

MANATEE COUNTY SHERIFF'S OFFICE  
GENERAL ORDER NUMBER 3020 - Vehicle Operation, Use, and Care

This General Order rescinds General Order 2005 dated August 1, 2001 and all of its addenda and revisions and any other General Order dealing with these issues.

Effective Date: September 1, 2002

To: All Personnel

1.0 PURPOSE

1.1 ESTABLISHMENT - The purpose of this GO is to establish the guidelines for the safe operation of the MCSO vehicles during routine, emergency, pursuit, and escort situations.

1.1.1 The MCSO has developed an assigned-vehicle system that will create an impression of law enforcement omni-presence due to the increased visibility of marked and unmarked vehicles.

1.2 AUTHORIZED EMERGENCY VEHICLES - The following vehicle types are designated and authorized by the Sheriff as emergency vehicles:

1.2.1 Any vehicle which is owned or leased by the MCSO, is equipped with emergency light(s) and a siren, and is operated by a certified law enforcement deputy.

2.0 MCSO VEHICLES

2.1 RESPONSIBILITY FOR VEHICLE MAINTENANCE AND APPEARANCE - The deputy / employee assigned a MCSO vehicle shall be responsible for the clean and serviceable condition of that vehicle. To maintain the vehicle in this manner, the following shall be done:

2.1.1 Vehicles shall be waxed not less than semi-annually.

2.1.2. Dents, scratches, rust, and interior wear shall be brought promptly to the attention of Fleet Maintenance for repair.

2.1.3 Fuel and oil shall be checked regularly and maintained at proper levels to avoid the risk of having inadequate supplies at a critical period. Oil shall be changed at 3,000-mile intervals, and it, and the fuel, shall conform to the Fleet Maintenance specifications.

2.1.4 The interior and exterior of MCSO vehicles shall be maintained in clean condition.

2.1.5 The cooling system shall be checked periodically and kept clean and full at all times.

2.1.6 The battery, if not sealed and maintenance-free, shall be checked each time the vehicle is fueled, and fluid electrolyte shall be maintained at the proper level. Battery terminals shall be kept free of corrosion.

2.1.7 Tires shall be checked regularly when they are cool, prior to each tour of duty, and kept properly inflated. Tires shall be checked at least once a week for nails, cuts, excessive wear, or defects.

2.1.8 Speedometer calibration for marked MCSO vehicles used in traffic enforcement only, shall be obtained by the vehicle operator every six months at an authorized location after the deputy has received authorization from the Fleet Maintenance Director.

2.1.9 Proper maintenance practices and warranty requirements dictate that oil changes be completed on a fixed schedule. The scheduled oil change is posted in MSO vehicles using a sticker in the upper left hand corner of the windshield.

2.1.9.1 Scheduled preventive maintenance is the responsibility of the assigned-vehicle-deputy / employee. All MCSO vehicles shall be brought to the MCSO garage for preventive maintenance at scheduled service times. Fleet Maintenance shall be responsible for conducting maintenance checks on MCSO vehicles during each 3,000-mile oil change.

2.1.9.1.1 Certain vehicles may have longer or shorter duration oil changes, depending on vehicle type and assignment. Fleet Maintenance will assign the oil change interval.

2.1.9.1.2 The acceptable deviation from the scheduled service mileage is plus or minus 500 miles unless approved by Fleet (i.e. changing the oil early due to a scheduled trip that would cause the mileage to go over).

2.1.9.2 Deputies / employees shall remove all personal equipment from the vehicles delivered to Fleet Maintenance for needed repairs or scheduled maintenance, if the vehicle must be left.

2.1.9.2.1 No weapon is to be left inside the vehicle during work conducted at Fleet Maintenance.

2.1.9.3 Fleet Maintenance shall not be responsible for the loss or damage of personal equipment left in MCSO vehicles by the deputies / employees.

2.1.10 Supervisors shall make periodic inspections of vehicles to ensure compliance, and shall note the results of these inspections on the deputy's performance evaluation.

2.2. FLEET ASSIGNMENT AND MAINTENANCE RESPONSIBILITIES - The following deputies / section shall be responsible for various facets of vehicle assignment and maintenance:

2.2.1 The Administrative Bureau Chief shall have the authority to make vehicle assignments / transfers.

2.2.2 The Fleet Maintenance Director shall be responsible for the accountability of all MCSO vehicles.

2.2.2.1 Incidents of vehicle neglect shall be reported by the Fleet Maintenance Director to the involved deputy's Bureau Chief (the Chief Deputy concerning deputies in Executive positions) through the chain of command.

2.2.2.2 Fleet Maintenance shall conduct a thorough inspection of any MCSO vehicle being reassigned to ensure that damage discovered has been previously reported. The individual who is receiving the vehicle shall also inspect the vehicle before accepting it. If any damage is discovered, the Fleet Maintenance Director shall notify the appropriate Division Commander.

2.2.3 During any employee's leave time, their assigned vehicle may be used by any component, if the need arises. The vehicle may be reassigned temporarily. The Fleet Maintenance Director shall provide the necessary keys and the vehicle can be acquired at the home of the on-leave employee after the employee's Commander has granted permission for the vehicle's use. The on-leave employee shall remove all personal effects and firearms from his / her vehicle prior to it being temporarily reassigned.

2.2.3.1 If an employee is on leave of any type for a period longer than one workweek, he / she may be required to park his / her issued vehicle at the assigned work District or Fleet Maintenance and leave the keys with his / her supervisor. The supervisor will make this determination.

2.3 VEHICLE DEFECTS - All MCSO vehicle defects shall be reported promptly to Fleet Maintenance.

2.3.1 A Purchase Order form shall be issued by Fleet Maintenance when repair work is to be performed at facilities other than the MCSO's. Dealers and vendors will not accept vehicles for repairs without this completed form. Any inquiries regarding the status of the vehicle under repair shall be directed to Fleet Maintenance and not to the dealer or vendor.

2.3.2 When an MCSO vehicle is not driveable, the deputy shall contact his / her Shift Lieutenant / Sergeant. The Shift Lieutenant / Sergeant shall decide what action is to be taken to activate the vehicle. If the vehicle has to be towed, it shall be taken directly to the Fleet Maintenance garage.

2.3.3 Any vehicle warranty work shall be approved by Fleet Maintenance before the vehicle is taken to the dealer for repair.

2.3.4 Fleet Maintenance shall retain the operational authority to remove from service any vehicle that shows evidence that continued operation would be a safety hazard and that such operation would cause further damage to the vehicle.

2.4 AUTHORIZED EQUIPMENT - <4ACC 41.3.4> All equipment to be installed in, or affixed to, MCSO vehicles shall be approved by the Chief Deputy or the appropriate Bureau Chief. Supervisors shall make periodic inspections of vehicles to ensure compliance, and shall note the results of such inspections in the deputy's performance evaluation.

2.4.1 No electric or electronic equipment shall be installed in any MCSO vehicle without the expressed permission of the Fleet Maintenance Director.

2.4.2 Window tinting may only be placed on MCSO vehicles if it conforms to existing Florida Law.

2.4.2.1 Tinting must be authorized in advance by the Bureau Chief.

2.4.2.2 Absent agency need, tinting of windows shall be at the expense of the requesting individual. Any repair of damaged tint due to scratching, tears, or fading is also at the individual's expense.

2.4.2.3 All tinting must be installed by a recognized professional window-tinting firm.

2.4.2.4 All tinting must carry the statutory required label that the film complies with existing law. A copy of the performance specifications of the installed tint shall be given to the Fleet Maintenance Director for filing in the vehicle file.

2.4.2.5 Only grey / smoke window tint is authorized.

2.4.2.6 No tint may be placed on the front windshield.

2.4.2.7 Any deviation from these requirements may cause the individual to have the tint removed from the vehicle at their own expense.

2.4.3 Bumper stickers, front tags, window decals, etc. shall not be affixed to any MCSO vehicle unless approved by the Bureau Chief, via the Management Team.

2.5 AUTHORIZED WEAPONS - Only MCSO-issued / approved weapons shall be carried in MCSO vehicles. Firearms and other dangerous weapons shall be removed from the vehicle at the time the vehicle is undergoing repairs or routine maintenance at any facility.

2.6 AUTHORIZED USE OF MCSO VEHICLES - Deputies / employees shall use their MCSO-assigned vehicles for authorized purposes.

2.6.1 Deputies are authorized to transport other deputies, prisoners, victims, witnesses, citizens requiring official services, and any persons specifically authorized by the Sheriff / Chief Deputy / Bureau Chief / Commander while in the performance of official duties.

2.6.2 Deputies may use marked and unmarked vehicles for personal reasons while off-duty.

2.6.2.1 Marked patrol vehicles shall be operated by uniformed MCSO deputies only, except upon approval of the Sheriff / Chief Deputy / Bureau Chief / Commander, or in emergencies with the approval of the Shift Lieutenant / deputy's supervisor. The issued utility uniform or approved utility uniform may also be worn while operating marked patrol vehicles.

2.6.2.2 When using a MCSO vehicle while off-duty, the deputy shall ensure that the MCSO radio is activated. The deputy shall advise Communications (DISPATCH) of their Identification Number and will log on with DISPATCH by saying "OFF-DUTY 10-8." DISPATCH shall appropriately place that unit in "off-duty status with its radio on and the deputy listening". When the deputy leaves the MCSO vehicle, he shall communicate with DISPATCH and clear with a "10-7" signal.

2.6.2.2.1 If the vehicle has a MDT installed, this function shall be performed on the MDT.

2.6.3 Civilian personnel with assigned vehicles shall not utilize the vehicle for personal reasons while off-duty, unless he / she is on scheduled on-call status.

2.7 UNAUTHORIZED USE OF MCSO VEHICLES - Unless authorized by the Sheriff / Chief Deputy / Bureau Chief, deputies / employees shall not use MCSO vehicles for:

2.7.1 Driving outside the geographic limits of Manatee County except when a vehicle is involved in "hot pursuit", or in the discharge of official duties as specially approved by the appropriate chain of command.

2.7.2 Transporting family members in a marked unit except, in an emergency.

2.7.3 Driving or causing it to be driven or used to travel to or from any establishment / location, private or public, for the primary purpose of consuming alcoholic beverages.

2.7.4 Calibrating of speedometers. Motorists desiring speedometer checks should be referred to commercial facilities equipped for that purpose.

2.7.5 <4ACC 61.1.6 c> Enforcing minor traffic infractions / making traffic stops by non-uniformed deputies in unmarked vehicles, unless operation of the subject vehicle creates imminent danger to persons and property, and no marked unit is readily available.

2.8 POOL VEHICLES – Pool vehicles are not to be used by employees not assigned a vehicle and who have not attended MCSO driver training.

2.8.1 Employees who are not issued vehicles and are approved to attend training classes must use their personal vehicle. Mileage will be reimbursed at the lawful rate, as specified in FSS, starting from District I to the destination of training.

2.8.2 Employees that are assigned a vehicle may use their assigned department vehicle to attend approved training classes.

2.8.3 Traveling to any training classes while off-duty will not qualify for reimbursement of mileage or the use of department vehicles.

3.0 OPERATION OF VEHICLES <CFA 17.09>

3.1 ROUTINE OPERATION - <4ACC 41.2.1> Under normal, non-emergency conditions, and while responding to routine calls for service, deputies

operating MCSO vehicles shall adhere to all traffic laws and drive defensively in a safe and courteous manner.

3.1.1 **<4ACC 41.3.1>** A MCSO vehicle used for general patrol service shall be easily identifiable as a MCSO vehicle from every view and from a long distance, even at night. Therefore, each MCSO vehicle which is considered a "marked vehicle" used for general patrol service shall: have flashing lights (either bar lights, blue and red / single blue bubble light); be of Forest Green and White in color; have written on its sides the name of this agency along with the official Sheriff's Star; have an indication the vehicle is a MCSO vehicle on the trunk. These markings shall be of a reflective type material for enhanced night visibility; and shall have the emergency telephone number "911" written on it, and other information as prescribed in Florida State Statute 30.46.

3.1.2 **<4ACC 41.3.1>** MCSO vehicles used in general patrol service shall be equipped with the following in operational order:

3.1.2.1 Siren

3.1.2.2 Mobile Radio Transceiver

3.1.2.3 Bar Light / Bubble Dash Light

3.1.3 **<4ACC 41.3.2>** Each MCSO vehicle used in general patrol service shall contain:

3.1.3.1 One flashlight.

3.1.3.2 Security divider between the front and rear seats.

3.1.3.3 Report writing light.

3.2 **EMERGENCY VEHICLE OPERATIONS - <4ACC 41.2.1>** When approved to answer an emergency call for service, the deputy shall operate the MCSO vehicle in an Emergency Response Mode.

3.2.1 Only authorized emergency vehicles, as designated in Section 1.2, shall be operated in Emergency Response Mode.

3.2.2 Four-way flashers shall not be used while the vehicle is in motion so as not to interfere with brake lights and turn signals.

3.2.3 MCSO vehicles operated in the Emergency Response Mode on "in-progress calls or other emergency calls for service" shall have in operation all emergency equipment.

3.2.3.1 FSS 316.126(3) and 316.271(6) govern such response.

3.2.4 If good judgment dictates, deputies responding to felonies in progress may turn off any part of their emergency equipment on the MCSO vehicle they are operating, upon the approach to the incident.

3.3 **SAFE DRIVING - <4ACC 41.2.1>** No provision in this section shall relieve the driver of a MCSO vehicle from the duty to drive with due regard for the safety of all persons, nor shall any provision protect the driver of a MCSO vehicle from the consequences of careless disregard for the safety of others (FSS 316.072 [5]). A deputy engaged in emergency vehicle operation may:

3.3.1 Exceed the speed limit after weighing the risks of danger to life and property and after considering the condition of the road, traffic, and the weather.

3.3.2 Proceed past a red or stop signal or stop sign, but only after slowing down or stopping as may be necessary for safe operation. However, a MCSO vehicle shall not enter a controlled intersection against the directed flow of traffic at a speed greater than fifteen MPH, and the driver shall be sure that cross-traffic flow has yielded in each lane before attempting to cross that lane.

3.3.3 Disregard regulations governing direction or movement or turning in specified directions after considering or weighing the risks of injury to life or property (See 3.7.4 regarding pursuit).

3.3.4 Disregard the laws governing the parking of vehicles under ordinary circumstances, except that a MCSO vehicle shall not block access to a fire hydrant at a fire, or in any way obstruct the passage of any emergency vehicle.

3.3.5 Marked MCSO vehicles should be strategically parked in roadways to protect crash scenes, injured persons, or deputies directing traffic, when such use is practical, and the emergency lights (light bars / blue lights) along with the four-way flashers shall be activated.

3.4 **<4ACC 41.2.2 f>** SUPERVISORY / COMMAND RESPONSIBILITY - Supervisors and command level deputies have a direct responsibility in emergency situations.

3.4.1 Field supervisors, Shift Lieutenants, and Captains shall be responsible for monitoring emergency vehicle response by deputies, upgrading or downgrading them,

and controlling the number of units responding to an emergency call for service.

3.4.2 **<4ACC 41.2.2 a, f, h, i j>** Upon being notified of a pursuit, the deputy's supervisor, the Shift Lieutenant, or Captain shall evaluate the circumstances surrounding the pursuit, make a decision whether to allow the pursuit to continue, and shall transmit that decision to the pursuing unit. If it is determined that the pursuit should be terminated, upon giving the order to terminate the pursuit, the supervisor shall request and receive a verbal acknowledgement from the deputy that she / he understands she / he is to terminate the pursuit immediately. Should the pursuit be allowed to continue, the deputy's supervisor, the Shift Lieutenant, or Captain shall continue to monitor and evaluate the progress of the pursuit and may cancel it at any time. In addition, the deputy's supervisor, the Shift Lieutenant, or Captain shall go to the scene of a terminated pursuit, take command, and shall prepare an after-action supplement to the primary deputy's pursuit memo (Supervisory Pursuit Memorandum), specifically documenting in writing whether there were any unusual circumstances of the pursuit, and if so, identifying and describing them in detail.

3.5 TRAFFIC STOPS - **<4ACC 41.2.1>** Deputies shall remain alert during traffic stops.

3.5.1 A deputy making a traffic stop shall inform the Dispatcher of the act, and inform the Dispatcher of the vehicle's tag number, location, and description.

3.5.2 A deputy making a traffic stop shall make every effort to direct the violator to a suitable stopping point where normal traffic flow will not be impeded. The use of side streets is encouraged. Private driveways, gas stations (when open), or other areas providing access to business establishments shall not be used for traffic stops when alternate locations are available.

3.5.2.1 When private property is used for a traffic stop, all possible care shall be taken to avoid inconvenience to property owners or patrons.

3.5.3 When stopping traffic violators in residential areas, the light bars / blue lights may be turned off if there is not traffic hazard or need to signal the MCSO vehicle's location to other units.

3.5.4 **<4ACC 41.3.1> <4ACC 61.1.6 c>** Unmarked MCSO vehicles may be used for traffic enforcement when operated by uniformed deputies, if the MCSO vehicle is equipped with appropriate equipment (blue light and siren) for recognition by offending motorists.

3.6 PURSUIT - **<4ACC 41.2.2 a>** It is the responsibility and obligation of a Deputy to attempt to affect an arrest when the law is violated. The primary purpose of a pursuit is to apprehend a suspect with the least amount of force necessary and to minimize the risk of harm to persons and property. MCSO vehicles are to engage in pursuit only when the expected results out-weigh the known hazards to the deputy(ies) and the general public. Therefore, pursuit may be initiated by a deputy when:

3.6.1 **<4ACC 41.2.2 b>** The Primary Unit Deputy is in close proximity to a suspect, driving a motor vehicle with emergency equipment activated, and the suspect fails to yield; and the deputy has reasonable cause to believe that the suspect has committed, has attempted to commit, or is committing a felony (other than the act of fleeing).

3.6.1.1 Suspected DUI offenders may be pursued using due care and reasonable precaution when the public is present, and if the deputy reasonably believes that the act of pursuit will not make the situation more dangerous.

3.6.1.1.1 If the suspect accelerates and begins to operate in a more dangerous manner, the deputy shall terminate the pursuit.

3.6.2 **<4ACC 41.2.2 b>** When a deputy initiates a pursuit, she / he shall immediately inform the Dispatcher of:

3.6.2.1 The fact that pursuit has been started,

3.6.2.2 The specific law violation(s),

3.6.2.3 The location, direction, and approximate speed of travel,

3.6.2.4 The vehicle description, and age and description of the occupants, if known,

3.6.2.5 The continuous progress of the pursuit, and if it is headed for, or enters, into another jurisdiction,

3.6.2.6 The location where the pursued vehicle is stopped.

3.6.2.6.1 **<4ACC 41.2.2 e>** The Dispatcher shall place the Group on Signal 100 (Emergency Radio Traffic Only).

3.6.3 A deputy engaged in a pursuit shall operate his / her vehicle in the Emergency Response Mode continuously throughout the pursuit.

3.6.4 **<4ACC 41.2.2 b, e>** The primary responsibility for pursuit rests with the initiating deputy. However, the Dispatcher shall immediately notify the closest supervisor and the Shift Lieutenant or Captain.

3.6.5 **<4ACC 41.2.2 c>** During a pursuit, no more than two MCSO vehicles shall be operated in close pursuit (the Primary and Secondary Unit). In addition, a safe distance shall be maintained between vehicles in order to lessen the possibility of a collision should the fleeing vehicle make a sudden stop or change of direction.

3.6.5.1 **<4ACC 41.2.2 c>** The Secondary Unit shall be responsible for relaying the direction of the pursuit and all other radio traffic. This will allow the Primary Unit to concentrate on the actions of the offender.

3.6.5.2 No units other than the Primary Unit and the Secondary Unit shall leave their assigned area in response to the pursuit, unless ordered to do so.

3.6.6 **<4ACC 41.2.2 d>** An unmarked MCSO vehicle involved in a pursuit shall relinquish close pursuit to a marked unit as soon as possible.

3.6.6.1 **<4ACC 41.2.2 d>** MCSO marked motorcycles involved in a pursuit shall relinquish close pursuit to a marked unit as soon as possible.

3.6.7 **<4ACC 41.2.2 d>** Only certified MCSO deputies shall engage in a vehicular pursuit. However, Explorer Cadets / trainees / citizens (while participating in the MCSO's Ride-Along Program), may remain in the vehicle during a pursuit. MCSO vehicles being used to transport prisoners, witnesses, Explorer Cadets / trainees (while not participating in the Ride-Along Program), or other non-certified individuals, shall not engage in pursuit.

3.6.8 **<4ACC 41.2.2 b, c, j>** The primary deputy involved in a pursuit shall initiate a Pursuit Memorandum prior to the end of his / her tour of duty, regardless of whether an arrest was made, outlining the specifics of the pursuit. In addition, where a Secondary Unit is involved, that deputy shall complete a supplement to the primary deputy's pursuit memo, outlining the specifics of his involvement.

3.6.8.1 **<4ACC 41.2.2 f, j>** The supervisor shall review the Pursuit Memorandum, fill out the Supervisory Pursuit Report and forward it to the Lieutenant. The Lieutenant shall review both and forward them to the Captain. The Captain shall sign-off on the form and forward a copy to Internal Affairs, the Bureau Chief and the Chief Deputies Administrative Assistant. All

reviewers may attach comments and / or findings as needed.

3.6.8.2 **<4ACC 41.2.3>** The Traffic Crash Review Board (TCRB) shall review all pursuits, regardless of the outcome, to identify strengths and weaknesses in policy, procedure, and training needs. The chairman shall prepare a report of the findings of each review and send it to the Sheriff, Chief Deputy, the affected Bureau Chief, and the Legal Affairs Division Commander. The chairman shall prepare an annual report (January through December) summarizing all pursuits for the Chief Deputy.

3.6.8.2.1 The TCRB shall not review the pursuit in regards to fault, unless a crash occurred, which would place the matter before the board in that context. The purpose of their review is to reveal patterns or trends that indicate training needs and / or policy modifications.

3.7 PURSUIT ABANDONMENT - **<4ACC 41.2.2 h>** Consideration must always be given to abandoning a pursuit.

3.7.1 Because of the hazards to both the public and the deputy(ies), it may be necessary to abandon the pursuit of some offenders.

3.7.2 Strong considerations should be given to terminating a pursuit when:

3.7.2.1 The pursuit enters a congested area and an unreasonable hazard to the general public exists.

3.7.2.2 The visibility, weather conditions, and / or road conditions limit the probability of a safe and successful end to the pursuit.

3.7.2.3 The violator can be identified to the point where later apprehension can be accomplished and the violator is not a threat to the public.

3.7.3 Deputies shall terminate a pursuit when:

3.7.3.1 No supervisor or higher authority can be contacted to approve the pursuit's continuation.

3.7.3.2 A supervisor or higher authority orders the pursuit terminated and requests a verbal acknowledgement from the pursuing deputy(ies) that they understand the order to terminate the pursuit immediately.

3.7.3.3 Deputy(ies) loses visual contact with the law violator.

3.7.3.4 Pursuing unit(s) loses radio contact with the Dispatcher.

3.7.3.5 There is reasonable cause to believe that the purpose of the pursuit no longer exists, i.e., the law violator has not committed, has not attempted to commit, or is not attempting to commit a felony (other than the act of fleeing).

3.7.4 **<4ACC 41.2.2 a, b, c>** Deputies shall not pursue a law violator the wrong way on an interstate highway, divided highway, or divided roadway. In the event that a deputy is in pursuit and the vehicle being pursued enters an interstate highway, divided highway, or divided roadway the wrong way, the following options shall be used by the pursuing deputy:

3.7.4.1 Terminate the pursuit.

3.7.4.2 Maintain visual contact with the law violator by paralleling him on the lawful side of the highway.

3.7.4.3 Request that other deputies be assigned to observe exits available to the law violator.

3.7.4.4 **<4ACC 41.2.2 i>** Request that the appropriate outside agency(ies) be notified, if it appears that the law violator is headed out of the county.

3.7.5 **<4ACC 41.2.2 d>** Air support units may continue to observe the vehicle(s) after ground units have terminated a pursuit, if the situation warrants such activity.

3.8 PURSUIT OUTSIDE OF JURISDICTION - **<4ACC 41.2.2 i>** Pursuit outside of Manatee County is conditionally permissible; a deputy in fresh and continuous pursuit may pursue outside his jurisdiction (Florida State Statute 901.25).

3.8.1 **<4ACC 41.2.2 e, f, i>** If pursuit appears to be headed towards, or has crossed into another jurisdiction, the Dispatcher shall alert the law enforcement agency within that jurisdiction of the pursuit, its progress, and the known charge(s) against the violator. The deputy's supervisor and the Shift Lieutenant / Captain shall also be notified by the Dispatcher that the pursuit has entered into another jurisdiction.

3.8.2 **<4ACC 41.2.2 b, i>** When an arrest is made by a deputy outside of Manatee County, the deputy shall immediately notify the Officer-In-Charge of the jurisdiction in which the arrest is made. The Officer-In-Charge of the jurisdiction shall, along with the deputy making the arrest, take the person so arrested before a county court judge or other committing

magistrate of the county in which the arrest was made without unnecessary delay (Florida State Statute 901.25).

3.9 PURSUITS INITIATED BY OTHER AGENCIES - **<4ACC 41.2.2 i>** Deputies shall not engage in pursuits initiated by other law enforcement agencies, initiated within Manatee County or entering Manatee County, unless the deputy has reason to believe that the violator being pursued has committed, has attempted to commit, or is committing a felony (other than the act of fleeing). In all cases, MCSO vehicles shall be a Secondary Unit, unless the Primary Unit is disabled and the MCSO supervisor approves the elevation to a Primary Unit status .

3.9.1 **<4ACC 41.2.2 e>** The Dispatcher shall, immediately upon receiving notification that a pursuit has been initiated or has entered Manatee County, determine from the pursuing agency the reason for the pursuit, including specific law violations. This information shall be provided to all units in the area of the pursuit, the closest supervisor, and the Shift Lieutenant / Captain.

3.9.1.1 **<4ACC 41.2.2 i>** Where a pursuit initiated by another law enforcement agency does not meet the criteria listed above, deputies may assist the other agency at the termination point, if within Manatee County limits, or provide other appropriate assistance during the pursuit, which does not violate the rules and procedures of this GO.

3.9.1.2 Deputies shall terminate involvement, if the pursuit leaves the confines of Manatee County unless otherwise directed by a higher authority.

3.10 STOPPING THE PURSUED VEHICLE - **<4ACC 41.2.2 g>** **<4ACC 61.3.4>** Certain methods of stopping vehicles are conditionally permitted.

3.10.1 If the deputy reasonably believes that there is substantial risk that the pursued law violator will cause death or serious physical injury to others if apprehension is delayed, the deputy may resort to Boxing-In as a means to stop a pursued violator.

3.10.2 Ramming shall only be used by a deputy as a last resort after all other reasonable means to stop a violator have failed, and where the deputy reasonably believes the violator has committed, has attempted to commit, or is committing a felony which involved the use, or threatened use, of deadly force, and there is substantial risk that the violator will cause death or serious physical injuries to others if apprehension is delayed. In each instance, a deputy shall show that he /

she used every other reasonable means of apprehension. Deputies shall also be certain that the ramming does not unnecessarily jeopardize other persons or property. Deputies pursuing a motorcycle shall not utilize ramming as a means to stop the violator.

**RAMMING A VEHICLE SHALL BE CONSIDERED AS USING DEADLY FORCE.**

3.10.2.1 Boxing-In and Ramming must be approved by a supervisor prior to implementation.

3.10.3 <4ACC 61.3.4> Roadblocks shall not be used as a means to stop a pursued violator.

3.10.4 <4ACC 41.2.2 f, j> Where a MCSO vehicle is involved in ramming or other physical contact with a pursued vehicle resulting in property damage, injury, or death, the incident shall be investigated.

3.10.4.1 In situations where ramming occurs and there is no injury, (a) the deputy's supervisor shall be notified immediately; (b) the circumstances surrounding the ramming incident shall be noted in the Incident Report, as well as on a Pursuit Memorandum; and (c) a copy of the deputy's report shall be given to the deputy's supervisor, who shall forward it to the Internal Affairs Unit, via chain of command.

3.10.4.2 In situations where ramming occurs and there is injury, (a) the deputy's supervisor shall be notified immediately; (b) this supervisor shall immediately notify the Internal Affairs Unit Manager, and the Criminal Investigation Division Commander by chain of command; (c) the circumstances surrounding the ramming incident shall be noted in the Incident Report, as well as on a Pursuit Memorandum; and (d) a copy of the deputy's report shall be given to the deputy's supervisor who shall forward it to the Internal Affairs Unit, via chain of command.

3.10.4.3 In situations where ramming occurs and there is a death, the Shift Lieutenant / Captain shall immediately, notify or cause to be immediately notified, the following persons: (a) Sheriff / Chief Deputy / Bureau Chief, (b) Internal Affairs Section, (c ) Criminal Investigation Division Commander, (d) Public Information Officer, (e) State Attorney, and (f) Medical Examiner's Office.

3.10.5 <4ACC 41.2.2 g> Stop Sticks – The three foot STOP STICK is one of a series of law enforcement tools that have been developed to assist law enforcement in stopping and preventing vehicle pursuits.

3.10.5.1 Nomenclature and description of the device is found in the training material presented prior to use of these tools.

3.10.5.2 Stop Sticks are designed to be used on vehicles with four or more tires.

3.10.5.3 For optimum performance, Stop Stick should be deployed on paved surfaces, such as concrete or blacktop. Deployment considerations are:

3.10.5.3.1 Deployment in a manner that limits the suspects ability to avoid striking a Stop Stick (middle of a bridge, man-made obstacles, deployment on the target vehicle approach side of an intersection).

3.10.5.4 Make every effort possible to advise pursuing units when and where Stop Sticks are being deployed.

3.10.5.4.1 Use extreme caution when removing Stop Sticks from the road.

3.10.5.5 Suggested methods to deploy Stop Sticks:

3.10.5.5.1 Pre-load three-unconnected 3 foot Stop Sticks in the nylon sleeve with the cord reel attached to the end of the sleeve. Then place the loaded sleeve in the tray until needed. Deploy as per training. (Note: This is the preferred method of deployment, if circumstances allow).

3.10.5.5.2 Toss one or more Stop Sticks into the path of the target vehicle, as per training.

3.10.5.5.3 Place one or more Stop Sticks end to end in the path of the target vehicle, as per training.

3.10.5.5.4 Connect one or more Stop Sticks and utilize the cord reel, as per training.

3.10.5.5.4.1 Do not wrap the cord reel around any portion of your body.

3.10.5.6 After a Stop Stick has been struck by a vehicle, it is no longer fully functional and should be replaced as soon as possible.

3.10.5.7 Do not use on motorcycles.

3.10.5.8 Three foot Stop Sticks are for use at speeds of 35 mph or greater.

3.10.5.9 Do not store items on top of Stop Sticks or allow items in the trunk to stack too high if Stop Sticks are stored in the tray.

3.10.5.10 The following warning notice appears on each Stop Stick:

3.10.5.10.1 WARNING CONTAINS SHARP SPIKES HANDLE WITH CARE DO NOT DISMANTLE DO NOT USE ON MOTORCYCLES DO NOT BEND THE DEVICE DO NOT PUSH THE SPIKE TIPS THROUGH THE HOUSING DO NOT PICK UP INTER-CONNECTED THREE FOOT STOP STICKS DISCONNECT ON GROUND, THEN PICK UP THE INDIVIDUAL UNITS.

3.10.5.11 The Stop Stick provides a viable alternative to extended vehicle pursuits. At best, successful deployment will disable the target vehicle and allow an apprehension without further incident. At a minimum, successful deployment will so disable the target vehicle that pursuit speeds are reduced and the suspect may abandon the vehicle. Deployment must be per training procedures.

3.11 ESCORTS - <4ACC 61.3.3 b> Deputies shall not escort another vehicle unless specifically instructed to do so by a supervisor, higher authority, or through off-duty employment. Civilian vehicles shall not be escorted for the purpose of medical emergencies.

3.12 SEAT BELTS - <4ACC 41.3.3> Seat belts and / or restraining devices shall be worn at all times when the MCSO assigned vehicle is in operation.

3.12.1 <4ACC 41.3.3> CHILD RESTRAINT – Child seats and restraints shall be utilized in compliance with Florida State Statutes and shall be of appropriate construction to accommodate the child.

3.12.2 <4ACC 41.3.3> CPS investigators will handle transport of children from locations and situations involving child abuse, child neglect, or other child protection issues.

3.12.3 <4ACC 41.3.3> A roadside courtesy transport of a child and parent shall be accomplished with the use of a child seat. If possible, the person(s) being transported should provide their own child seat and install it in the MCSO vehicle.

3.12.4 <4ACC 41.3.3> The shift supervisor may request the assistance of a Direct Service Aid through a CPS supervisor if a transport need arises during normal hours of operation. On Call CPS or DSA personnel shall not be called for a courtesy transport after normal business hours.

3.12.5 <4ACC 41.3.3> If the situation meets guidelines regarding Victim Advocate response, the requesting

deputy shall inform them of the need to bring a child restraint seat. Information regarding the age and size of the child will be communicated during the initial request for response.

3.13 MARKED TWO-WHEEL TRAFFIC MOTORCYCLES - <4ACC 41.1.4> The following guidelines will provide for the proper usage of two-wheel motorcycles and will address which deputies are authorized to operate them. <b> The vehicle(s) shall be used for traffic enforcement and special events. <a> The vehicle(s) maneuvers through motor vehicle traffic readily and enhances the deputy's potential to apprehend traffic violators.

3.13.1 <d,e,g> The only deputies authorized to operate the motorcycle(s) shall be approved by the Traffic Supervisor. These deputies shall receive the proper training before being allowed to utilize the motorcycle.

3.13.2 <c> The motorcycle shall not be used in inclement weather.

3.13.2.1 <c> The motorcycle shall not be used in a pursuit, if a traffic violator attempts to elude a deputy.

3.13.3 <e> The Traffic Supervisor is responsible for the mechanical maintenance of the motorcycle(s) and is responsible for making sure all the emergency equipment operates.

3.13.3.1 The motorcycle(s) shall be white and green with the Sheriff's star attached on both sides of the gas tanks.

3.13.3.2 <f> There shall be a siren and two blue lights attached, one on the front and one on the rear of the motorcycle. There shall also be a MCSO radio attached to the motorcycle, or in the possession of the operator.

3.13.4 The motorcycle(s) shall be operated in a safe manner and shall obey all of the FSS applying to motorcycles, such as having the headlight on at all times while in operation on the roadways.

3.14 MARKED FOUR-WHEEL ALL TERRAIN VEHICLE (ATV) - <4ACC 41.1.4> The following guidelines will address the usage of the all-terrain four-wheel vehicle utilized on the beach in the City of Anna Maria. <a> The vehicle shall be utilized to patrol the beach to provide a police omnipresence.

3.14.1 <b,d,e,g> The four-wheel ATV shall be operated only by the deputies assigned to the City of Anna Maria, and with the approval of the supervisor in charge of the Anna Maria Unit.

3.14.2 **<b>** The four-wheel ATV shall not be utilized in inclement weather and shall always be operated in a safe manner. The ATV is a special unit to be utilized in a prudent manner and all state laws shall be adhered to.

3.14.3 **<e>** The supervisor in charge of the Anna Maria Unit shall be responsible for the maintenance of the four-wheel ATV.

3.14.3.1 **<f>** The ATV shall have a MCSO radio either attached to it, or in the possession of the operator. It shall be marked with the Sheriff's stars.

3.15 SEA-DOO JET SKI **<4ACC 41.1.4>**(or other personal watercraft used by members of the agency while on-duty). **<a>** Increased Jet Ski activity around the waters of the City of Anna Maria necessitates the use of this type of craft to patrol the waterways, to ensure the safety of the citizens. Like the ATV, the watercraft shall be used to provide a police omnipresence.

3.15.1 **<g,d>** The craft shall be operated only by the deputies assigned to the City of Anna Maria, or any other employee so designated by the Enforcement Bureau Chief / Chief Deputy. All operators must have taken and passed an approved water safety course, accepted by the United States Coast Guard Auxiliary.

3.15.2 **<b,c>** The craft shall not be operated in inclement weather and shall always be operated in a safe manner, adhering to all laws regarding safe operation on the waterways. The craft shall be operated when deemed necessary by the Anna Maria Unit supervisor and when manpower is sufficient.

3.15.3 **<e>** The supervisor in charge of the Anna Maria Unit, or his / her designee, shall be responsible for the proper cleaning, maintenance, and Coast Guard inspection of the craft.

3.15.3.1 Checklists for inspection shall be developed, executed, and maintained by the supervisor.

3.15.4 **<f>** All operators of the craft shall wear approved Coast Guard safety equipment.

3.15.5 **<f>** The craft shall have a MCSO radio and a VHF marine radio either attached or in the possession of the operator. The craft shall be marked with Sheriff's stars.

3.15.6 **<f>** The craft shall be equipped with flares, life jackets, sounding devices, emergency lights, first aid

supplies, tow line, anchor, and a fire extinguisher, at a minimum.

3.15.7 Any other similar craft operated by other members of the agency shall adhere to these regulations.

#### 4.0 CRASHES

4.1 CRASHES INVOLVING MCSO VEHICLES - In the event that an MCSO owned / leased vehicle is involved in a crash, regardless of fault or damage, the following procedures shall be followed.

4.1.1 Any employee who is operating a MCSO vehicle shall notify the Dispatcher that they are 10-8.

4.1.2 Any employee who is involved in a crash, whether on- or off-duty and regardless of damage amount, shall notify the Dispatcher immediately. They shall advise the location, any injuries, and all other pertinent information. They shall immediately request a patrol supervisor to respond to the scene.

4.1.2.1 When employees are killed or seriously injured, the responding supervisor shall coordinate notification of next of kin with the Bureau Chief and / or the MCSO Chaplain.

4.1.2.1.1 The Sheriff / Chief Deputy may activate the Family Assistance Committee, as described in the General Order regarding Benefits.

4.1.2.2 The Sheriff, through the chain of command, shall be kept informed of all crashes, employee injuries, and incidents involving employees and motor vehicles. All fatalities, serious injuries, and extensive property damage incidents shall be reported immediately. All other incidents shall be reported through the chain-of-command.

4.1.2.2.1 The legal determination of liability in a motor vehicle crash shall be a matter for the legal counsel. Under no circumstances shall any employee commit the Sheriff or Manatee County, in any way, regarding any legal settlement of liability claims, with persons other than those identified by the Sheriff. Any such inquiries made by a citizen shall be directed to Legal Affairs.

4.1.3 The on-duty patrol lieutenant shall respond and conduct the investigation of the crash. The on-duty patrol sergeant shall respond and conduct the Supervisor's Report of the crash. The Lieutenant shall be responsible for the criminal investigation and the

sergeant shall be responsible for the professional standards portion of the investigation.

4.1.3.1 If the lieutenant is not on-duty, a second patrol sergeant shall respond and conduct the traffic crash investigation. When two sergeants are conducting the aforementioned investigations, each shall ensure that the employee involved in the crash understands what role each sergeant is fulfilling.

4.1.3.1.1 If the crash involves a fatality and / or life threatening injury, the Florida Highway Patrol shall be called to investigate the crash. The MCSO patrol supervisor shall conduct the Supervisor's Report of the crash.

4.1.3.2 If the employee is found to be at fault as a result of the investigation, this finding shall be indicated by marking the appropriate box on the traffic crash form.

4.1.3.3 Completed crash reports shall be submitted to the Traffic Unit sergeant for review and distribution to the proper locations.

4.1.4 The responding patrol supervisor shall obtain an MCSO Incident Number and take pictures of the scene or note who did take pictures.

4.1.4.1 Employees will not be compelled to give statements or testimony to incriminate themselves, until they have been advised of their privileges and guarantees, through the advisement of their rights under the Garrity / Broderick decisions, and the Admonition Form is signed. Input from employees involved will not be used as factors in the investigation of the crash. Factors in the investigation, given by the employee, shall not be used in any civil or criminal trial.

4.1.4.2 In the event of any crash, damage, theft, or vandalism to any MCSO vehicle, the driver, operator, and / or employee assigned the vehicle shall complete the Manatee County Vehicle Accident Report (MCSO FM 97-034 Revised 9-98). This form shall be completed and faxed to the 5th floor MCSO Administrative Fax (749-5401 Attention: Chief Deputies Administrative Assistant), and to the Manatee County Attorney (749-3089) as soon as possible. The original copy of this report shall be transmitted, by the Captain, either in person or by MCSO Inter-Office mail to the Chief Deputies Administrative Assistant.

4.1.5 The supervisor shall complete the Supervisor's Crash / Damage Investigation Report Form, and forward it to his / her Captain.

4.1.5.1 All deputies shall submit to any requests for information, take chemical / alcohol tests, or any other assistance that is requested by the supervisor who is performing the MCSO administrative investigation of the crash. The information that is obtained shall be utilized by the MCSO for disciplinary action only. If the investigating supervisor feels that criminal charges may arise, the supervisor shall utilize criminal guidelines for the investigation and the CID Commander shall assign an investigator as required.

4.1.5.2 If the employee involved in the crash is assigned to other than the patrol function, the patrol supervisor shall initiate all investigations / forms as specified, and shall notify the affected Bureau Chief via chain of command, as soon as practical.

4.1.6 The Captain shall review the Supervisor's Crash / Damage Investigation Report and forward it to the proper Commander / Bureau Chief.

4.1.7 If an employee is injured, a Florida Department Of Labor and Employment Security Division Of Workers' Compensation Notice Of Injury Report (LES form DWC-1 1/91, "First Report of Injury") shall be completed and faxed to the 5th floor MCSO Administrative Fax (708-5790 Attention: Fiscal) as soon as possible. The original copy of this report shall be transmitted, by the District Captain, either in person or by MCSO Inter-Office mail to the Insurance Coordinator, Fiscal immediately.

4.1.7.1 If the crash involves a fatality, imminent fatality, or serious injury, the First Lieutenant / Chief Inspector of The Internal Affairs, or his / her designee, shall be assigned.

4.1.7.1.1 The Legal Affairs Division Commander shall also be notified.

4.1.7.2 If the crash involves a fatality, imminent fatality, or serious injury, The Manatee County Risk Manager, (Currently Mike Terrell, Ext. 3750 during business hours, Pager 569-1524 after hours, home phone available with Communication Section) shall be notified to respond to the scene.

4.1.8 The Supervisor's Crash / Damage Investigation Report shall be submitted to the respective Commander / Bureau Chief through the chain of command. The Fleet Maintenance Director shall obtain a copy of the report from the crash-investigating agency.

4.1.8.1 If the vehicle is in operational condition, the driver shall obtain two estimates for repair from local

body shops. These estimates shall be submitted to the Fleet Maintenance Director.

4.1.9 If the crash is on the weekend, the Duty Officer shall also be notified immediately. If possible, all information should be available for the appropriate Commander / Bureau Chief to review on the next workday.

4.1.10 When there is an incident involving criminal mischief to an MCSO owned / leased vehicle, a supervisor shall be required to complete the Supervisor's Crash / Damage Investigation Report. This shall include circumstances when an arrested person kicks the rear door or window to a MCSO vehicle. The supervisor shall obtain a MCSO Incident Number from Communications.

4.1.11 If an MCSO vehicle is damaged to the extent that it must be towed, it shall be towed to the Fleet Maintenance Garage by a rotation wrecker.

4.1.11.1 The Fleet Maintenance Director shall be notified at the start of the next workday following the crash and advised of the circumstances surrounding the crash. All repair work is to be coordinated with the Fleet Maintenance Director.

4.1.11.1.1 If the vehicle was damaged to such extent as to require being towed to the Fleet Maintenance Garage, it shall not be released for operation until it is safety certified by the Fleet Maintenance Director.

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