



GENERAL ORDER

FLEEING VEHICLES & PURSUITS

Implementation Date: August 28, 2019

Revokes: none

GENERAL ORDER – 28A

28A.1 INTRODUCTION

The decision to pursue a vehicle should not be made lightly as there are inherent dangers involved in any Vehicle Pursuit. This policy governs the pursuit of motor vehicles. An officer is never obligated to continue any Vehicle Pursuit. An officer is obligated to continuously weigh the gravity of the offense against the emerging circumstances and to discontinue the Vehicle Pursuit if the danger created by the pursuit does not justify immediate apprehension of the violator. Most violations do not warrant continuing the Vehicle Pursuit beyond the initial attempts to stop the Fleeing Vehicle. This policy shall be reviewed annually by all sworn personnel.

28A.2 DEFINITIONS

Emergency Situation – A situation in which the physical safety and well-being of an individual is directly jeopardized.

Fleeing Vehicle – A motor vehicle, as defined by FSS 316.003, being operated by a person who willfully and/or knowingly refuses to stop after a law enforcement officer attempts a seizure of the motor vehicle and/or the person.

Forcible Felony – As defined in F.S. 776.08, means treason; murder; manslaughter; sexual battery; carjacking; home-invasion robbery; robbery; burglary; arson; kidnapping; aggravated assault; aggravated battery; aggravated stalking; aircraft piracy; unlawful throwing, placing, or discharging of a destructive device or bomb; and any other felony which involves the use or threat of physical force or violence against any individual.

Reasonable Belief – Facts that would cause a reasonable person to conclude that the point at issue is probably true.

Primary Unit – The initial police unit attempting to stop a fleeing vehicle or any unit, which assumes control in such an event.

Vehicle Pursuit – An active attempt by a law enforcement officer in a motor vehicle, as defined by FSS 316.003, to apprehend a Fleeing Vehicle.

28A.3 POLICY/PROCEDURE**28A.3.1 Fleeing Vehicle/Initiation of a Vehicle Pursuit**

- A. Officers intending to stop a vehicle should, when practical, be within close proximity to the vehicle and notify dispatch prior to activating the emergency lights and siren.
- B. Only sworn officers may engage in a Vehicle Pursuit.
- C. A vehicle pursuit may only occur when the officer has reasonable belief that an occupant of the vehicle has committed or is in the process of committing a Forcible Felony as described in this policy.

NOTE: VEHICLE PURSUITS WILL NOT BE INITIATED FOR:

- Burglary of an occupied/unoccupied conveyance
 - Burglary of an occupied/unoccupied structure
 - Auto Theft
 - Misdemeanors
 - Traffic related offenses
 - City ordinance violations
- D. When a vehicle flees and does not meet the criteria for a Vehicle Pursuit, officers will deactivate emergency lights and siren, notify dispatch and make a 90-degree turn from the direction of the suspect vehicle as soon as possible. If a 90-degree turn is not practicable, officers will stop their vehicle. Officers will not follow the path of the suspect vehicle, or parallel the suspect vehicle, unless exigent circumstances present themselves (i.e. hearing or being informed of a crash.)
 - E. If officers subsequently observe the suspect vehicle, there will not be an additional attempt to stop the vehicle.

Exception: With supervisor approval, unmarked vehicles may conduct surveillance of the suspect vehicle as long as it is not committing any traffic violations or driving in an unusual manner. No attempt to stop or perform a vehicle suppression will be conducted on the suspect vehicle. Officers shall only attempt to make contact once the suspect(s) have exited the vehicle. If at any time during the surveillance, the suspect vehicle begins to commit traffic violations or drive in an unusual manner, the surveillance will immediately be discontinued.

28A.3.2 Initiating/Primary Unit Responsibilities

- A. The responsibility for initiating and continuing a Vehicle Pursuit rests with the individual officer. When attempting to apprehend a Fleeing Vehicle, the following shall be reported to Communications as soon as reasonably possible:
 - 1. Police unit identification
 - 2. Location, speed, and direction of travel

3. Vehicle description including license number, if known
 4. The specific reason for the stop including known laws violated
 5. Number of occupants
- B. Failure to provide sufficient information shall be cause for any sworn supervisor to order the discontinuation of the Vehicle Pursuit.
- C. The initiating or primary unit shall bear operational responsibility of the Vehicle Pursuit unless relieved by a supervisor.
- D. The authority of the primary unit pertains to the immediate field operation and is, at all times, subordinate to the command of a sworn supervisor.
- E. The primary unit may attempt to stop the vehicle as long as it is within the guidelines of this General Order, an officer will not be censured when the officer reasonably believes continued pursuit of the vehicle constitutes an unreasonable risk.
- F. Officers shall not drive the wrong way on an interstate, controlled access highway, or a divided roadway unless specifically authorized by a sworn supervisor.
- G. An officer shall terminate his Vehicle Pursuit under any of the following circumstances:
1. When the primary officer involved in the Vehicle Pursuit believes the danger of continuing the pursuit outweighs the necessity for immediate apprehension
 2. When a sworn supervisor believes the danger of continuing the pursuit outweighs the necessity for immediate apprehension.
 3. 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.
 4. The prevailing traffic, roadway and environmental conditions indicate the futility of continuing.
 5. Location of the vehicle refusing to stop is no longer known.
 6. The units involved lose radio contact with Communications.
- H. When a Vehicle Pursuit is discontinued, each officer involved in the pursuit will deactivate emergency lights and siren, notify dispatch, and make a 90-degree turn from the direction of the suspect vehicle as soon as possible. If a 90-degree turn is not practicable, the officers will stop their vehicles. Once a Vehicle Pursuit is discontinued, officers will not follow the path of the suspect vehicle, or parallel the suspect's vehicle, unless exigent circumstances present themselves (i.e., hearing or being informed of a crash).
- I. If after discontinuing a Vehicle Pursuit, the suspect vehicle involved is observed by officers, there will not be an additional attempt to stop the vehicle.

Exception: With supervisor approval, unmarked vehicles may conduct surveillance of the suspect vehicle as long as it is not committing any traffic violations or driving in an unusual manner. No attempt to stop or perform a vehicle suppression will be conducted on the suspect vehicle once a Vehicle Pursuit has been discontinued. Officers shall only attempt to make contact once the suspect(s) have exited the vehicle. If at any time during the surveillance, the suspect vehicle begins to commit traffic violations or drive in an unusual manner, the surveillance will immediately be discontinued.

28A.3.3 Assisting Unit Responsibility

- A.** Assistance will be coordinated by Communications under the direction of a sworn supervisor. The Patrol Sergeant and primary unit will be advised of the identity and location of back up units who can assist.
- B.** Only three units shall be involved in the Vehicle Pursuit, the primary and two back up units.
- C.** K-9 units may participate in the Vehicle Pursuit until three marked vehicles are involved. At this time, K-9 shall discontinue active involvement and may follow at a safe speed and distance.
- D.** If more assistance is specifically requested, the amount will be determined by a Supervisor based on the following:
 - 1. Nature of the offense
 - 2. Number of suspects
 - 3. Whether the participating police units contain more than one officer
 - 4. Other clear and articulated facts that would warrant the increased hazard
- E.** Additional units involved in the Vehicle Pursuit shall immediately notify Communications of their identity. If the primary unit is a one-officer unit, the assisting unit may assume radio communications responsibility, allowing the primary unit to devote full attention to driving.
- F.** The assisting units will maintain a safe distance behind the primary unit, but be close enough to render back up assistance if required.
- G.** There shall be no attempt by officers to pass other field units during a Vehicle Pursuit unless the passing officer is requested to do so by the primary unit or the controlling supervisor.
- H.** All police vehicles shall space themselves at a distance that will allow proper braking and reaction time in the event the vehicles in front stops, slows or turns.
- I.** Assisting units shall be cognizant of a possible change in the direction of the Fleeing Vehicle refusing to stop in order to avoid intersecting the path of other police vehicles coming to assist.
- J.** If the primary unit becomes disabled, the assisting unit will become the primary unit. Communications will advise the supervisory personnel and other units that a new back up unit is needed to assist. That unit will assume the backup unit role.

28A.3.4 Communications Responsibilities

- A. Receive and record all incoming information on the Fleeing Vehicle and the Vehicle Pursuit.
- B. Immediately notify the Patrol Sergeant when a vehicle is fleeing.
- C. Clear radio channel of any unnecessary traffic and advise all other units of the situation, providing all relevant information.
- D. Perform relevant record and motor vehicle checks.
- E. Control all radio traffic while officers are involved in a Vehicle Pursuit.
- F. Coordinate assistance under the direction of a sworn supervisor.
- G. Continue to monitor the incident until the termination of the Vehicle Pursuit or apprehension of the suspect vehicle.

28A.3.5 Supervisory Responsibilities**A. Patrol Sergeants**

- 1. Upon notification of a Fleeing Vehicle and initiation of a Vehicle Pursuit, the Patrol Sergeant shall verify the following:
 - a. Only three units are involved in the Vehicle Pursuit, unless a sworn supervisor authorizes additional units.
 - b. Aerial assistance, if available, has been requested.
 - (1) When an air unit establishes visual contact with the Fleeing Vehicle, the ground units shall be immediately notified of that contact.
 - (2) The air unit shall direct the movement of the primary unit and coordinate assistance of other ground units under the direction of the Patrol Sergeant.
 - c. Proper radio frequency is being utilized.
 - d. Possible affected jurisdictions are notified.
- 2. The Patrol Sergeant will be responsible to direct and monitor the incident and may approve/order vehicle suppression tactics in accordance with GO 28B.
 - a. The Patrol Sergeant may authorize additional supplemental marked units, with emergency equipment activated, to respond to tactical locations parallel to the pursuit route. This tactic may be used to warn traffic at intersections and/or deploy a tire deflation device in the case of a sudden change of direction.
 - b. If one of authorized vehicles in the Vehicle Pursuit becomes inoperable, the Patrol Sergeant may authorize the nearest marked unit to engage in the Vehicle Pursuit.

3. In the absence of adequate information from the primary or back up unit, the field supervisor may order discontinuation at any time.
4. The Patrol Sergeant shall proceed to the location where the vehicle is stopped to provide guidance and supervision.

B. Lieutenant Responsibilities

1. The on-duty Shift Lieutenant or designee shall complete the Fleeing Vehicle/Pursuit Critique (CSPD Form #002 3/10) whenever a vehicle flees, even if not pursued by officers.
2. The Shift Lieutenant or designee shall obtain a copy of all officer reports and request a copy of all taped communications regarding the Vehicle Pursuit from Communications for all Vehicle Pursuits.
3. The Shift Lieutenant will determine policy compliance and identify any training deficiencies. If it is determined that the officer's actions are not within policy, the Shift Lieutenant shall document a recommendation for training and/or discipline and forward the recommendation along with the Fleeing Vehicle Critique to the Patrol Captain. If an officer involved in a Fleeing Vehicle or Vehicle Pursuit is not assigned to Patrol then a copy of the critique shall be forwarded to the appropriate Component Captain.

C. Patrol Captain

1. The Patrol Captain shall review the Fleeing Vehicle/Pursuit Critique for completeness and concurrence, and then forward the report to the Operations Division Deputy Chief.
2. The Patrol Captain shall ensure that all sworn members receive initial training on this policy and periodic in-service training in tactical procedures in handling Fleeing Vehicles and Vehicle Pursuits.

D. Operations Deputy Chief

1. The Operations Deputy Chief, or designee, will forward all Fleeing Vehicle/Pursuit Critiques to the Office of Professional Standards within 10 days of the completion of the administrative review.
2. The Operations Division Deputy Chief, or designee, shall complete a documented annual analysis of the Fleeing Vehicle and Vehicle Pursuit Reports that includes a review of Fleeing Vehicle and Pursuit policies, reporting procedures, and practices to be approved by the Chief of Police.

28A.3.6 Unmarked Police Vehicles

Officers operating unmarked vehicles (provided the vehicle is equipped with emergency lights and siren) may engage in and continue their attempt to pursue a Fleeing Vehicle only when justified in accordance with section 28.3.1 and a marked unit is not present. Whenever a marked vehicle becomes available the unmarked vehicle will abandon their attempt to pursue the Fleeing Vehicle unless specifically authorized by a Supervisor.

28A.3.7 Police Motorcycles

Due to the nature of duties assigned to police motorcycles, there will be times when the driver of a vehicle refuses to stop. Motorcycles shall only initiate a Vehicle Pursuit when justified in accordance with section 28A.3.1 and only until relieved by a four-wheel vehicle. Motorcycles, prior to being relieved, should follow at a distance and speed that allows them to safely operate, maneuver and maintain visual contact with the Fleeing Vehicle, whenever possible.

28A.3.8 Inter-jurisdictional Pursuits

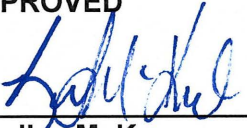
- A. An officer, with prior supervisory approval may continue their Vehicle Pursuit into the next contiguous county only when the requirements of section 28A.3.1 of this order are met. Prior to leaving Broward County, unit(s) must obtain supervisory approval to continue beyond the territorial limits of Broward County. In the event prior supervisory approval is not obtained, the Vehicle Pursuit will be terminated at the county line.
- B. Communications will notify outside agencies if this Department is continuing a Vehicle Pursuit. The informing person will specify that the call is either a request for assistance or merely a courtesy notification with no participation desired.
- C. Notification that another jurisdiction is engaged in a Vehicle Pursuit in our jurisdiction shall not be construed as a request to assist. The caller from the outside department must be specifically asked if they are making a request for assistance or merely making a notification. Officers shall only become involved in the Vehicle Pursuit if criteria in section 28A.3.1 of this General Order are met.
- D. The person receiving notification of an outside agency involved in a Vehicle Pursuit shall carefully assess the circumstances to determine if their activity is likely to enter the Department's jurisdiction. Prior to making any radio broadcast, the Communications Center will obtain from the notifying department the same information our primary unit is expected to provide.
- E. Requests by other agencies for assistance will be broadcast and the first Departmental unit to join will be designated as the backup unit. Any additional assistance by this Department will be specifically authorized by the field supervisor and the established policies and procedures in this General Order and related General Orders shall be followed.
- F. Procedures upon Apprehension

Upon the apprehension and arrest of an offender:

- 1. Communications shall notify all involved agencies when the vehicle is stopped and the suspects are in custody.
- 2. Offenders arrested outside the territorial limits of the City of Coral Springs, but within Broward County, shall be returned to our jurisdiction for booking and processing.
- 3. Offenders arrested outside the territorial limits of Broward County shall be taken without delay to the Sheriff's Office of the county in which the arrest is made in order that the arrested person(s) be taken before a magistrate without unnecessary delay.

4. Communications shall make the necessary notifications to the appropriate Sheriff's Office.

APPROVED



Bradley McKeone
Chief of Police