



Boynton Beach Police Department

VEHICULAR PURSUIT AND APPREHENSION

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Michael G. Gregory Chief of Police	The original signed copy of this directive is on file in the Professional Standards Office		

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I. PURPOSE

The purpose of this procedure is to establish the guidelines for vehicle apprehensions and pursuits.

II. DEFINITIONS

Vehicle Pursuit: An active and continuing effort by an officer in an authorized emergency vehicle to apprehend the occupant(s) of a moving vehicle, provided the driver of such vehicle who is or should be aware of the attempt being made, increases his/her speed, takes other evasive actions, or refuses to stop in an attempt to avoid apprehension.

Primary Pursuit Unit: Generally, the unit which initiates the pursuit.

Secondary Pursuit Unit: The emergency unit which trails the primary pursuit unit at a safe distance and is available to assume the primary role or assist the primary unit if the fleeing vehicle is stopped.

Moving Roadblock/Boxing In: The surrounding of a violator's vehicle by pursuing law enforcement vehicles which are then slowed to stop the violator's vehicle.

Stationary Roadblock: A barricade or other obstruction set up to stop or prevent the escape of a fleeing vehicle.

Ramming: The deliberate act of impacting a violator's vehicle for the purpose of disabling or forcing the violator's vehicle to stop.

Pursuit Intervention Technique (PIT): The intentional act of using an authorized emergency vehicle to physically force a fleeing vehicle from its course of travel in order to stop it. Use of the PIT - by appropriately trained personnel - does not constitute ramming. This technique is not authorized except under critical circumstances and with supervisor approval.

Tire Deflation Device: Commonly referred to as a "stop stick," this device is designed to disable vehicle tires through slow and controlled deflation.

III. PURSUIT POLICY

The decision to initiate pursuit must be based on the pursuing officer's conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public

should the suspect remain at large. The pursuit must be conducted in a non-reckless manner with emphasis on the safety of the public, human rights and the property of others.

Vehicular pursuits will be initiated only if the officer reasonably believes that the person(s) fleeing has committed a forcible felony defined as:

1. Murder (as defined in FS 782);
2. Manslaughter (as defined in FS 782);
3. Sexual Battery (as defined in FS 794);
4. Carjacking (as defined in FS 812);
5. Home Invasion Robbery (as defined in FS 812);
6. Robbery (as defined in FS 812);
7. Arson (as defined in FS 806);
8. Kidnapping (as defined in FS 787);
9. Serious Aggravated Assault/Battery (as defined in FS 784); and/or
10. Discharging of a Destructive Device or Bomb (as defined in FS 790).

Any pursuit must be conducted in accordance with this directive and only those officers who have received instructional training in the high-speed pursuit policy will engage in a vehicular pursuit.

IV. AUTHORIZED PURSUIT VEHICLES

- A. **Marked Patrol Vehicles** -Marked patrol vehicles equipped with sirens and emergency lights may engage in pursuits of fleeing vehicles in accordance with agency policy.
- B. **Unmarked Vehicles** -The department recognizes that officers operating unmarked vehicles may occasionally come upon the commission of a crime in progress or may locate a suspect leaving the scene of an incident. Officers operating unmarked vehicles shall take advantage of their concealed identity and follow a suspect vehicle in an effort to collect information for marked units responding to the area. Members operating unmarked vehicles are not authorized in a vehicle pursuit.
- C. **Motorcycles** – Members who operate motorcycles are not authorized to engage in vehicle pursuits.
- D. **Watercraft** – Members who have been sanctioned in operating a departmental vessel are authorized to pursue fleeing watercraft provided they follow the same criteria for a vehicular pursuit.
- E. **Special Purpose Vehicles** – Members of the department operate a variety of special purpose vehicles. Vehicles such as vans, armored personnel carriers, and other non-pursuit rated vehicles are not authorized to engage in vehicle pursuits.

V. TRAFFIC LAW EXEMPTIONS

- A. The exemptions from complying with traffic laws granted to emergency vehicles are delineated in FSS 316.072 and 316.126 (3).
- B. While statute authorizes vehicles equipped with emergency lighting and sirens to engage in pursuit, the agency has adopted a more restrictive approach. Only pursuit rated, marked patrol vehicles, equipped with emergency lights and sirens are authorized to engage in pursuits.
- C. FSS 316.072 (5) 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 actual or suspected violators of the law. During any pursuit, there must be due regard for the safety of all persons.

VI. PURSUIT SAFETY CONSIDERATIONS

- A. The following factors shall be considered by all units involved in the pursuit, supervisors and commanders when determining whether any pursuits should be initiated, continued or terminated:
 1. The seriousness of the originating offense and the risk to community safety that would result if the perpetrator is not immediately apprehended;
 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 streets or highway);
 8. Weather conditions;
 9. Road conditions;

10. Familiarity of officers and supervisors with the area of the pursuit;
 11. Speeds involved;
 12. Quality of radio communications between pursuing unit(s), the dispatcher and supervisor;
 13. Type of road;
 14. Whether the suspect being pursued is readily identifiable or subject to capture at another time or by another means; and/or
 15. Officers' training and/or experience in pursuit driving, along with the condition and performance capabilities of the pursuit vehicles
- B. Officers engaged in a pursuit have an obligation to keep supervisors, communication personnel and fellow officer apprised of the above mentioned factors and their observations during a pursuit. For example, communicating to others that the driver of a fleeing vehicle is repeatedly disregarding traffic control devices could enhance the safety of other units in the area. This information is needed and valuable to supervisory personnel charged with overseeing the pursuit.
- C. The desirability of continuing a pursuit in which a fleeing vehicle refuses to stop will be evaluated continuously by the appropriate supervisor.

VII. PURSUIT COMMUNICATIONS

A. Primary Pursuing Officer's Responsibilities:

1. When a sworn member imitates a vehicle pursuit, they shall immediately activate all emergency equipment, make radio contact with communications and communicate the following information:
 - a. Unit identification (call sign)
 - b. Exact location and direction of travel
 - c. Suspect vehicle description, year make, model and color, if known;
 - d. Tag number and state, if known;
 - e. Number of occupants in suspect vehicle, race, sex, and age, if possible; and
 - f. Reason for pursuing the vehicle
2. Constantly Update Communication and evaluate all factors to continue or discontinue the vehicle pursuit.
 - a. When actively involved in a vehicle pursuit and a secondary unit is not yet involved update to communication shall be the responsibility of the primary unit.
3. Assume responsibility for completion of applicable reports stemming from the vehicle pursuit.

B. Secondary pursuing Officer's Responsibilities:

1. Handle all ongoing communications via radio relating to direction(s) of travel, additional suspect description(s), and all matters relating to the actual vehicle pursuit. This shall not restrict the supervisor from giving instructions or other information directly to any vehicle(s) involved or to Communications.
2. Assist the primary pursuit vehicle as necessary.
3. Constantly update Communications and evaluate all factors to continue to discontinue the vehicle pursuit on the radio.
4. Assist the primary pursuit vehicle with the required documentation pertaining to the pursuit.

C. Communications Responsibilities:

1. The dispatcher will immediately notify the appropriate supervisor and Communications Supervisor, who will monitor the pursuit.
2. The dispatcher is responsible for advising and keeping other units informed concerning the vehicular pursuit taking place.
3. The dispatcher will attempt to obtain any available information concerning the identity of the vehicle/occupants in the vehicle being pursued and the reason for the pursuit.
4. If it appears that a pursuit has the potential to cross another jurisdiction, the affected Police Department and/or Sheriff's Office shall be promptly notified by the Communication Supervisor and given all available data regarding the pursuit.

D. Supervisor Responsibilities:

1. Shall identify themselves to the dispatcher via radio and immediately take command and control of the vehicle pursuit.
2. Shall have overall responsibility for the decision to continue or discontinue the vehicle pursuit.

3. Shall be in command approve, if acceptable, all vehicle pursuit tactics.
 4. Shall constantly evaluate all factors to continue or discontinue the vehicle pursuit.
- E. Communication Conduct during pursuit:
1. During a pursuit, effective communication between the pursuing unit(s), the dispatcher, the appropriate supervisor, and other units are essential. The pursuing officer(s) shall:
 - a. Maintain radio contact with the dispatcher;
 - b. Keep radio transmission as brief as possible;
 - c. Keep radio transmission pertinent to the pursuit and advise locations and changes in direction;
 - d. If a pursuit is terminated for any reason, provide the location where the vehicle was last seen, its speed, and last direction of travel; and/or
 - e. If communication is lost between the primary unit and the communication center or supervisor, the pursuit will be terminated by the pursuing officer.

VIII. PURSUIT TACTICS

- A. The initial pursuing police vehicle (primary pursuit unit) and one backup vehicle (secondary pursuit vehicle) shall normally be the only ground units necessary to pursue a fleeing vehicle. The primary pursuit unit or supervisor may request additional vehicles to assist. The secondary pursuit unit shall not follow too closely, and will not attempt to pass the primary pursuit unit unless the primary pursuit unit is forced to drop out. Sirens and emergency lights shall be used throughout the pursuit by all units involved in the pursuit.
- B. Paralleling: Units directed by a supervisor to “parallel” the pursuit will operate in an emergency (i.e. sirens and emergency lights) mode unless otherwise directed by the authorizing supervisor.

IX. PURSUIT TERMINATION

- A. The primary pursuit unit will continually re-evaluate and assess the pursuit situation, including all the initiating factors, and will terminate the pursuit whenever he or she reasonably believes the risks associated with the continued pursuit are greater than the public safety benefit of making an immediate apprehension.
- B. The pursuit may be terminated by the primary pursuit unit at any time.
- C. A supervisor may order the termination of a pursuit at any time.
- D. A pursuit will be terminated if the suspect’s identity has been determined and immediate apprehension is not necessary to protect the public or officers, and apprehension at a later date is feasible.
- E. Vehicular pursuits will end at the Palm Beach County Boundaries unless continued by a supervisor or higher authority. The supervisory will request that Communications notify the jurisdiction into which a pursuit proceeds or is expected to proceed.
- F. If the pursuing officer loses communication with the dispatcher or supervisor, the officer will terminate the pursuit.

X. PURSUITS ENTERING ANOTHER JURISDICTION

- A. The pursuing officer will notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction. Communications will notify the jurisdiction and provide the following information:
 1. Vehicle and suspect descriptions;
 2. Details of the charges; and/or
 3. Any available data on the vehicle pursuit, such as length, speeds, and suspect’s driving skills displayed.
- B. The jurisdiction into which the vehicle is traveling is responsible for determining if they will assist with the pursuit.
- C. In the event that a pursuit proceeds into an adjoining jurisdiction and that jurisdiction joins the pursuit, the primary unit will revert to the backup unit.

XI. PURSUITS FROM OTHER JURISDICTIONS ENTERING BOYNTON BEACH

- A. When a pursuit enters our jurisdiction from another, the actions of our personnel shall be governed by this policy irrespective of the guidelines which dictate the actions of the pursuing officers employed by another agency.
- B. The decision to join a pursuit, initiated from another jurisdiction will be made by the shift supervisor or higher authority. Reasonable efforts should be made to ascertain as much information about the pursuit as possible prior to authorizing our personnel to engage. Factors to consider include the reason for the pursuit,

the number of police vehicle engaged, traffic conditions...etc.

XII. AFTER ACTION REPORTING

- A. Whenever an officer engages in a pursuit, the appropriate supervisor shall ensure that a report is generated detailing the circumstances of the incident, which shall be reviewed by the supervisor. In many cases, this documentation can be sufficiently articulated in the pursuing officer's crime report.

Documentation may include but is not limited to:

1. Name(s) 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 noteworthy data or findings

The nature of the pursuit will dictate that supervisors conduct an administrative review of the pursuit and document their findings in an S.I.R. Some instances in which supervisors shall generate an S.I.R. include: a pursuit which extends outside of our jurisdiction or involves either injury or property damage. Shift commanders are implored to use their judgement in this regard on a case by case basis.

- B. An appropriate supervisor shall respond to the scene of all terminated pursuits when forcible stop techniques are applied, a traffic crash occurs, or an arrest is made.

XIII. REQUESTS FOR AVIATION UNIT ASSISTANCE (IF APPLICABLE)

- A. An aviation unit is not precluded from attempting to maintain observation of the offender's vehicle if this can be accomplished without posing a hazard to the public
- B. Whenever a pursuit takes place during the operations hours of an aviation unit, a request shall be promptly made by a shift supervisor, through the Communications Supervisor for the aviation unit's assistance, especially if it appears that the pursuit may be of an extended nature.
- C. Once the aviation unit identifies the pursued vehicle, ground units may drop back while continuing the pursuit. The aviation unit shall continue the pursuit and may take over the communication responsibility as the primary officer.

XIV. OTHER METHODS USED TO APPREHEND FLEEING VEHICLES

- A. The use of deflating devices such as Stop Stick is authorized under the following circumstances and conditions:

1. Utilization must be authorized by a supervisor.
2. Only those officer with prior training may deploy the device.
3. To prevent or stop a forcible felony as defined in Section III of this policy.

- B. The use of moving Road-Blocks (Boxing in) is authorized in the following circumstances and conditions:

1. Moving roadblocks may be utilized in apprehending forcible felony suspects.
2. Authorized by a supervisor or higher authority.
3. Moving road blocks will only be implemented by employees who have received training in this technique.

- C. The use of Pursuit Intervention Technique (P.I.T.):

The department does not train, nor endorse, the use of the pursuit intervention technique at this time.

- D. The use of stationary Road-Blocks:

Stationary road blocks may be utilized in apprehending forcible felony suspects. The establishment of a road-block must be under the supervision of a supervisor and manned by a sufficient number of personnel to ensure the safety of police and civilian personnel. Only a stationary vehicle, linear configuration road-block will be utilized and only on municipal roadways, or interstate entrance and exit ramps. Road-blocks will not be established in a location where a vehicle trying to elude or defeat the road-block would endanger civilian personnel or cause damage to a dwelling structure. The coordinating supervisor will be in command of the road-block.

E. The Use of Ramming:

No member of the department shall intentionally ram a fleeing vehicle unless the use of deadly force is authorized and there is a reasonable expectation that the act will not result in injury to a non-threatening third-party.

XV. TRAINING

All newly hired sworn members shall receive initial training on this policy. Additionally all sworn members shall receive Emergency Vehicle Operations training periodically as part of their in service training.