ct., at 1699).
- (c) 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:
 1. A dangerous fleeing felon;
 2. 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 trooper or 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 he or she be allowed to continue operation of the vehicle.

(3) **Discretionary procedures** CALEA 41.2.3b

(a) **Boxing In**

Boxing in is a discretionary procedure that can be employed by a trooper or police officer without first obtaining permission from a supervisor or commander.

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 troopers, 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 pursuit speeds.
3. Once the fleeing vehicle is blocked, pursuit vehicles reduce speed slowly and gradually, causing the violator to slow to a stop.
4. 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.
5. Boxing in applied properly is a gradual use of non-lethal force usually directed against an OUI suspect or another driver who refuses to stop when signaled and does not normally require the express permission from a supervisor or commander.

(4) **Forced stop procedures requiring prior supervisor approval**

The following forced stop procedures are *not* discretionary -- prior approval is required. CALEA 41.2.3d

(a) **Precondition considerations**

Intentional collisions or ramming may be employed *with permission from the supervisor* if potentially deadly force can be reasonably applied to apprehend one of the following:

1. A dangerous fleeing felon; or

2. A person for whom there is reasonable cause to believe that the person has committed a violent felony (See definition in section C); or
3. A person who is operating a motor vehicle recklessly and in such a manner as to be reasonably likely to cause death or serious injury to another person should he or she be allowed to continue operation of the vehicle.

(b) **Intentional collision**

1. Intentional collision is purposeful contact with a violator's vehicle.
2. Intentional collision is normally undertaken at low speeds with both vehicles moving in the same general direction and is intended to cause a violator's vehicle to spin out of control or leave the roadway in a slow and uncontrolled manner.
3. Intentional collision is similar to ramming to the extent that the outcome is not always predictable and the technique is considered to involve the use of potentially deadly force.

(c) **Ramming**

1. Ramming is deliberate contact between a police vehicle and a violator's vehicle and is frequently attempted at higher speeds than intentional collision and often is attempted from a direction different from the one in which the suspect vehicle is traveling.
2. Because ramming results are less predictable and the energy transfer between vehicles is more likely to cause death or serious injuries, ramming presents a high degree of risk and may constitute deadly force.
3. The primary purpose of ramming is to disable a vehicle, not to cause injury.
4. Ramming should never intentionally be performed as a head-on collision with another vehicle except at very slow relative vehicle speeds.

(d) **Potential effects of ramming or intentional collision must always be considered**

When considering intentional collision or ramming, each trooper and police officer must be aware that these actions may result in serious injury or death and may activate vehicle airbags or fuel system shut-offs causing cruiser disablement. If the vehicle battery is damaged, the police radio will not operate.

(e) **Tire deflation devices / Stop Sticks**

Troopers shall complete the prescribed department training course before using or carrying "Stop Sticks" and other department approved electrical or mechanical devices designed to bring a vehicle to a safe stop.

1. Troopers issued Stops Sticks shall carry them in the trunk or cargo area of their assigned vehicle encased in its nylon sleeve and if so equipped, mounted in the provided tray.
2. Stop Sticks will only be used after permission is granted from the supervisor or commander who is in operational control of a pursuit or appropriate incident.
3. Stop Sticks shall not be deployed to stop motorcycles -- only vehicles with four or more wheels.

4. Stop Sticks may be employed in non-pursuit situations, when a supervisor or commander considers it appropriate to immobilize a vehicle so that a pursuit situation may be prevented.
 - [a] Such deployments shall require an analysis and review of the circumstances in accordance with section L below.
5. Troopers and supervisors shall consider the following before deploying Stop Stick devices:
 - [a] Is there a position of safety from which the device can be properly deployed?
 - [b] Is an adequate line of sight available so that approaching traffic can be monitored?
 - [c] What are current or anticipated traffic conditions?
 - [d] Are road conditions suitable for deployment?
 - [e] What effect will weather have, if any?
 - [f] Is the location suitable for use of the device?
 - [g] Do adequate communications exist between pursuit and deployment personnel?
 - [h] What concerns do you have for vehicle passengers, vehicle type or any cargo or other contents?
6. Any trooper deploying a tire deflation device shall complete a written report of the incident to be submitted to the supervisor assigned to conduct a critique of the department's involvement in such pursuit (or deployment of a tire deflation device). Such report shall include: **CALEA 41.2.3e**
 - [a] The exact location, roadway surface type and roadway surface condition where the tire deflation device was deployed;
 - [b] The weather and roadway conditions at the time of deployment;
 - [c] The type of tire deflation device used, the manner in which the device was deployed (e.g. sleeved, singular), and the estimated speed of the violator vehicle at the time of deployment;
 - [d] The number of vehicle tires known to be punctured, and what vehicle they are associated with (i.e. violator, police, uninvolved).
 - [e] A full description of any property damage incurred as a result of deployment, as well as any resulting injuries (obtain photographs when feasible);
 - [f] The estimated distance which the violator vehicle traveled after running over the device, if deployment was successful; and
 - [g] A description of any problems encountered during the deployment of the tire deflation device.
7. Deployed Stop Sticks that have been struck by vehicles or otherwise damaged shall be returned to Fleet for replacement.

(5) **Use of roadblocks**

(a) **Stationary Roadblock**

A stationary roadblock places one or more police vehicles in the traveled portion of a highway to block the road and deny the passage of a violator. A route through the roadblock is almost always permitted so that a slow moving vehicle can pass through safely, otherwise the involved risks may increase to a constitutionally unacceptable level of force. In any case, a roadblock must be authorized by a supervisor after consideration of the necessity of applying deadly physical force to end the pursuit.

1. **Total roadblock**

- [a] A total roadblock physically blocks the entire roadway using vehicles, materials or devices that leave no room for an approaching vehicle to continue.
- [b] A total roadblock may only be used when it is known or when there are reasonable grounds to believe that a pursued vehicle:
 - [1] Contains a dangerous fleeing felon who has committed a life threatening felony; or
 - [2] Has committed a felony assault, which has resulted in serious or life threatening injury or death.

2. **Partial roadblock**

- [a] A partial roadblock is an incomplete blocking of a roadway, which provides an avenue of escape, but which causes a pursued vehicle to slow down to be stopped by pre-positioned police units.
- [b] A partial roadblock is used:
 - [1] To stop a dangerous fleeing felon; or
 - [2] When there is reasonable cause to believe that continued operation of a violator's vehicle may cause serious injury or death to the trooper / police officer or any other person.

3. **Conducting a roadblock**

- [a] Whenever a roadblock is established, consideration shall be given to the safety of the violator, pursuing troopers and police officers, hostages or passersby.
- [b] Using a private vehicle as a roadblock barrier or establishing a roadblock in a congested area is prohibited and only one or more unoccupied police vehicles may be used.
- [c] A roadblock shall be established only in locations where an operator of an approaching vehicle has sufficient visibility and distance to be able to stop without colliding with any barrier, person or vehicle.
- [d] An unnecessary backup of traffic should be avoided by providing an avenue of escape for vehicles approaching the barrier or using available pull-off areas in an attempt to prevent collisions.
- [e] Emergency warning lights shall be operated continuously at roadblocks.

[f] A partial roadblock is designed to slow the suspect vehicle so that the violator may be apprehended by pre-placed chase vehicles and *in almost every case is preferable to the use of a complete roadblock.*

[g] A stationary roadblock must be authorized by the supervisor, and can be established and supervised by the ranking trooper at the site where the roadblock is to be placed.

(b) **Rolling "road block"**

A rolling roadblock involves positioning one or more police vehicles in the path of a violator's vehicle, with the intent to slow him to a stop. This may be performed by one police vehicle swerving back and forth from lane to lane (a difficult maneuver requiring anticipation of the violator's movements) or by two or more police vehicles moving along a highway in echelon or driving abreast to block all traffic lanes.

(6) **Discharging a firearm into or at a fleeing motor vehicle**

(a) **Considerations**

Shooting into or at a moving vehicle is generally ineffective and the involved hazards are always great.

1. Discharging of a firearm towards a vehicle will have limited ability to disable the vehicle.
2. Passengers in a vehicle for whom deadly force is inappropriate will be exposed to great risk.
3. If a violator is shot while driving, the un-piloted vehicle may become an uncontrolled hazard.

(b) A trooper should minimize placing himself/herself in a position of vulnerability when confronting a suspect in a vehicle. When confronted by deadly force either emanating from or by a moving vehicle, where possible, as a first course of action, a trooper should attempt to remove himself/herself from the path of the moving vehicle or deadly force before considering to employ deadly force.

(c) **Deadly force shall not be directed at a motor vehicle merely to disable a vehicle.**

(d) **Troopers are prohibited from shooting at or into a moving vehicle unless the occupants of the vehicle pose a deadly threat *by means other than the vehicle*** (Gov. Lamont Exec. Ord. #8, Part 2e)

(7) **Intentionally positioning oneself in front of a fleeing motor vehicle prohibited**

No trooper or police officer shall intentionally position his or her body in front of a fleeing motor vehicle, unless such action is a tactic approved by the Connecticut State Police Training Academy and such tactic is employed in a manner consistent with the trooper or police officer's training.

(a) Troopers and police officers should also avoid intentionally positioning his or her body in the potential path of travel any motor vehicle where there is a high likelihood that such vehicle will attempt to flee.

L. VEHICLE PURSUIT REPORTING AND REVIEWING

(1) **After-pursuit reporting requirements** CALEA 41.2.2k, 41.2.3e

- (a) The supervisor having operational control of the pursuit shall complete a synopsis of the facts and circumstances of the pursuit to be submitted through the chain of command to the Office of Field Operations for inclusion on the next published morning report.
- (b) Any trooper or police officer who participates in a vehicle pursuit shall complete an incident report or supplemental report documenting their involvement in such pursuit, submitting such report to the supervisor assigned to conduct the analysis and critique of such pursuit.
1. This includes serving as a primary unit, becoming involved as a backup unit to another law enforcement agency's pursuit, or employing a forced stop procedure including but not limited to boxing in, ramming, or deploying a tire deflation device (whether successful or not).
- (c) The supervisor having operational control of the pursuit shall complete and submit to the Troop Commander the Motor Vehicle Pursuit Summary, Analysis, and Critique Report, DPS-63-C, within 14 days of the pursuit. The report shall be completed electronically within the Record Management System (RMS) to allow for proper tracking and gathering of statistical data pursuant to applicable policies and statutes, and all fields shall be completed to the greatest extent possible.
1. The on-duty shift supervisor shall document his or her investigation of the pursuit as a Type 7 Call for Service (CFS) event number in CAD.
 - [a] A single Type 7 CFS number shall be used to document a circumstance in which multiple administrative reports are completed as part of a supervisor's investigation of a related series of events (e.g. a use of force event and/or employee injury results as part of a pursuit).
 - [1] Commanders shall ensure that all necessary administrative reports are clearly assigned and completed.
 2. In addition to other sound investigative methods, any pursuit review shall include a review of all available mobile video recorder (MVR) and body worn camera (BWC) footage available, as well as any other reasonably available pertinent external video footage.
 3. Any deployment of tire deflation devices by troopers or police officers shall be noted by the investigating supervisor utilizing the Tire Deflation Device Information section within the DPS-63-C report.
 - [a] Any deployment of a tire deflation device unrelated to a pursuit shall still be documented, evaluated and analyzed by the duty supervisor utilizing an abridged version of the DPS-63-C in the RMS.
 4. The investigating supervisor shall conclude whether or not the pursuit was conducted within department policy and the statewide pursuit policy, explaining the rationale for those deemed not in compliance.
 5. The Pursuit Summary, Analysis and Critique report shall include all known specific facts of the pursuit as indicated on the data fields on the DPS-63-C. Any matters requiring further explanation or not otherwise described by any of the pre-set data fields shall be detailed in the Caption Guide of the DPS-63-C.
 6. A "Conclusion" which evaluates the pursuit overall including the actions of the involved troopers and police officers shall be written at the end of the Caption Guide.

- 7. Any deficiencies or problem areas, and lessons learned to improve future performance shall be written at the end of the Investigating Supervisor's Review following the Caption Guide.
 - 8. The investigating supervisor should also review the pursuit with the involved trooper(s) and/or police officer(s) as part of an after-action review.
- (d) The Troop Commander shall thoroughly review the summary, analysis, and critique.
- 1. Upon review, the Troop Commander shall approve the submitted critique (in electronic format, if available) and submit through the chain of command to the Commanding Officer of Field Operations within 30 days of the pursuit.
 - 2. Commanders are encouraged to utilize the information learned as a result of the Pursuit Summary, Analysis and Critique for training purposes for all troopers under their command.
- (2) **Pursuit reporting requirements to the Police Officer Standards and Training Council (POSTC)**
- (a) In accordance with C.G.S. § 14-283a, a form shall be submitted to POSTC following each pursuit engaged in by any trooper or police officer, detailing information as required on the standardized form as promulgated by POSTC.
 - 1. This form shall be completed within the RMS and be generated (to the greatest extent available) from information gathered in the DPS-63-C, Motor Vehicle Pursuit Summary, Analysis, and Critique Report, as completed by the supervisor having operational control of the pursuit.
 - (b) In accordance with C.G.S. § 14-283a the Commissioner shall submit an annual report to the Police Officer Standards and Training Council (POSTC) regarding pursuits by troopers and police officers consistent with the standardized form as promulgated by POSTC, no later than January 31 of each year, for the period of the prior calendar year.
- (3) **Preparation of Annual Vehicle Pursuit Summary and Analysis Report** CALEA 41.2.21
- (a) The Research and Planning Unit shall prepare an Annual Vehicle Pursuit Summary and Analysis Report and forward the report to the Commissioner for approval as soon as practical after the close of each calendar year.
 - (b) The Annual Vehicle Pursuit Summary and Analysis Report shall contain at least the following information:
 - 1. Total number of pursuits;
 - 2. Numbers of pursuits, which resulted in:
 - [a] Crashes;
 - [b] Injuries;
 - [c] Deaths;
 - [d] Apprehensions.
 - 3. The number and types of vehicles involved in accidents crashes (i.e., department or other police, violator, or third party vehicles);

4. A description of persons injured or killed (i.e., department or other police, violators, third party vehicle occupants or pedestrians);
 5. Number of violators and others involved, including passengers, who are apprehended in pursuit incidents;
 6. Reason given for initiating, or terminating the pursuit;
 7. Number of pursuits terminated by the desk officer, trooper or supervisor.
- (c) The Annual Vehicle Pursuit Summary and Analysis Report shall also include an analysis of pursuit reports to determine if any trends or patterns exist that may require additional training, equipment, policy revisions and/or reporting procedure modifications.

M. VEHICLE PURSUIT TRAINING CALEA 42.2.2m, 41.2.3c

- (1) Initial, recruit-level pursuit training shall include documented training on this policy, as well as covering the following topics:
 - (a) Knowledge of applicable statutes and court decisions;
 - (b) Improving decision making skills;
 - (d) Defensive driving and pursuit driving training techniques;
 - (d) Planning of stationary roadblocks and use of other forced stop procedures; and
 - (e) Other subjects found suitable by the Commandant of the Training Academy.
- (2) A documented annual review of this policy shall be conducted through in-service training or other suitable means. CALEA 42.2.2n
 - (a) Any topic in subsection M(1) above or other topic deemed suitable by the Commandant of the Training Academy may also be incorporated into pursuit in-service training.