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MOTOR VEHICLE PURSUIT POLICY

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INDEXED AS:

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POLICY: It is the policy of the Putnam County Sheriff's Office to provide for the safety of all persons when members engage in a vehicle pursuit. High speed vehicle pursuits will only be performed when the necessity to immediately apprehend the violator(s) clearly outweighs the present potential danger created by the pursuit.

The safety of all persons is of paramount importance. This directive will set both the policy and procedures for Sheriff's Office vehicle pursuits.

I. DEFINITIONS

A. **Vehicle Pursuit** - an active attempt by an officer in an authorized emergency vehicle to apprehend the occupants of a moving vehicle, provided that the driver of such vehicle is or should be aware of the attempt, increases his/her speed, takes other evasive actions or refuses to stop in an attempt to avoid apprehension.

B. **Primary pursuit unit** - generally, the unit which initiates that pursuit or any unit that assumes control of the pursuit. If the initiating vehicle is not a marked unit with emergency equipment, the primary unit status, if available, should be assumed by a marked unit with emergency equipment. (CFA 17.07B)

C. **Secondary pursuit unit** - the emergency unit which trails the primary pursuit unit at a safe distance and which is available to assume the primary role or assist the primary unit if the fleeing vehicle is stopped. (CFA 17.07C)

D. **Assisting Units** - those law enforcement units who do not participate in the direct pursuit. These units may be used in support, roadblocks, etc. (CFA 17.07C)

E. **Roadblock** - any method, restriction, or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles on a highway in order to effect the apprehension of an actual or suspected violator in a motor vehicle. (CFA 24.04A)

F. **Serious felony** - a felony that involves an actual or threatened attack which the officer has reasonable cause to believe could result, or has resulted, in death or serious bodily injury (i.e., aggravated assault, armed robbery, murder, etc.).

G. **Emergency signal device** - siren and flashing and/or revolving blue lights which meet the requirements of Florida Statutes.

II. PURSUIT POLICY

A. Circumstances should be evaluated before initiating any pursuit. A motor vehicle pursuit is justifiable ONLY when the officer knows or has reasonable grounds to believe that the suspect presents a clear and immediate threat to the safety of other motorists; has committed or is attempting to commit a serious felony; or when the necessity of immediate apprehension outweighs the level of danger created by the vehicle pursuit, as in the case of a serious traffic violation such as D.U.I. (CFA 17.07A)

B. Categories of situations that can justify vehicle pursuit provided all other criteria are met as outlined herein.

1. Felonies

a. Serious felony - (believed or known to be armed; believed or known to have committed a violent felony; or in the actual commission of a violent felony)

(1) A suspect may be pursued to any extent with the approval of the Patrol Supervisor. The Patrol Supervisor must specifically authorize the primary unit to continue the pursuit beyond the county line. Primary unit chases stop at the county line or as soon as the adjoining county's units are in position to assume the pursuit.

(2) All pursuits by this agency will cease at the state line.

b. Felony - (possibly armed; possibly committed a violent felony)

(1) A suspect may be pursued to any extent with the approval of the Patrol Supervisor, and consistent with Section V of this procedure. Primary unit chases stop at the county line or as soon as the adjoining county's units are in position to assume the pursuit.

(2) All pursuits by this agency will cease at the state line.

2. Misdemeanors/County Ordinances/Traffic Infractions

a. A suspect may be pursued as directed by the Patrol Supervisor and as this procedure so designates.

b. A suspect will not be pursued across the county lines by this agency.

c. A suspect will not be pursued into his/her place of residence.

C. Abandonment of Vehicle Pursuit (CFA 17.07H)

1. The decision to abandon pursuit may be the most intelligent course of action. Officers must continually question whether the seriousness of the crime justifies continuing the pursuit.

2. A vehicle pursuit shall be terminated under any of the following circumstances:

a. If, in the opinion of the pursuing officer or the Patrol Supervisor, there is a clear and reasonable danger to the officer, and other users of the highway or innocent citizens, created by the pursuit, which outweighs the necessity for immediate apprehension.

b. The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.

c. The prevailing traffic, roadway and environmental conditions indicate the futility of continued fresh pursuit.

d. The pursued vehicle's location is no longer known.

e. The pursuing officer knows, or is reasonably certain, that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or a non-serious felony, and the safety factors involved are obviously greater than with which a juvenile can cope.

f. The reason for the pursuit is not a serious misdemeanor with no other extenuating circumstances.

III. PURSUIT VEHICLES

A. Marked patrol cars equipped with mounted blue lights and sirens shall engage in pursuits of fleeing vehicles as authorized in Article V, Section A and Section B below.

B. Officers on motorcycles, in vans, unmarked cars, vehicles with emergency equipment, or vehicles with non-police personnel as passengers, who have probable cause to believe that a felony offense has taken place and the suspect or suspects are escaping in a vehicle, may pursue the fleeing vehicle, using due care, only until a marked vehicle with emergency equipment can take over the pursuit.

C. Officers on motorcycles may pursue traffic offenders only until a marked unit with emergency equipment can take over the pursuit.

D. Officers in personal vehicles are prohibited from participating in any pursuit.

IV. TRAFFIC LAW EXEMPTIONS

A. All vehicles of the Putnam County Sheriff's Office are designated as emergency vehicles. The exemptions from complying with traffic laws granted to emergency vehicles by Sections 316.072 and 316.126(3), Florida Statutes, apply.

B. Section 316.072(5), Florida Statutes, authorizes emergency vehicles to disregard traffic signals, (after slowing down as may be necessary for safe operation), stop signs, speed limits, directional signs, etc., as long as they do not endanger life and property when responding to an emergency call or pursuit of suspected or actual violators of the law. During any pursuit, there must be due regard for the safety of all persons.

C. Section 316.126(3), Florida Statutes, requires that emergency equipment be in continuous use when emergency vehicles are being operated beyond the laws

regulating all other traffic.

V. SIGNIFICANT FACTORS TO BE CONSIDERED WHEN INVOLVED IN PURSUIT

A. The following factors will be considered when determining whether any pursuit should be initiated, continued or terminated: (CFA 17.07A)

- 1. The seriousness of the originating offense and its relationship to community safety.**
- 2. Safety of the public in the area of the pursuit.**
- 3. Safety of pursuing officer(s).**
- 4. Time of day.**
- 5. Volume of vehicular traffic.**
- 6. Volume of pedestrian traffic.**
- 7. Location of pursuit (residential or rural).**
- 8. Weather conditions.**
- 9. Road conditions.**
- 10. Familiarity of officers and supervisors with the area.**
- 11. Speeds involved.**
- 12. Quality of radio communications between pursuing unit(s), the dispatcher, and supervisor.**
- 13. Whether the suspect being pursued is readily identifiable or subject to capture at another time or by another means.**

B. The desirability of continuing a pursuit in which the fleeing vehicle refuses to stop will be evaluated continuously by the appropriate supervisor. (CFA 17.07F)

VI. TIRE DEFLATION DEVICES (CFA 17.07G)

A. The Putnam County Sheriff's Office shall issue *tire deflation devices*. *Tire deflation devices* are devices designed to slowly deflate the tires of a suspect vehicle being pursued by law enforcement officers. The device does not immediately stop the fleeing vehicle, but is effective in preventing the vehicle from continuing at a

high rate of speed.

B. Deployment of *tire deflation devices*:

1. Officers deploying *tire deflation devices* shall use the device in conjunction with the guidelines for roadblocks in this general order section VI, A., or when deemed necessary to intercede in a serious felony. i.e., a hostage situation where the suspect has fled in a motor vehicle.

a. The rank of Patrol Sergeant or above must authorize the use of the Stop Sticks.

2. *Tire deflation devices* must be used in accordance with manufacturer recommendations.

a. In a roadblock situation where vehicular traffic is moderate, *tire deflation devices* should be deployed connected with the nylon cord attached.

(1) The device should be set up along the roadside out of view of the fleeing and other vehicular traffic.

(2) The deploying deputy should be located on the opposite side of the roadway, stretching the nylon cord across the traffic lane. This will allow other vehicular traffic to safely pass through without interfering with the roadblock.

(3) As the fleeing vehicle approaches, the deploying deputy should begin pulling the nylon cord until such time as the device crosses the path of the fleeing vehicle.

C. Use of *tire deflation devices* in Pursuit Situations.

1. *Tire deflation devices* should be placed in a location where the deputy has immediate access to a place of safety, such as getting behind the patrol car for protection.

2. If time does not permit for the device to be connected, the device may be individually tossed into the path of the fleeing vehicle, if safe to do so.

3. In all situations where the *tire deflation devices* are utilized, the deploying deputy is responsible for informing the pursuing deputy, in advance, that the devices are being deployed, and the location of the deployment.

D. All patrol personnel are required to attend an in-service training session on the proper use, nomenclature, and proper storage of *tire deflation devices* prior to issuance.

1. This training will be conducted and documented through the Training Division of the Putnam County Sheriff's Office.

VII. PURSUIT COMMUNICATIONS

A. Primary Pursuing Officer's Responsibility. (17.07B)

- 1. Upon initiation of a pursuit, an officer should immediately request assistance, notify the dispatcher of the pursuit, and furnish all pertinent details, e.g., description of the vehicle, location and direction of travel, reason for pursuing the vehicle, and provide any other information that could aid in identification, apprehension, or other determination to either continue or terminate the pursuit.**
- 2. Failure to provide the above information may be cause for the Patrol Supervisor to order termination of the pursuit.**
- 3. The initiating or primary unit shall be in charge, and bears operational responsibility for the pursuit unless relieved by a supervisor.**
- 4. The authority of the primary unit pertains to the immediate field operation, and is, at all times, subordinate to the command of the Patrol Supervisor.**

B. Assisting Unit Responsibility (CFA 17.07C)

- 1. Assistance will be coordinated by the Communication Center under the direction of the Communications Supervisor and the Patrol Supervisor . The Patrol Supervisor and the primary unit will be advised of the identity and location of units who can assist, if needed.**
- 2. The active pursuit will involve not more than two units; the primary unit and one as secondary unit. If more assistance is specifically requested, that decision will be the responsibility of the Patrol Supervisor.**
- 3. Only the Patrol Supervisor may authorize more than two units to be in active pursuit. All other units will remain aware of the direction and progress of the pursuit, but shall not actively participate, and shall not respond or parallel the pursuit on adjacent streets and roadways unless specifically authorized to do so.**
- 4. The secondary pursuit unit, upon joining the pursuit, shall immediately notify the Communications Center of its identity.**
- 5. The secondary pursuit unit will maintain a safe distance behind the primary unit, but be close enough to render backup assistance if and when required.**
- 6. Assisting units shall, at all costs, avoid intersecting the path of an oncoming high-speed pursuit vehicle.**
- 7. If the primary unit becomes disabled, the secondary pursuit unit will become the**

primary unit. The Communications Center will advise the Patrol Supervisor, as well as other units, that a new secondary pursuit unit is needed, and the next unit to join the pursuit will be designated the secondary pursuit unit.

C. Dispatch Responsibilities (CFA 17.07E)

- 1. The Dispatcher will immediately notify the appropriate supervisor, who will immediately monitor the pursuit.**
- 2. The Dispatcher will notify the Communications Supervisor who will:**
 - a. Immediately take the necessary actions to move the pursuit communications to the P.D. Primary frequency if available;**
 - b. Monitor the pursuit; and**
 - c. Notify the Supervisor who will supervise the dispatch function.**
- 3. The Dispatcher is responsible for advising and keeping other units informed concerning the vehicular pursuit taking place.**
- 4. The Dispatcher will attempt to obtain any available information concerning the identity of the vehicle/occupants in the vehicle being pursued and reason for pursuit.**
- 5. If it appears that a pursuit has the potential to cross into another jurisdiction, the affected Police Department and Sheriff's Office shall be promptly notified by the Communications Supervisor and given all available data regarding the pursuit. (CFA 17.07I)**

D. Supervisory Responsibilities (CFA 17.07F)

- 1. Overall responsibility for the decisions concerning continuance or discontinuance of a pursuit rests primarily with the Patrol Supervisor through the chain of command.**
- 2. Upon being notified of all the pursuit information, the Patrol Supervisor shall verify the following:**
 - a. No more than the required or necessary units are involved in the pursuit.**
 - b. Aerial assistance, if available, has been requested.**
 - c. Proper radio frequency is being utilized.**
 - d. Affected Law Enforcement agencies are being notified.**

3. The Patrol Supervisor will continue to direct the pursuit, and approve or order alternative tactics, such as the use of a roadblock, and maintain control until the pursuit is terminated. In the absence of adequate information from the primary or secondary unit, the Patrol Supervisor may order termination of the pursuit.

E. Communication Conduct During Pursuit

1. During a pursuit, good communications between the pursuing unit(s), the dispatcher, the appropriate supervisor(s), and other units are essential. The pursuing officer(s) shall:

a. Maintain radio contact with the dispatcher,

b. Keep radio transmissions as brief as possible,

c. Keep radio transmissions pertinent to the chase and advise locations, changes in direction and speed;

d. Whenever a pursuit takes place during the operational hours of an air unit, a request shall be promptly made through the Communications Supervisor for the air unit's assistance, especially if it appears that the pursuit may be of an extended nature;

e. Once the air unit identifies the pursued vehicle, ground units shall drop back to a safe speed while continuing the pursuit. The air unit shall continue the pursuit and take over the communication responsibility of the primary officer; and

f. If a pursuit is terminated, for any reason, provide the location where the vehicle was last seen, its speed, and last direction of travel.

VIII. CONDUCT OF THE PURSUIT

A. Offensive Tactics

1. In the course of the pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, or driving alongside the pursued vehicle while it is in motion is prohibited, unless such actions are specifically authorized by the Patrol Supervisor, and only in cases where the use of deadly force would be authorized. (CFA 17.07G)

B. "Caravanning" of vehicles during a pursuit situation is prohibited.

C. Paralleling - Units directed to "parallel" in the pursuit route will operate in an emergency (i.e., blue lights and siren) mode unless directed otherwise by the appropriate supervisor.

D. Passing - There shall be no attempt by officers to pass other field units involved in the pursuit unless the passing officer receives specific permission from the officer being passed.

E. Spacing - All units in pursuit, whether the vehicle in front of the unit is the suspect vehicle or another law enforcement vehicle, shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows, or turns.

F. Unmarked vehicles (17.07D)

1. Officers operating unmarked vehicles (provided the vehicle is equipped with emergency lights and siren) may engage in fresh pursuit only when the fleeing vehicle presents an immediate and direct threat to life or property. Motorcycle units will not become involved in a pursuit, except for traffic control purposes at dangerous intersections. Motorcycle units will not initiate a pursuit.

2. Whenever a marked vehicle becomes available to take over the pursuit, the unmarked vehicle will withdraw from active pursuit and serve in a support role.

3. Only certified law enforcement members will engage in a vehicle pursuit in marked or unmarked vehicles.

G. Divided Highways - Officers shall not pursue suspects the wrong way on divided roadways unless specifically authorized by the Patrol Supervisor.

H. Traffic Control Devices

1. Extreme caution must be used whenever officers disregard traffic signs or signals, even though statutes specifically permit such conduct.

2. Aerial assistance will be utilized if available.

I. Moving Roadblock (Boxing in) - This method shall be authorized by the Patrol Supervisor if it is reasonably believed that the violator will cause death or serious injury to others if the apprehension is delayed. (CFA24.04A)

J. Ramming - This method should be considered deadly force, and utilized only in those conditions where deadly force is permitted. An incidental touching in connection with a blocking shall not be considered ramming. (CFA 17.07G)

K. Roadblocks - The use of roadblocks must be authorized by the Patrol Supervisor. Generally a roadblock will be employed only as a last resort. (CFA 24.04A,C)(17.07G)

- 1. The use of a roadblock must be directly associated with the seriousness of the crime for which the suspect is wanted. (CFA 24.04B)**
 - 2. The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop.**
 - 3. The roadway shall not be completely blocked unless the use of deadly force would be authorized.**
- 1. Once a roadblock has been approved, the senior member on scene will be in charge if a supervisor is not present. (CFA 24.04D)**
 - 2. An appropriate number of officers should be on scene to effectively implement the roadblock, as determined by the supervisor. (CFA 24.04E)**

K. Overtaking Pursuit of Violators

- 1. The responsibility for the decision to overtake rests with the individual officer. In arriving at a decision, carefully consider all factors involved, including the seriousness of the offense, the possible consequences and, most importantly, the safety of the general public.**
- 2. During the course of enforcement activities, specific incidents may escalate from routine overtaking situations to the suspect attempting to evade apprehension. If this occurs, applicable vehicle pursuit policies and procedures apply.**

IX. TERMINATION OF THE PURSUIT (CFA 17.07H)

A. The appropriate supervisor of the primary pursuing officer shall respond immediately to the termination point of the pursuit. The supervisor shall be responsible for controlling actions at the scene and ensuring adherence to Sheriff's Office policies. The appropriate supervisor shall retain this responsibility until the suspect is booked or released and all reports are completed.

X. PURSUITS INTO ANOTHER COUNTY (CFA 17.07I)

A. Pursuits which leave Putnam County require the following:

- 1. The Communications Supervisor is responsible for promptly notifying the adjoining counties and informing them that a pursuit is leaving Putnam County and entering their county. This notification shall include:**
 - a. Vehicle and suspect descriptions;**
 - b. Details of the charge(s); and**

c. Any available data on the pursuit such as length, speeds, suspect driver skills displayed, etc.

2. The adjoining agency is responsible for determining if the pursuit shall be continued within its county.

a. If the adjoining agency determines that the pursuit shall be terminated, the Putnam County Sheriff's Office shall honor this decision immediately and terminate the pursuit.

b. If the adjoining agency determines that the pursuit is justifiable, it shall assume command of the pursuit once an officer of the county joins the pursuit. Upon the arrest of a felony suspect, the requirements of Section 901.25, Florida Statutes, shall be followed.

3. Officers engaged in a pursuit which leaves Putnam County may continue the pursuit into another county provided the officer has the approval of:

a. The appropriate supervisor, and

b. The adjoining county.

4. Officers of the Putnam County Sheriff's Office engaged in a pursuit outside Putnam County shall continue to follow all policies of the Putnam County Sheriff's Office.

XI. PURSUITS FROM OTHER COUNTIES ENTERING PUTNAM COUNTY

A. Responsibilities of the Communications Unit (CFA 17.07D,I)

1. If a pursuit being conducted by an adjoining county enters Putnam County, the Communications Supervisor will attempt to obtain:

a. The reason for the pursuit;

b. Details on the charges;

c. Vehicle, suspect, and occupant information; and

d. Any available data on the pursuit such as length, speeds, suspect driver skills displayed, etc.

2. The Communications supervisor shall inform the pursuing county that the decision for the continuation of their pursuit within Putnam County is the responsibility of the appropriate supervisor of the Putnam County Sheriff's Office, and if it is determined by the supervisor that to continue the pursuit is a detriment

to the public safety, the agency and pursuing officer will be asked to immediately discontinue the pursuit.

3. The Communications Supervisor shall inform the appropriate supervisor of the pursuit.

4. Once a decision has been made by the appropriate supervisor, the Communications Supervisor shall inform the pursuing agency.

a. If the decision is made to discontinue the pursuit, the Communications Supervisor shall request the pursuit be terminated immediately.

b. If the decision is to assume active pursuit, the Communications Supervisor shall inform the pursuing agency that once the pursuit is in Putnam County, command of the pursuit is the responsibility of the Putnam County Sheriff Office Patrol Supervisor.

B. Responsibilities of Patrol Division (CFA 17.07E,I)

1. Once the appropriate supervisor is given the information listed in Section A, above, he shall consider the factors set forth in Article V, of this General Order and determine if:

a. The pursuit should be terminated; or

b. The Putnam County Sheriff's Office shall assume command of the pursuit and actively attempt to apprehend the violator.

2. If an arrest is made, the requirements of Section 901.25, Florida Statutes, and General Orders of the Putnam County Sheriff's Office shall be followed.

XII. FIREARMS (CFA 17.07G)

A. An officer shall not shoot a firearm at a moving vehicle or shoot a firearm from a moving vehicle unless the use of deadly force is justified under state law and is consistent with providing due care for the safety of the public.

B. Deputies shall read and be cognizant with the agency's Use of Force Policy (4480.00).

XIII. REPORTING REQUIREMENTS (CFA 17.07F,J)

A. *The appropriate supervisor shall ensure that the pursuit is documented via an Offense Incident Report. This documentation shall include, but is not limited to:*

1. Names of pursuing officers and supervisors involved;

- 2. Reason for the pursuit;**
- 3. Place of origin;**
- 4. Route of travel;**
- 5. Length of pursuit (in distance and time);**
- 6. Point of termination;**
- 7. Suspect's name if apprehended;**
- 8. Injuries and/or damage that occurred as a result of the pursuit; and**
- 9. Any other noteworthy data or findings.**

B. Pursuit reports shall be reviewed by the Patrol Division Chief or Assistant Division Chief to ensure that this General Order is complied with.

Taylor Douglas,

Sheriff