



**DAYTONA BEACH POLICE DEPARTMENT**  
Chief Kenneth W. Small

**Departmental Standards Directive**

**TITLE: VEHICLE PURSUITS**

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**POLICY**

It is not the intent of this directive to prohibit all motor vehicle pursuits; however, it is the intent to restrict motor vehicle pursuits to those situations and circumstances in which the immediate apprehension of the violator outweighs the hazards generated to the officer, the public, or the occupant/s of the vehicle being pursued.

**PURPOSE**

The purpose of this directive is to provide guidelines and delineate responsibilities governing the pursuit of motor vehicles.

**DEFINITIONS**

A "Vehicle Pursuit" is an active attempt by a law enforcement officer who is operating an authorized emergency vehicle and simultaneously utilizing all available emergency equipment (minimum of emergency lights and siren) to apprehend one or more occupants of another moving vehicle; when the operator of the fleeing vehicle knows, or should reasonably know, of that attempt and is resisting apprehension by ignoring the officer or attempting to elude the officer.

**DISCUSSION**

The Daytona Beach Police Department places a high value upon the life and safety of its officers and the public at large.

This value placed on human life must be reconciled with the authority of a police officer to engage in a vehicle pursuit and enforce the law. The authority of the officer and the need for the immediate apprehension of a violator is never more important than the safety of innocent persons or the police officer. Those involved in a pursuit must continually evaluate whether the seriousness of the crime justifies continuing the pursuit. The decision to initiate a pursuit is irreversible and when it becomes apparent that the immediacy of apprehension is outweighed by a clear and unreasonable danger to the officer or others, the pursuit shall be abandoned.

**PROCEDURE**

**PURSUIT CRITERIA**

**51.1.1** An officer is justified to initiate a vehicle pursuit if the officer has reasonable cause to believe that the violator has committed a violent or forcible felony crime; and the officer reasonably believes that the suspect, if allowed

to flee, would present a danger of death or serious injury to others.

51.1.2 No disciplinary action or personal challenge shall be initiated against any sworn member of the Daytona Beach Police Department for declining to initiate or terminating any vehicle pursuit.

**PURSUIT CONSIDERATIONS**

51.1.3 All Department Personnel shall evaluate the risks involved with initiating and continuing a pursuit. The officers involved must remember that safety is the priority concern and they must also operate their vehicle in a responsible manner and not endanger the general public in his / her attempt to catch the target vehicle.

51.1.4 Only specifically authorized vehicles that are properly equipped with functioning warning lights and sirens, are authorized to participate in a vehicle pursuit.

51.1.5 The mechanical condition and type (i.e. van, pickup etc.) of vehicle being used by the officer shall be considered when determining whether to participate in a vehicle pursuit.

51.1.6 Trying to catch up to a vehicle or following a vehicle is not a violation of this directive. Trying to catch or following a vehicle includes:

- A vehicle at times may be followed due to a suspicion that the vehicle, its driver or occupants may have committed, or are about to commit some type of violation.
- A vehicle that has violated a traffic law and is not aware that a police vehicle is attempting to effect a traffic stop.
- The vehicle is either so far ahead of the police vehicle or exceeding the speed limit in such a manner that the officer is required to use the lights and siren and exceed the speed limit in order to gain ground so that the person will realize that the officer is attempting to effect a traffic stop.

- The vehicle is behaving in such a manner that a reasonable officer would conclude that the vehicle is not taking evasive action and there are no visible signs that the driver has recognized that the police are present.

**PROHIBITED PURSUITS**

51.1.7 Officers shall not pursue or assist in the pursuit of vehicles fleeing from other agencies, unless the offense for which the pursuit was initiated is in accordance with this directive and authorization from a supervisor is obtained.

51.1.8 Officers shall not pursue vehicles for any misdemeanor offenses.

51.1.9 Officers shall not pursue or assist in the pursuit of vehicles for traffic offenses, to include felony traffic violations.

51.1.10 Officers shall not pursue vehicles if the subject is identified and there is an expectation of apprehending the subject within a reasonable amount of time without the pursuit; however, if the offense is of such a serious nature where the immediate apprehension of the subject is imperative to the safety of the persons or victims involved in the incident, the pursuit may be continued.

**OFFICER RESPONSIBILITIES IN PURSUIT**

51.1.11 Officers justified to initiate a pursuit in accordance with this directive shall immediately advise the communications center of the following:

- The exact location;
- The direction of travel;
- Current traffic conditions;
- Current speed the officer is traveling and whether the speed is increasing, staying steady or decreasing;
- Vehicle description and suspect/s description if available;

- Crime/s the subjects have committed or are believed to have committed.

**51.1.12** If a supervisor has not acknowledged the pursuit the officer involved will solicit the supervisor's approval or disapproval immediately.

**51.1.13** If the pursuit enters a District or Zone that uses a specific radio channel, the pursuing units and supervisory personnel will immediately switch to the appropriate radio channel for that area.

#### SUPERVISOR RESPONSIBILITIES IN PURSUIT

**51.1.14** The immediate on-duty district supervisor shall take command of the pursuit and maintain command unless relieved by a supervisor with a higher rank or position (not a more senior supervisor of the same rank) or the pursuit enters another jurisdiction and the other agency assumes command of the pursuit.

**51.1.15** A pursuit entering into another district shall continue to be commanded by the supervisor originally authorizing the pursuit.

**51.1.16** The supervisor will evaluate information in reference to the pursuit and solicit that information the supervisor deems necessary from the primary pursuing officer.

**51.1.17** The supervisor is not required to continually authorize the pursuit. Once the pursuit is authorized, it is authorized until the primary officer or appropriate supervisory personnel order the pursuit to be terminated.

**51.1.18** The supervisor shall direct additional resources as the supervisor deems necessary.

**51.1.19** Factors in the decision to direct additional resources include, but are not limited to:

- The nature and circumstances of the offense;
- The number of subjects involved;

- The number of officers involved and the need for support units.

#### COMMUNICATIONS CENTER RESPONSIBILITIES IN PURSUIT

**51.1.20** Upon notification of a pursuit the communications center supervisor will be notified immediately along with the on duty district supervisors. The communications center shall initiate proper procedures in accordance with appropriate call handling directives.

**51.1.21** Communications personnel shall monitor the pursuit and provide assistance when requested.

**51.1.22** Communications personnel shall not transmit unless directed by the supervisor or primary pursuit unit to avoid field transmissions being covered and excess communications.

#### CONDUCTING THE PURSUIT

**51.1.23** Only two authorized department vehicles will actively pursue a vehicle, they are designated the primary unit and the backup / secondary unit.

**51.1.24** If a supervisor is placed into a position where he / she must initiate a pursuit the supervisor will notify the appropriate shift commander to take charge of the pursuit. If higher ranking personnel are not available, the supervisor shall designate another on-duty supervisor to take command of the pursuit. In the event no other supervisory personnel are available the initiating supervisor will take command of the pursuit. If circumstances allow the supervisor will direct another officer to take the primary pursuit position and the supervisor will assume the secondary / backup position so the supervisor will be in a better position to supervise the entire pursuit.

#### PRIMARY PURSUIT UNIT

**51.1.25** The primary pursuit unit shall handle all communications relating to direction of travel, suspect, descriptions and all matters relating to the actual pursuit until a secondary

unit arrives. Once the secondary unit arrives it will be responsible for all communications to allow the primary unit to concentrate on driving. This shall not restrict the supervisor from giving instructions or other information directly to either the primary unit, secondary unit, or the communications center. If the primary pursuit unit contains two officers the officer not driving shall handle the communications requirement instead of the secondary unit, unless otherwise directed by the supervisor.

**51.1.26** The primary pursuit unit shall not be passed unless authorized by the primary pursuit unit and the supervisor.

**51.1.27** Unmarked units (with properly functioning warning lights and siren), may pursue as the primary unit only when the urgency of the situation warrants such action. When properly marked units arrive the unmarked units will back off and assume the secondary / backup position.

**51.1.28** The unmarked unit will continue in the secondary / backup position. Upon the arrival of a second marked unit the unmarked unit shall terminate their active involvement in the pursuit unless advised otherwise.

### SECONDARY / BACKUP PURSUIT UNIT

**51.1.29** The secondary / backup unit shall handle all communications relating to direction of travel, suspect, descriptions and all matters relating to the actual pursuit.

**51.1.30** The secondary / backup unit is authorized to pursue at a safe distance.

**51.1.31** The secondary / backup unit will advise support units if objects are thrown from the fleeing vehicle ( money, narcotics, weapons etc. ) and their location for possible retrieval.

### SUPPORT UNITS

**51.1.32** Officers not directly involved in the pursuit that are responding to the general area or being directed to a support position shall drive their vehicles in a safe prudent manner.

**51.1.33** Support units may be assigned active roles including but not limited to, paralleling the pursuit, proceeding to possible termination points or transferring equipment and personnel.

**51.1.34** Support units will not caravan behind the pursuing units.

### AERIAL UNIT ASSISTANCE

**51.1.35** Assistance from the Volusia County Sheriffs Office Air One helicopter will be requested at the direction of the on scene supervisor.

**51.1.36** If the air unit makes visual contact with the fleeing vehicle they will immediately notify surface units; at that time the air unit will assume the primary pursuit unit status.

**51.1.37** Once visual contact from the air unit is made all surface units will reduce speed and follow at a safe distance. Ground units should be alert to objects being thrown from the vehicle during the pursuit.

**51.1.38** The air unit will advise the supervisor of direction of travel and traffic conditions along with any other pertinent information such as potential hazards or possible apprehension sites.

**51.1.39** Once the air unit has assumed the primary pursuit unit status the original Daytona Beach Police Department supervisor will retain command of the pursuit. If the supervisor decides that the pursuit must be terminated the supervisor shall direct the air unit to terminate the pursuit.

**51.1.40** Once the air unit has been advised to terminate the pursuit all surface units will also immediately terminate all pursuit related activity unless otherwise directed by the pursuit supervisor.

### PROHIBITED PURSUIT ACTIONS

**51.1.41** Pursuing units shall not attempt to pass the target vehicle in an effort to stop the fleeing vehicle.

**51.1.42** Primary and secondary pursuit units shall not drive parallel to each other except during an authorized pass of each other.

**51.1.43** Officers shall not drive on the wrong side of any interstate or other controlled access roadway.

**51.1.44** While pursuing, officers shall not ram or conduct rolling roadblocks unless specifically authorized by a command level officer. Additionally, the discharge of firearms at moving vehicles is prohibited unless the use of deadly force is in accordance with appropriate departmental directives.

**51.1.45** Stationary roadblocks are prohibited unless authorized by a command level officer. If utilized, the driver of the fleeing vehicle should be presented with a chance to stop the vehicle safely ( i.e. no roadblocks on curves ). Flares and lights should be utilized if time permits and at no time will private vehicles or equipment be used for a roadblock.

**51.1.46** The following vehicles will not engage in a pursuit under any circumstances:

- Vehicles transporting prisoners;
- Vehicles transporting witnesses, suspects, complainants or other non-police personnel;
- Vehicles not equipped with both functioning emergency lights and siren.
- Prisoner transport vehicles regardless if empty or not.
- Police motorcycles will not engage in a vehicular pursuit. Police motorcycles may assist in a support role with supervisor authorization.

**DECISION TO TERMINATE PURSUIT**

**51.1.47** The decision to initiate or terminate a pursuit shall rest with the individual officer up to the point that a supervisor assumes command of the pursuit.

**51.1.48** When a pursuit is terminated all involved personnel shall immediately cease all pursuit of the target vehicle. This includes the "Following" of the target vehicle unless such action is authorized by the supervisor.

**51.1.49** The initiating officer or authorizing supervisor is justified in terminating the pursuit if, based on the supervisors or officer judgment, the danger to the officers involved and the general public outweighs the need to stop the fleeing vehicle.

**51.1.50** Factors to consider when deciding to initiate or terminate a pursuit include, but are not limited to:

- Pedestrian and vehicular traffic;
- Weather conditions;
- Visibility;
- Road conditions;
- Specific offense for which the violator is being pursued;
- The identification of the vehicle and / or occupant/s, as well as the appropriateness and probability of apprehension at a later time.

**PURSUI TS ENTERING ANOTHER JURISDICTION**

**51.1.51** If the vehicle being pursued enters another jurisdiction the supervisor shall have the communications center advise that agency as early as possible.

**51.1.52** If the jurisdiction in which the pursuit has entered wishes to take command of the pursuit units of this department will act as support units.

**51.1.53** If the jurisdiction being entered does not wish to take command of the pursuit then the supervisor will request assistance in the form of support units.

**51.1.54** Pursuits entering another jurisdiction should result in a coordinated effort of the affected agencies in order to provide for protection of the general public.

**51.1.55** All pursuits that involve members of the Daytona Beach Police Department, regardless of what agency originated the pursuit, shall be conducted in accordance with the requirements of this directive.

#### REQUESTED ASSISTANCE BY OTHER AGENCIES

**51.1.56** The agency requesting assistance shall advise the following:

- Nature of offense ( specific charges);
- Which agency initiated the pursuit;
- Number of suspects, if known;
- Vehicle description and direction of travel;
- Number and type of units currently pursuing.

**51.1.57** No sworn member of the department shall become involved in another agency's pursuit unless specifically authorized by the on-duty supervisor.

**51.1.58** In the event permission is granted to participate in another agency's pursuit all Daytona Beach Police Departmental Directives concerning vehicular pursuit will be adhered to.

**51.1.59** The agency initiating the pursuit has the primary responsibility for continuing or terminating the pursuit.

**51.1.60** Officers of the Daytona Beach Police Department shall assume a support role in a pursuit initiated by another agency. This role includes, but is not limited to:

- Stopping traffic at intersections to minimize danger to motorists on the road;
- Be available to assist at potential termination points;

- Transferring equipment or personnel as directed by the supervisor.

#### VEHICLE PURSUIT FORM

**51.1.61** The primary pursuit unit shall be responsible to complete an incident report and attach all supplements from involved officers. In the case of a pursuit initiated by another jurisdiction the supervisor shall direct an officer to complete an incident report.

**51.1.62** The supervisor authorizing the pursuit shall complete a "Vehicle Pursuit Form". The supervisor shall ensure that the CSO Supervisor completes the appropriate section on the form prior to the form being submitted. ( **See attachment A** )

**51.1.63** The original Vehicle Pursuit Form shall be forwarded to the involved officer's division commander for review. Upon the commander's review the original form shall be forwarded to the training section for review. Comments or suggestions will accompany the form during the review process.

**51.1.64** The original incident report will be processed and filed in the records section complete with all attachments. The Vehicle Pursuit Form is for internal training use only. The form shall be kept filed in the training section and is not part of the incident report.

**51.1.65** The vehicle pursuit form will be maintained in the training section in original form. A copy of the form will be forwarded to the officer's division commander for the officer's personnel file after the review process has been completed. No other copies of the Vehicle Pursuit Form will be maintained in any area other than the officer's personnel file, while the original will be maintained in the master department training section files.

#### VEHICLE PURSUIT REVIEW

**51.1.66** Upon completion of a pursuit the original pursuit form will be completed by the officer's supervisor and the CSO Supervisor. The form will be forwarded to the officer's division commander and then to the training

section. The training section, along with the involved officer's division commander will conduct a review of the pursuit.

**51.1.67** Upon completion of the review, the training section and appropriate division commander will determine if proper departmental directives were followed and identify any actual or potential deficiencies in training or policy.

**51.1.68** The training section shall submit the findings of the vehicle pursuit review ( both division commander and training section, reviews ) and make recommendations to the Chief of Police as to the need for additional training or policy revision. A copy of the completed vehicle pursuit review and vehicle pursuit form shall be forwarded to the involved officer's division commander.

**51.1.69** The review shall be based upon internal operating procedures rather than tort or negligence law, Neither this Directive nor any other internal procedure shall establish the standard of care for civil liability purposes

**51.1.70** No copies of the recommendations of the pursuit review will be maintained in any area other than the involved officer's division personnel file and the master department training section files.

**ATTACHMENTS**

- Attachment " A " Vehicle Pursuit Form

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APPROVED: \_\_\_\_\_  
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