

POLK COUNTY SHERIFF'S OFFICE

GENERAL ORDER

TITLE: MOTOR VEHICLE PURSUIT	GENERAL ORDER: 41.3 (High Risk)
EFFECTIVE: September 1, 2002	AMENDED: June 13, 2003 1, 4, 5, 7
RESCINDS: G.O. 41.3, June 15, 2001 and all applicable Temporary Orders prior to September 1, 2002	PAGE (S):
PAGES: 07	

A. PURPOSE: The purpose of this order is to provide guidelines and delineate responsibilities governing the pursuit of motor vehicles.

B. SCOPE: This order shall apply to all Sheriff's Office members.

C. POLICY: It shall be the policy of the Sheriff's Office to conduct motor vehicle pursuits only when the necessity of immediate apprehension of a suspect outweighs the level of danger to the community created by the pursuit.

D. PROCEDURE:

1. Pursuit Initiation: [CALEA 41.2.2 a]

a. A deputy may initiate a vehicle pursuit when the necessity of immediate apprehension of a suspect outweighs the level of danger to the community.

b. In considering the need for and continuation of a pursuit, the deputy shall weigh such factors as:

- 1) Is the suspect known to the deputy and could apprehension occur at a later date;
- 2) Type of area where the pursuit will occur, i.e., business district, suburban or rural area, high density neighborhood;
- 3) Time of day;
- 4) Road surface;
- 5) Type of roadway (city street, interstate, state or county road);
- 6) Weather conditions;
- 7) Nature of threat presented by the suspect or seriousness of the call for service;
- 8) Condition of the Sheriff's Office vehicle;
- 9) Traffic conditions, to include pedestrians;
- 10) Location and availability of backup;
- 11) Knowledge of the area;

- 12) Likelihood of apprehension;
- 13) Availability of communications;
- 14) Traffic control devices; and
- 15) Presence of passengers.

2. Deputy Responsibilities: Deputies justified to initiate a pursuit shall immediately request emergency traffic and advise the Telecommunications Section of the location, direction of travel, traffic conditions, approximate speed, suspect and vehicle description, the offense committed or attempted, and the need for assistance. When engaged in pursuits, deputies shall adhere to the following guidelines: [CALEA 41.2.2 b,d]

- a. While engaged in the emergency operation of an agency vehicle, deputies shall utilize emergency lights (with the exception of hazard warning lights), siren, and shall comply with emergency vehicle operations in compliance with General Order 62.1, Traffic Law Enforcement, and Section 316.126, F.S., relating to operation of emergency vehicles.
- b. Only two agency vehicles are authorized to actively pursue; a primary unit and a secondary unit.
 - 1) The primary or secondary pursuit unit may transmit all communications relating to direction of travel, suspects, descriptions, and all matters relating to the actual pursuit. This shall not restrict the supervisor from giving instructions directly to the primary unit, the secondary unit, or the Telecommunications Section.
 - 2) The primary pursuit unit shall not be passed during the pursuit unless authorized by the primary pursuit deputy.
 - 3) Unmarked units may pursue motor vehicles as a primary pursuit unit only until the arrival of a marked unit.
 - 4) The unmarked unit will continue as the secondary unit until an additional marked unit arrives. Upon the arrival of the second marked unit, the unmarked unit shall terminate active involvement in the pursuit.
 - 5) Motorcycles shall not engage in pursuits.
- c. Primary and secondary units shall not drive parallel to each other during the pursuit, except during an authorized pass.
- d. Pursuit units shall not drive on the wrong side of any roadway, interstate highway, controlled access highway, on/off ramps, divided highway, or the wrong way on one-way streets.

3. Backup Units: Additional backup units may be assigned by the pursuit supervisor and shall only be assigned as needed for the apprehension of violent fugitives, suspects in major felonies, multiple fleeing vehicles, or multiple occupants in a fleeing vehicle. [CALEA 41.2.2 c,d]

- a. The secondary unit is authorized to pursue at a safe distance to assist the primary unit.
- b. The secondary unit shall suspend communications unless ordered by the pursuit supervisor or when necessary to relay significant information.
- c. Support vehicles may be assigned active roles including, but not limited to, being assigned to potential termination locations and transferring equipment or members.

- d. Deputies not directly involved in the pursuit who are responding and being coordinated as additional support will drive their vehicles in a safe and prudent manner.
- e. Deputies shall not leave their assigned work areas to engage in a motor vehicle pursuit unless assigned by the pursuit supervisor.

4. Telecommunications Section Responsibilities: Upon notification of a pursuit in progress, the Telecommunications Section shall immediately notify the appropriate patrol supervisor, monitor the pursuit, and provide communications assistance to those involved. [CALEA 41.2.2 e]

- a. The active radio frequency shall be cleared for emergency traffic.
- b. All other units shall refrain from reporting their locations unless requested.

5. Supervisor Responsibility: The supervisor assigned to monitor the pursuit shall be responsible for enforcing pursuit procedures, making note of unauthorized units engaged in or at the termination point of the pursuit, and any breaches of radio discipline. [CALEA 41.2.2 f]

- a. The supervisor shall take command of the pursuit and shall maintain command unless formally relieved.
- b. The supervisor shall solicit and consider all information available and make a decision to continue or disengage the pursuit. The supervisor shall review all fifteen factors listed in this order.
- c. A pursuit entering into another region shall continue to be commanded by the supervisor authorizing the pursuit.
- d. The supervisor in charge of the pursuit shall request assistance from the Aviation Unit. Upon arrival of an Aviation Unit aircraft, it shall become the primary pursuit unit. The primary patrol unit and the secondary unit shall discontinue communications, decrease speeds, and follow at a safe distance.
- e. The supervisor shall monitor the pursuit and direct additional assistance as required. Factors in the decision to assign additional assistance include, but are not limited to, the nature and circumstances of the offense, the number of suspects, and the number of deputies in the assigned pursuit units.
- f. It shall be the responsibility of the supervisor to coordinate pursuits entering concurrent jurisdictions or other regions.
- g. If the vehicle being pursued leaves Polk County, the supervisor in charge shall request that the county being entered assume command of the pursuit. Units of this agency shall act as support units. If the county being entered does not assume command, the supervisor shall request that the county entered provide support units. [CALEA 41.2.2 i]
 - 1) The supervisor shall ensure that the agency into which the pursuit is entering or has entered is notified of the pursuit.
 - 2) Unless otherwise advised, units involved shall remain on their assigned frequencies.
 - 3) The supervisor shall keep the agency into which a pursuit is entering or has entered advised of pertinent information.
- h. Supervisors may authorize assistance to other agencies conducting vehicle pursuits, however, the pursuit of vehicles fleeing from other agencies shall not be authorized unless it meets the criteria established in this order. When a pursuit involves other agencies, the following procedures shall apply: [CALEA 41.2.2 i]

- 1) The Telecommunications Section shall relay all decisions relating to pursuit information to affected agencies.
 - 2) The authority to discontinue an inter-jurisdictional pursuit shall rest with the supervisor authorizing the pursuit.
6. Stop Sticks:
- a. Authorization: The decision to deploy stop sticks can be made by a member engaged in the pursuit subject to supervisor review. Stop sticks shall only be deployed by deputies who have received the appropriate training as determined by the Training Section. The use of stop sticks is not considered use of deadly protective action and is encouraged as a means of terminating vehicle pursuits.
 - b. Deployment:
 - 1) Stop sticks should be deployed in the roadway in advance of the vehicle pursuit. Deputies, other than the primary and secondary pursuit vehicles, shall be responsible for deployment. Stop sticks should only be used in a safe manner without jeopardizing the safety of the deputies involved or other persons.
 - 2) Stop sticks may be deployed as single units or in combination of two or more. The width of the roadway to be covered and the time available for deployment shall determine the number of stop sticks used.
 - 3) Deputies involved in the deployment of stop sticks shall redirect civilian vehicle traffic away from the deployment area.
 - 4) Stop sticks are designed to be deployed when the vehicle to be apprehended is traveling at 10 mph or greater. Stop sticks are not effective at lower speeds.
 - 5) Stop sticks shall not be used to apprehend motorcycles or other two-wheeled vehicles.
 - 6) Deputies deploying stop sticks shall notify all units engaged in a pursuit of the location and deployment on the active radio channel used by the pursuing deputies.
 - 7) Deputies may use stop sticks or other tire deflation equipment issued by the Sheriff's Office as a pursuit prevention measure for stationary vehicles.
 - a) They may be used in the following situations:
 - (1) Driver license/DUI checkpoints;
 - (2) Suspect surveillance;
 - (3) Drug raids;
 - (4) Search warrant service;
 - (5) Arrest warrant service; and
 - (6) Other situations where the movement of a stationary vehicle must be prevented.
 - b) Deputies should place one device in front of a front tire and one behind a rear tire. A single device may be used if the vehicle's direction of travel is certain.

- c) Deputies may place tire deflation devices at their discretion in stationary vehicle situations; however, their supervisor shall be notified of the deployment.
 - c. Rapid Deployment: Stop sticks should be placed in the probable path of the fleeing vehicle with any of the three sides down in a straight line. The distance between the stop sticks should not be more than approximately six inches.
 - d. Normal Deployment:
 - 1) Stop sticks should be joined together using the interlocking devices on each end, or placed end-to-end without being interlocked, into the black concealment sleeve. The sections, or sleeved unit can then be placed as a single obstacle in the path of the fleeing vehicle.
 - 2) Stop sticks are equipped with a pull string that attaches to the end of the stop sticks or the sleeve. Having the pull string attached gives the deputy the option of pulling a number of stop sticks from a concealed position into the path of the fleeing vehicle. (Caution shall be used when employing this maneuver. The pull string must be placed flat on the surface of the roadway and shall not be held by the deputy. The stop sticks must be pulled in place in sufficient time to allow the deputy to release the pull string and to place oneself in a secure location.)
 - 3) Vehicles and other barriers can be used to force the fleeing vehicle toward the path of the stop sticks. Members shall exit the vehicles used in the procedure and relocate to a safe location.
 - 4) Stop sticks shall be deployed in the path of a fleeing vehicle approaching an authorized roadblock. Stop sticks may also be used to augment the roadblock by placing them on the flanks of the roadblock if sufficient vehicles are not available to completely block the roadway and the adjacent right-of-way.
 - e. Communications: The Telecommunications Section shall be advised of the location of the stop stick deployment. The Telecommunications dispatcher shall immediately alert all units, including other agencies, involved in the pursuit of the location of the stop sticks.
 - f. Continuing the Vehicle Pursuit:
 - 1) The fleeing vehicle may not stop as a result of the stop sticks puncturing a tire. The release of air through the puncture does not happen instantly, but allows the driver of the fleeing vehicle to continue fleeing for a short distance.
 - 2) Deployed stop sticks shall be removed from the roadway as soon as it is safe to do so and no further need for deployment exists.
 - 3) Pursuing vehicles require a clear path if it is necessary to continue the vehicle pursuit.
 - g. Issuance and Replacement of Stop Sticks:
 - 1) The Central Supply Section shall be responsible for the issuance of stop sticks to appropriate members who have met all training requirements for their use.
 - 2) Any stop stick which is damaged due to its deployment or for any other reason shall be returned immediately to the Central Supply Section for replacement. A Pursuit Reporting Form, as provided by Stop Stick, Inc., shall be completed by the supervisor of a pursuit and accompany the damaged unit to the Central Supply Section.
7. Legal Intervention: Legal intervention of a pursued vehicle shall only be permitted when all other reason-

able means have failed and legal intervention is warranted by the seriousness of the offense or potential hazard to the safety of persons or property. [CALEA 41.2.2 g]

8. Termination of Pursuit: When there is clear and unreasonable danger to the public or deputies involved, the pursuit shall be discontinued. [CALEA 41.2.2 h]

a. The initiating deputy or any supervisor shall be justified in terminating the pursuit if, based on their sound judgment, the danger to the public or deputies outweighs the need to stop the fleeing vehicle.

b. The decision to terminate a pursuit shall include, but not be limited to, the following conditions: pedestrian and/or vehicular traffic, weather conditions, visibility, road conditions, the type of unit being operated by the deputy at the time of pursuit, the offense for which the suspect is being pursued, and the identification of the vehicle and/or suspect, as well as the appropriateness and probability of apprehension at a later date.

c. All deputies involved shall immediately terminate and disengage from a motor vehicle pursuit when ordered to do so by any supervisor.

9. Administrative Review of Pursuits: [CALEA 41.2.2 j]

a. As soon as practically possible after the termination of the pursuit, the supervisor of the participating deputies shall convene all members, to include other agency members as applicable, for a critique of the pursuit events as they occurred. The assigned pursuit supervisor shall also complete a Pursuit Critique (PCSO Form 206B) and submit this to their respective supervisor for review, approval, and to ensure that agency policy was followed.

b. Following the critique, all deputies involved in the actual pursuit shall file a written report.

1) The primary deputy shall initiate the original report with all other deputies involved in the pursuit filing supplements. Each report shall contain an account of a deputy's involvement in the pursuit.

2) A supplement report shall be completed by the supervisor assigned to the pursuit. This report shall document the supervisor's actions and involvement in the pursuit.

3) The assigned pursuit supervisor shall ensure a copy of all related agency reports are attached to the critique and all reports shall be forwarded to the appropriate captain.

4) Within five (5) days of the pursuit, the respective captain shall forward the Pursuit Critique (PCSO Form 206B) to the appropriate division major for administrative review and approval. A copy of the Pursuit Critique shall also be forwarded to the Administrative Investigations Section.

5) Division majors shall submit an annual documented analysis of Pursuit Critiques to the Department of Law Enforcement Colonel by February 1st of each year. This analysis shall include patterns or trends that could require additional training needs and/or policy modifications. [CALEA 41.2.3]

E. GLOSSARY:

LEGAL INTERVENTION - The use of a roadblock or rolling roadblock while pursuing a vehicle.

MARKED UNIT - An authorized law enforcement vehicle that is equipped with all of the following: functional roof-mounted emergency lights, sirens and identified by a conspicuous paint scheme and agency insignia.

PRIMARY UNIT - The first unit directly pursuing a fleeing vehicle.

PURSUIT - An active attempt by a deputy in an authorized emergency vehicle to apprehend the occupant(s) of another vehicle. However, the driver of such vehicle must be aware of the attempt and willfully flees in an attempt to elude.

PURSUIT SUPERVISOR - A supervisor directly responsible for the coordination and safety of the pursuit.

ROADBLOCK - A barricade or other obstruction of a roadway to reroute, stop, or prevent the escape of a fleeing vehicle.

SECONDARY UNIT - The second unit which assists the primary unit and is directly involved in the pursuit.

SERIOUS PHYSICAL INJURY - A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the function of any body member or organ.

STOP STICKS - Vehicle immobilization devices designed to puncture vehicle tires through the use of sleeved spikes causing rapid deflation of the tire(s).

SUPPORT UNIT - Those units which may be directed to assist.

UNMARKED UNIT - Any law enforcement vehicle other than a marked unit.

F. INDEXING:

HIGH SPEED PURSUIT
LEGAL INTERVENTION
MOTOR VEHICLE PURSUITS
PURSUIT
ROADBLOCK

G. ACCREDITATION STANDARDS:

CALEA	41.2.2, 41.2.3
CFA	(none)
FCAC	(none)
PSCA	(none)
NIGP	(none)

DRAFTED:0833/April 30, 2003/CALEA4ed

AMENDED:
June 13, 2003

APPROVED: 
LAWRENCE W. CROW, JR.
SHERIFF, POLK COUNTY