

**ORLANDO POLICE DEPARTMENT POLICY AND PROCEDURE
OP-68, VEHICLE PURSUITS**

EFFECTIVE:	03/08/04
RESCINDS:	OP-58A
DISTRIBUTION:	ALL EMPLOYEES
REVIEW RESPONSIBILITY:	PATROL SERVICES BUREAU COMMANDER
ACCREDITATION STANDARDS:	17.04, 17.07
CHIEF OF POLICE:	MICHAEL J. McCOY

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POLICY: The Orlando Police Department will make every reasonable effort to apprehend fleeing violators. Sworn officers will always consider the safety of the public when responding to calls, pursuing violators, or conducting felony stops. Officers will always consider the dangers of a vehicle pursuit in relation to the lives or property of innocent users of the roadways, law enforcement employees, or the violator. Officers deciding to give chase must balance the need to stop a suspect against the potential threat to everyone created by the pursuit. It must be so important to apprehend the suspect that officers are justified at placing an innocent third party at risk of losing their life and/or property. (17.07)

Cases where an officer “follows” a subject vehicle, but does not engage in apprehension efforts, do not constitute “pursuits.” To “follow” means to drive in close proximity to a subject vehicle without using any apprehension efforts (such as hand signals, use of emergency take-down equipment, etc.). The police vehicle must adhere to traffic laws and traffic control devices. Following a subject vehicle for more than 15 minutes requires supervisory notification.

If apprehension efforts are used, any driver of a suspect vehicle who fails to yield to apprehension efforts is nevertheless subject to prosecution for appropriate charges of fleeing to elude, resisting, or obstruction. Fleeing and eluding a marked patrol vehicle that has both emergency lights and siren activated is a felony.

PROCEDURES:

1. DEFINITIONS

10-18 Response: The operation of a police vehicle while constantly utilizing blue lights and siren. Emergency 4-way flashers and flashing headlights shall also be used to make the vehicle more visible if the vehicle is so equipped.

Authorized Emergency Vehicle: A police vehicle operating with its emergency equipment activated and warning all other traffic by use of an audible signal (siren or horn) and blue lights. Only marked patrol vehicles will engage in a vehicle pursuit.

Emergency Equipment: Emergency equipment on police vehicles includes emergency blue lights, sirens, hazardous warning lights, spotlights, and public address systems. When an officer has a need to utilize emergency equipment, employees shall exercise good judgment and keep transmissions on the public address system at a professional level.

Vehicle Pursuit: A multi-stage process by which a police officer attempts to initiate a traffic stop and a driver resists the directive to stop and increases speed or takes evasive action and refuses to stop the vehicle. Once the driver refuses to obey the police officer’s directive to stop, and the officer continues to attempt to apprehend the vehicle in a marked patrol vehicle with both emergency lights and siren activated, the terms of this pursuit policy will apply.

Vehicle Apprehension: The tactics and strategies that are designed to take a suspect into custody who is in a moving motor vehicle that includes, but is not limited to, traffic stops, tactical vehicle takedowns, utilization of tire deflation devices, stationary roadblocks or other approved tactics to apprehend a suspect in a moving vehicle.

Reasonable Suspicion: For the purposes of this policy, an officer must be able to articulate specific facts which, when taken in the totality of the circumstances, reasonably indicate that the suspect **did commit** or **has attempted to commit** a violent forcible felony as outlined in this policy.

Termination of Pursuit: A pursuit shall be considered to have terminated when the primary and assigned back-up officers have completed both #1 and #2 listed below:

1. The primary and assigned back-up officers turn off all emergency equipment.
2. The primary and any back-up officers turn their police vehicles in another direction of travel away from where the suspect's vehicle was last seen heading, or pull to the side of the road if on a limited access roadway, and inform Communications of this fact along with their location.

The pursuit is also considered to be terminated if the fleeing vehicle stops.

Traffic Stop: An attempt, by use of an authorized emergency vehicle, with the use of emergency equipment, to conduct a traffic stop or otherwise apprehend occupants of a motor vehicle. An officer may take steps reasonably necessary to apprehend the offender but must do so with due regard for the safety of all persons and property.

Violent Forcible Felonies: For the purpose of this directive, shall be when a **suspect has committed or attempted to commit**:

1. Murder.
2. Manslaughter.
3. Armed robbery.
4. Armed sexual battery.
5. Arson to a structure reasonably believed to be occupied.
6. Use of explosive devices to a structure reasonably believed to be occupied.
7. Kidnapping
8. Armed carjacking.
9. Burglary armed with a firearm.
10. Aggravated assault on a law enforcement officer with a deadly weapon (firearm, edged weapon). Does **not** include a **motor vehicle**.
11. Aggravated battery on a law enforcement officer resulting in serious injury.

NOTE: The fact that an officer had to move from the path of a fleeing vehicle does not constitute an aggravated assault, attempted murder, attempted aggravated battery, or attempted manslaughter for the purposes of this policy.

2. VEHICLE PURSUITS

2.1 PURSUITS INITIATED BY OPD WITHIN CITY LIMITS

2.1.1 DECISION TO PURSUE

Considering the restrictions contained within this policy, officers may engage in a pursuit when they have a reasonable suspicion that a fleeing suspect has committed or has attempted to commit a violent forcible felony as described in Section 1, Definitions. **Pursuits for misdemeanor offenses, traffic, or civil infractions are prohibited.**

All other pursuits are **prohibited**. (17.07a)

The decision to initiate a pursuit must be based on the officer's conclusion that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large. Many factors have bearing on this decision, including, but not limited to (17.07a,f,h):

- a. Alternative means of apprehension.
- b. Nature of the suspected violent forcible felony.
- c. The potential for endangerment of the public caused by the eluding acts of a fleeing violator.
- d. The amount of vehicle and/or pedestrian traffic.
- e. Possibility of identifying the operator and/or vehicle at a later date.
- f. Daylight or darkness.
- g. Weather conditions.
- h. Road conditions.
- i. Type of police vehicle.
- j. Vehicle speeds.

Once the decision has been made to engage in pursuit, these factors shall continue to be given careful consideration in determining the maximum safe speed at which officers' vehicles may travel throughout the pursuit and whether to continue with the pursuit. Also, there should be a plan to end the pursuit as soon as practical.

Officers, supervisors, and commanders at all levels have a responsibility to closely monitor the progress of each pursuit. **The need for apprehension must be constantly weighed against the potential danger created by the pursuit.**

2.1.2 WHILE IN PURSUIT

Upon engaging in a pursuit, officers will maintain safe and maneuverable control of their vehicles and shall immediately radio headquarters to indicate a pursuit is in progress, giving location, direction of travel, and speed. Further, the color, year, make, body style, license (CYMBAL) of the pursued vehicle, and the crime or suspected crime for which the pursued is wanted shall be transmitted. (17.07b)

Existing conditions and the availability of other field units will determine the course of action to be taken to accomplish the apprehension. Only the field supervisor or a watch commander will direct other units to converge. No other units, whether uniformed, investigative, or administrative will enter into emergency operation unless specifically directed to do so by the field supervisor or watch commander. (17.07c)

The following tactics and conditions will be adhered to while engaged in a pursuit: (17.07b,c)

- a. Only two to three units will be directed to engage in the pursuit. These are the primary unit and the assigned backup. The third unit will be a K-9 unit or third marked patrol vehicle for apprehension purposes or for the application of a felony stop.

If appropriate, a supervisory unit may also engage in the pursuit if in a marked vehicle. (17.07d)

- b. **The watch commander shall always be in ultimate and complete command of vehicle pursuits occurring during his/her duty shift.** Additional assistance, if authorized, will be determined by: (17.07f)

1. Nature of the offense.
2. Number of suspects.
3. Number of officers present.
4. Other clear and articulated facts that would warrant the increased hazard.

- c. Pursuing officers and any assigned parallel units shall respond with emergency equipment activated.

- d. Motorcycle units will not engage in pursuits. (17.07d)

- e. "Caravanning" (a group of police vehicles traveling together usually in a file) of unassigned units is prohibited.

- f. Units shall not follow a suspect vehicle the wrong way on a limited access roadway or on a one-way street.
- g. Units shall not pass one another unless the lead vehicle grants permission.
- h. Units shall terminate any pursuit when communications with headquarters or the field supervisor is lost. (17.07h)
- i. A pursuit may be terminated if the suspect has or can be identified for later prosecution. (17.07h)
- j. A pursuit shall be terminated if the officer loses sight of the suspect vehicle, other than for a 15-second period. The field supervisor will be immediately notified of this event. (17.07f,h)
- k. Rolling roadblocks, high speed boxing in, heading off, and closing parallel approaches are not permitted. (17.07e,f,g)

NOTE: Watch commanders or supervisors may take advantage of situations where the fleeing vehicle is slowed to a near stop by traffic conditions or other obstacles and direct assisting police vehicles to box in the fleeing vehicle.

- l. If approved by a watch commander, a stationary roadblock must provide the suspect vehicle with an opportunity to stop (e.g., no roadblocks on curves). Lights and flares will be utilized if time permits. No private vehicles will be used in a roadblock situation. (17.07g)
- m. Units may not ram a fleeing vehicle unless deadly force is authorized. Approval from a watch commander must also be obtained, unless the use of such force is **immediately** necessary to protect human life from death or great bodily harm. (17.07f,g)
- n. Units shall not engage in pursuits initiated by other jurisdictions unless approved by a watch commander and the pursuit would be proper under our policy. If the pursuit would not be justified under our policy, officers shall be limited to blocking traffic at intersections within the City limits with the watch commander's approval. The watch commander is also responsible for informing the initiating agency that the pursuit is not authorized under OPD policy. (17.07f)
- o. Air support units shall be utilized whenever possible. The presence of an air unit may negate the need for the continuance of a pursuit and allow officers to proceed at a reduced rate of speed to assist in the apprehension. If so, the officers will deactivate their emergency equipment, follow directions from the air unit, and obey all traffic laws.
- p. Unmarked vehicles shall not engage in vehicle pursuits unless specifically authorized by a watch commander. (17.07d)

If the pursuit continues beyond the City limits, the officer shall follow guidelines established in Section 2.3.

2.1.3 PURSUIT-GENERATED ROADBLOCKS/STATIONARY ROADBLOCKS

Only marked police vehicles with emergency equipment activated shall be utilized. Deployment shall be on the most flat and level roadway possible. Lights and flares will be utilized if time permits. The area shall be void of all civilian traffic and pedestrians. (17.07d)

2.1.4 DECISION TO DISCONTINUE

The decision to pursue or to discontinue the pursuit will rest with the pursuing officers up to the point that the field supervisor or the watch commander becomes aware of the situation. At that time, the field supervisor, the watch commander, and the pursuing officers each have an obligation to discontinue the pursuit when circumstances indicate that it is no longer justified or it is unreasonable to continue. Any officer ordered to cease a pursuit by a

superior officer shall do so immediately. The field supervisor or the watch commander shall get verbal confirmation that the officer has ceased the pursuit and will ensure the following:

1. The primary and back-up officers shall turn off all emergency equipment.
2. The primary and back-up officers shall turn their vehicles in another direction of travel away from where the suspect's vehicle was last seen heading or pull to the side of the road if on a limited access roadway.
3. The primary officer shall inform Communications that the pursuit has terminated and give his/her location and last known direction of suspect's vehicle. (17.07b,f,h)

2.1.5 FIELD SUPERVISOR'S RESPONSIBILITIES

The field supervisor shall respond to the scene to assess the situation and provide information for the watch commander. (17.04)

2.1.6 VEHICLE PURSUIT FORM

Every vehicle pursuit shall be documented by an incident report and a Vehicle Pursuit Form (Attachment A). In the case of a felony arrest, a separate incident report will not be necessary.

The watch commander will respond to the scene to gather the necessary information required for the Vehicle Pursuit Form. (17.04, 17.07f) Watch commanders will ensure these reports are completed by the end of their tour of duty. The Vehicle Pursuit Form will be completed whether the pursuit was approved or not.

NOTE: The Vehicle Pursuit Form is not a substitute for an internal investigation. When the watch commander determines that an Initial Notice of Inquiry (INOI) is necessary, it is his/her responsibility to initiate the INOI.

The watch commander will forward the Vehicle Pursuit Form and copies of the appropriate reports (i.e. arrest affidavit, incident report, Risk Management forms for vehicle damage, Defensive Tactics Form for use of tire deflation device) to the Training Section for review. The Training Section will forward it, via the watch commander's chain of command, to Internal Affairs for an administrative review. (17.07j)

2.1.7 ATTEMPTED VEHICLE APPREHENSION FORM

When an officer attempts to initiate a traffic stop and the driver of the vehicle refuses to stop, and the officer does not initiate a pursuit, the officer will complete an Attempted Vehicle Apprehension Form (Attachment B). The officer shall forward the Attempted Vehicle Apprehension Form to his/her supervisor who shall forward it to the Training Section for review. The Training Section will track all attempted vehicle apprehensions.

2.1.8 COMMUNICATIONS RESPONSIBILITIES

Upon the notification that a pursuit is in progress, the Communications Division shall: (17.07e)

- a. Initiate emergency radio traffic and advise all other units that a pursuit is in progress, providing all relevant information.
- b. Immediately notify the watch commander and the field supervisor when a pursuit is initiated.
- c. Receive and record all incoming information on the pursuit and the pursued vehicle.
- d. Perform relevant record and motor vehicle checks.
- e. Control all radio communications during the pursuit.
- f. Coordinate assistance under the direction of the watch commander or the field supervisor.
- g. Ascertain the availability of aerial and K-9 units and report their status to the field supervisor or the watch commander.
- h. Notify any affected area agencies of the pursuit.
- i. Continue to monitor the pursuit until it has been terminated.

2.2 USE OF TIRE DEFLATION DEVICES

Tire deflation devices such as Stop Sticks, Piranha, Terminator, Barracuda and Road Spike, are devices comparable to a Hard Control response to Active Resistance. Deploying a tire deflation device during a vehicle pursuit will be

documented on a Defensive Tactics Form indicating under Section 5 that a tire deflation device was used. Only officers who are trained by the Training Unit in the use of tire deflation devices will deploy/activate them.

Officers must make every effort to avoid collateral damage to citizens' property that could result from the target vehicle's impact with tire deflation devices.

When deploying Stop Sticks on roadway as a part of a pursuit, the deploying officer will notify Communications of the intended location and specific lanes of travel targeted for deployment. Communications will notify units and agencies involved in the pursuit, as well as the on-duty watch commander.

Before deploying Stop Sticks on roadways, officers must accomplish the following:

- a. Select a location with minimal anticipated and actual pedestrian and bystander presence.
- b. Position officers and bystanders in a safe location away from the point of impact and potential flying debris.

NOTE: Stop sticks will not be deployed on motorcycles or bicycles.

When used in a pursuit, officers other than those operating the primary and secondary pursuit vehicles will be responsible for deployment of Stop Sticks and should deploy the devices in the roadway ahead of the target vehicle they are attempting to stop.

Position Stop Sticks to minimize the ability of the target vehicle to avoid or evade the device.

Deploy Stop Sticks as a single unit or in combination of two or more sets depending on the width of the roadway to be covered and available time to deploy them.

Assisting officers will prevent traffic from entering the target roadway and redirect civilian traffic on the target roadway away from the deployment area.

Deploying officers can use their patrol vehicles to channel the fleeing vehicle toward the path of the Stop Sticks provided the following:

- a. Emergency equipment is activated.
- b. At least two traffic lanes are available for the target vehicle and pursuing officers without crossing a grass or elevated concrete median.
- c. Officers have exited their patrol vehicles and assumed a safe position.

Deploying officers should immediately remove Stop Sticks from the roadway when no further need for deployment exists and it is safe to do so.

The assigned supervisor will ensure a Stop Stick Duplicate Reporting Form (Attachment C) is completed and turned in to Supply with the damaged Stop Sticks.

2.2.1 PIRANHA, TERMINATOR, BARRACUDA, AND ROAD SPIKE

These tire deflation devices may be used by specialized units as a pursuit prevention measure for stationary vehicles or vehicles traveling less than 25 miles per hour (speed limit does not apply to Road Spike). They may be used for the following:

- a. Control driver's license/DUI checkpoints.
- b. Suspect surveillance.
- c. Buy/Bust drug operations.
- d. Warrant Service
- e. Other situations where the movement of a stationary vehicle must be prevented.

2.2.2 ASSISTING OTHER AGENCIES

Generally, tire deflation devices may be used to assist another agency, either inside or outside our jurisdiction. The following conditions must be met:

- a. The pursuit meets OPD's criteria for engaging in a pursuit.
- b. Another agency requests assistance.
- c. A watch commander authorizes the use of the tire deflation device.

2.3 PURSUITS BEYOND CITY LIMITS

When an OPD officer under the guidelines established in this policy has initiated a pursuit within OPD's jurisdiction, the pursuit may be extended beyond the City limits. All of the guidelines concerning pursuit within OPD's jurisdiction shall apply outside the City limits. (17.07i)

2.3.1 COMMUNICATIONS' RESPONSIBILITIES

The Communications Division will contact the jurisdiction the pursuit is entering and: (17.07e)

- a. Advise the jurisdiction the details of the pursuit, to include:
 1. Location.
 2. Reasonable suspicion that the occupants have committed a forcible felony crime (as outlined in this policy).
 3. Other charges.
 4. Number of units involved.
 5. Level of command authorization.
 6. Type of assistance needed.
- b. Request assistance and advise specific responsibilities per OPD pursuit units.
- c. With any jurisdiction on the 800 MHz system, attempt to patch Communications between OPD units and the jurisdiction through which the pursuit is proceeding.

2.3.2 TRAVELING OUTSIDE RADIO RANGE

A watch commander must approve a pursuit that extends beyond radio range. Communications will direct the units in pursuit to a talk group with maximum radio range. Radio range will vary depending on location, but is generally limited to Orange County. If approved, the following shall be accomplished:

- a. The jurisdiction through which the pursuit is proceeding (i.e., county sheriff) will be asked to take over the pursuit if requested by an OPD watch commander.
- b. No more than two OPD units may remain engaged at this time, with one preferably being a supervisor.
- c. If at the lead, OPD units will adjust to take up a support role (for continuity and probable cause).
- d. Command will be turned over to the jurisdiction.
- e. Updates shall be maintained by the Communications Division via pagers, cell phones, etc.
- f. OPD units may continue in a support role for continuity and probable cause as long as conditions allow and with the approval of the governing jurisdiction.
- g. Request Florida Department of Law Enforcement (FDLE) to turn on the Mutual Aid TAC Repeater.

2.4 PURSUITS WITHIN OPD'S JURISDICTION BY OUTSIDE JURISDICTIONS

OPD units will only engage in pursuits when both of the following conditions exist: (17.07i)

- a. The pursuit meets OPD's criteria for engaging in a pursuit.
- b. There is a specific request for OPD assistance from the pursuing jurisdiction.

All OPD policies concerning pursuits and roadblocks will apply, regardless of the type of request from the pursuing jurisdiction.

OPD units will not follow or provide rolling, paralleling tactics around an interjurisdictional pursuit unless the pursuit meets OPD's criteria for pursuit and it is requested by the pursuing agency.

OPD units may be dispatched to or remain in areas through which an interjurisdictional pursuit is proceeding to provide support in the event that the pursuit were to end within OPD's jurisdiction.

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ATTACHMENT A



ORLANDO POLICE DEPARTMENT VEHICLE PURSUIT FORM

NOTE: THIS FORM SHALL BE COMPLETED BY THE WATCH COMMANDER AND FORWARDED TO THE TRAINING SECTION AND THEN TO INTERNAL AFFAIRS, VIA THE CHAIN OF COMMAND. ATTACH A COPY OF ALL RELEVANT REPORTS TO THIS DOCUMENT.

TO: CHIEF OF POLICE Incident #: _____
 ORLANDO POLICE DEPARTMENT Sector: _____

FROM: _____ Employee #: _____

1. Date of pursuit: _____ Time: _____
2. Suspected crime _____
3. Point of origin: _____
 Point of termination: _____
4. Vehicle speeds: _____ Weather _____ Traffic Conditions: _____
5. Were tire deflation devices deployed? Yes No
 If yes, complete a Defensive Tactics form as required in the current issue of OP-39, Use of Force
6. Was air support used? Yes No
7. Offense charged: _____
 - A. Offender's name: _____ Race: _____ Sex: _____ DOB: _____
 - B. Address: _____ City: _____ State: _____
 - C. Make and Model of suspect vehicle: _____
 - D. Physical condition prior to incident (i.e., intoxication, prior injuries): _____
 - E. Subsequent apparent injuries: _____
 - F. Photographs of injuries: Polaroids attached () 35 mm () Digital ()
 None taken () Why? _____
 - G. Medical treatment of offender: Yes No Refused
 If Yes, where? _____ By Whom? _____
 Date: _____ Time: _____

8. Number of Traffic Crashes: _____

Crash Victim's Name	Address	Phone #	Injuries

9. Number of employees involved: _____
 List primary unit (P) and assigned backup (B):

Note: Policy and procedure state, "Only two to three units will be directed to engage in the pursuit. These are the primary unit and the assigned back-up units."

	Name (last name, first name)	Employee #
P		
P		
B		
B		

List assisting employees and their involvement:

Name	Employee #	Involvement

ATTACHMENT B ORLANDO POLICE DEPARTMENT ATTEMPTED VEHICLE APPREHENSION FORM

Note: This form shall be completed by the officer that attempted to initiate the traffic stop and forwarded to his/her supervisor. The supervisor will forward the form to the Training Section for tracking purposes.

SECTION 1 - INFORMATION									
Date:		Start Time:		End Time:		Case #		Sector:	
Primary Officer:				Secondary Officer:				Other Officers Involved?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Location of Initiation:					Location of Termination:				
Supervisor In Charge					Watch Commander:				
Weather Conditions:	<input type="checkbox"/> Rain/Wet	<input type="checkbox"/> Fog/Smoke	<input type="checkbox"/> Visibility Good	Pedestrian Traffic:	<input type="checkbox"/> Light	<input type="checkbox"/> Medium	<input type="checkbox"/> Heavy	Traffic Conditions:	<input type="checkbox"/> Light <input type="checkbox"/> Medium <input type="checkbox"/> Heavy
SECTION 2 - REASON FOR INITIATING VEHICLE APPREHENSION									
<input type="checkbox"/> Traffic	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Felony	<input type="checkbox"/> S-13	<input type="checkbox"/> S-13 I					
<input type="checkbox"/> BOLO	<input type="checkbox"/> Other (explain): _____								
Officer action upon initiation: <input type="checkbox"/> Activated Lights <input type="checkbox"/> Siren <input type="checkbox"/> BOLO <input type="checkbox"/> Other: _____									
Violator action upon initiation: <input type="checkbox"/> Maintain Speed <input type="checkbox"/> Accelerated Speed <input type="checkbox"/> Evasive Action (explain): _____									
Vehicle apprehension terminated: <input type="checkbox"/> by Officer <input type="checkbox"/> by Supervisor <input type="checkbox"/> by Watch Commander									
Reason for termination: _____									
Officer action upon termination: <input type="checkbox"/> Turned Lights Off <input type="checkbox"/> Turned Around <input type="checkbox"/> Pulled Off Road <input type="checkbox"/> Other (explain): _____									

Officer

Emp #

Date

Officer's Supervisor

Emp #

Date

Training Section Supervisor

Emp #

Date

ATTACHMENT C
ORLANDO POLICE DEPARTMENT
STOP STICK DEPLOYMENT REPORTING FORM

Date of Deployment: _____ Case Number: _____

1. Originating Agency and Case Number: _____

2. Assisting Agencies: _____

3. If Vehicle Pursuit: Time Started: _____ Time Ended: _____ Miles Covered
During Pursuit: _____

4. Initial case of Incident: Traffic Drunk Driving Warrant Felony Vehicle Other

5. Additional Charges: _____

6. Which device was used? STOP STICK Terminator Piranha Barracuda

7. Make/Model of Target Vehicle _____

8. Estimated MPH of vehicle when tire deflation device was struck. _____

9. Distance vehicle traveled after striking tire deflation device: _____

10. Which tires were flattened on target vehicle? Right Front Left Front Right Rear Left Rear

11. Road surface at deployment site: Asphalt Concrete Other: _____

12. Weather Conditions: _____

13. Is the Incident on Video? Yes No

14. Property Damage: _____

15. Personal Injury: _____

16. Affix serial number sticker(s) from damaged Stop Stick(s) or, if sticker is damaged, write serial number located below bar code on sticker.

17. Comments: _____

Deploying Officer and Employee # (Please Print)

Date