

### **386.1 EMERGENCY OPERATION OF POLICE VEHICLES: PURSUITS**

- I. DISCUSSION: It is the duty and responsibility of every law enforcement officer to enforce the laws of the state of Florida and apprehend persons in violation of these laws. The operation of agency vehicles during a vehicular pursuit is an area of concern to both law enforcement and civilians. It is imperative that guidelines be established which will assist in the safe and effective operation of agency vehicles when engaged in vehicular pursuits. Approved pursuit prevention techniques should be considered and utilized, if practicable, prior to initiating a pursuit.

The initiation of a motor vehicle pursuit in furtherance of a recognized law enforcement duty is permitted under the circumstances described below. However, in instances where immediate apprehension cannot be effected with reasonable safety and the inherent risk to the public outweighs the necessity of apprehension, the pursuit will not be initiated or continued.

- II. PURPOSE: The purpose of this Standard Operating Procedure is to define guidelines for the safe operation of agency vehicles when engaged in any pursuit operation regardless of nature or speed.

- III. SCOPE: This shall apply to all agency personnel engaged in a vehicular/motorized vehicle pursuit while operating agency vehicles.

IV. DEFINITIONS:

- A. Agency Vehicle: Any vehicle leased or owned by the agency.
- B. Apprehension of Law Violators in a Motor Vehicle: An active attempt by a law enforcement officer in an authorized emergency vehicle to apprehend the occupants of a moving vehicle.
- C. Vehicle Pursuit: An active attempt by a law enforcement officer to apprehend the occupants of a moving vehicle, providing that the driver of such vehicle is or should be aware of the attempt, increases his/her speed, takes evasive action(s), or refuses to stop to avoid apprehension. This definition is applicable regardless of the distance, speed, duration, or number of agency vehicles involved in the pursuit and whether an apprehension is made.

If a law enforcement officer attempts to perform a traffic stop and the vehicle in question flees, it is not considered a pursuit if the law enforcement officer promptly deactivates the agency vehicle's emergency equipment, changes course of direction, and notifies Communications of their actions. If it is not possible to change course of direction, the law enforcement officer will stop their vehicle for a reasonable amount of time to show they are no longer pursuing the suspect vehicle.

A driver who fails to yield to the officer's signal to stop but continues obeying all other traffic laws does not in itself constitute a pursuit. However, under no circumstances shall an officer request a law enforcement officer from any other agency to engage or pursue a vehicle that fled from a traffic stop or attempted traffic stop when a pursuit is not authorized under this policy. Officers shall not ask other law enforcement officers to do for them what they are prohibited from doing. A request to engage or pursue will not be made directly or indirectly in any form (cell phone, text, radio, via Communications, Aviation Unit or otherwise).

- D. Primary Pursuit Unit: Generally, the law enforcement unit which initiates the pursuit or becomes the first vehicle behind the chased vehicle during the pursuit. If the initiating vehicle is not a marked car with emergency equipment, the primary unit status shall, as soon as possible, be assumed by a marked car with emergency equipment.
- E. Secondary Pursuit Units: The law enforcement unit which trails the primary unit at a safe distance and is available to assume the primary role or assist the primary unit by taking over radio transmissions.
- F. Emergency Equipment: Siren and flashing and/or revolving blue/red lights which meet the requirements of Florida Statute.
- G. Pursuit Rated Vehicle: Pursuit rated vehicles are police vehicles that are identified from the vehicle manufacturer as being pursuit rated. These vehicles are equipped with enhanced brake systems and other systems that support a police vehicle during a pursuit. [REDACTED]
- H. Marked Vehicle: A vehicle which has agency markings and all emergency equipment with or without an overhead light bar.
- I. Low-profile Vehicle: A vehicle which has agency markings and all emergency equipment except an overhead light bar, to include trucks and SUVs.
- J. Unmarked Vehicle: A vehicle which has no agency markings and all emergency equipment with or without an overhead light bar, to include trucks and SUVs.
- K. Undercover Vehicle: An unmarked agency vehicle [REDACTED]
- L. Covert Vehicle: An unmarked agency vehicle [REDACTED]

- M. Special Purpose Vehicle: A vehicle used by the department for special events such as: Bobcats, Humvees, Command Posts, etc.

V. VEHICLE PURSUITS:

A. Authorized Pursuit Vehicles:

1. Marked patrol vehicles are authorized as primary pursuit vehicles.
2. Unmarked and low-profile agency vehicles that are pursuit rated may engage in pursuits until a marked vehicle can take over as the primary vehicle.
3. All other vehicles, such as undercover vehicles, covert vehicles, motorcycles, special purpose vehicles, patrol wagons, mobile crime labs and vehicles not equipped with emergency equipment shall not become engaged in pursuits. [REDACTED]. If at such time the suspect vehicle flees at a high rate of speed, the officer driving the covert vehicle shall refrain from engaging in a pursuit.
4. There may be times, under the most egregious circumstances it may be imperative that a suspect vehicle must be pursued. A covert vehicle and a non-pursuit rated unmarked vehicle may engage in a pursuit until such time that an authorized pursuit vehicle can take over the pursuit and relieve the covert vehicle from its involvement in the pursuit.

- B. An agency vehicle engaged in pursuit operations shall utilize both emergency lights and siren and if equipped, body worn camera, and/or in-car video system.

- C. Law enforcement personnel, when accompanied by non-sworn passengers shall only engage in pursuits when they are the primary unit and have initiated the pursuit. Non-sworn passengers include victims, witnesses, citizen riders, interns, ride-along program participants, authorized family members, or other non-law enforcement personnel. Once an authorized pursuit vehicle can take over the pursuit, the law enforcement officer with a non-sworn passenger shall discontinue in the pursuit.

- D. Officers transporting prisoners shall not become involved in police pursuits.




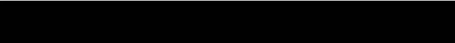

VI. PROCEDURE:

A. Initiation:

1. Pursuits may be initiated when the officer reasonably believes that someone in the pursued vehicle has committed or attempted to commit:
  - a. Any forcible felony as defined in F.S.S. §776.08 to include any felony which involves the use or threat of physical force or violence against any individual;
  - b. Any burglary of a structure or conveyance whether the structure or conveyance is occupied at the time of the crime and if the law violation is for a burglary of a conveyance only and not an additional forcible felony;
  - c. The pursuing officer shall request and receive express verbal permission via radio to continue the pursuit from the shift commander or patrol supervisor as soon as practicable. If no permission is received within a reasonable time from the request being made, the pursuit shall be terminated by the initiating officer.
  
2. Prior to initiating a pursuit, or determining whether to continue a pursuit, factors to be considered include, but are not limited to:
  - a. Speed;
  - b. Road conditions;
  - c. Identity (known) and actions of suspect;
  - d. Vehicle type (such as motorcycles, etc.);
  - e. Weather;
  - f. Pedestrian volume;
  - g. Time of day or night; and
  - h. Special circumstances:
    - i. Active school zone; or
    - ii. Driving against oncoming traffic.

- a. Strong consideration shall be given to immediate termination of any pursuit involving travelling against oncoming traffic.
  - b. In a situation wherein the fleeing suspect drives against oncoming traffic, officers may continue a parallel pursuit in the proper direction on the highway if feasible.
3. The nature of the specific crime, which justifies the pursuit, must be considered when weighing the need to immediately apprehend the suspect. For example, a more rigorous pursuit would be justified when attempting to arrest a homicide suspect than when attempting to capture a burglary suspect.
4. In any event, pursuits shall not continue past the point in time when the danger to the public or law enforcement personnel outweighs the need to immediately apprehend the suspect.
5. Absent exigent operational need, no TPD personnel shall provide a law enforcement officer from another agency with a TPD portable radio for joint enforcement operations without express authorization from a captain or higher authority.
6. All communications related to pursuits will be via voice, not MDT.
7. All units involved in the pursuit will advise status (i.e., primary secondary, parallel, etc.).
8. Any unit involved that has a body worn camera and/or is equipped with an in-car camera, will have the audio and video components activated for the entire incident and document same on the officer pursuit form (TPD 996).
9. Only officers who have received the required agency initial and recurrent training are authorized to engage in a pursuit. All officers will receive training on this policy upon hire.
10. If a suspect vehicle has remote tracking capability that is active such as GPS tracking, law enforcement officer shall discontinue the pursuit. An exception would be appropriate in cases where suspects in the fleeing vehicle are known to be armed or apprehension is especially necessary.

B. Conduct of a Pursuit:

1. The decision of continuing a pursuit in which the fleeing vehicle refuses to stop will be evaluated continuously by the pursuing law enforcement officer, the shift commander, and/or patrol supervisor. This evaluation will include, but not be limited to, factors considered prior to initiating a pursuit. Distance outside city limits as well as availability of assisting resources shall greatly influence a supervisor's determination as to the continuation of the pursuit.
2. Upon initiation of a pursuit, normally only the initiating police vehicle (the primary vehicle) and two back-up vehicles (secondary vehicles) will be necessary. The number of units involved may be adjusted, with supervisory approval, to fit the situation. However, circumstances such as preparation for implementation of a pursuit termination technique e.g., P.I.T., or rolling roadblock, may justify the involvement of more law enforcement vehicles.
3.  Each unit that takes any action relative to a pursuit (blocking intersections, paralleling, assisting, preparing to activate tire-deflating devices, any type of aid in capturing the suspect vehicle, or assistance in clearing streets and/or intersections of other innocent traffic, etc.) will be considered as involved and must notify Communications via voice.
4. Aviation Participation:
  - a. If Aviation responds to assist,   
 An exception would be appropriate in cases where suspects in the fleeing vehicle are known to be armed or apprehension is especially necessary. The Aviation Unit shall not request a law enforcement officer from any other agency to engage or pursue a vehicle that fled from a traffic stop or attempted traffic stop when a pursuit is not authorized under TPD policy.
  - b. If Aviation services are employed, after identifying the pursued vehicle, the Aviation Unit shall:
    - i. Continue the pursuit,   


- ii. Assume the communication responsibility of the primary law enforcement officer; and
  - iii. Coordinate the pursuit (which includes advising ground units and supervisors direction of travel, conditions and/or potential hazards ahead of the pursuit).
- c. The practice of illuminating the suspect vehicle from the air should not generally be used unless there is a specific reason to do so in the immediate case.

Note: Aviation intelligence shall greatly influence a supervisor's determination as to the continuation of a pursuit.

5. Intervention Tactics: Although generally associated with the apprehension of a law violator that occupies a vehicle or a vehicle that is involved in a criminal offense; intervention techniques are linked to pursuits by:
- a. Pursuit Prevention Techniques:
    - i. Tactical Observation: An unmarked vehicle (not employing emergency lights and siren) and/or aviation can be used to observe vehicles prior to a pursuit being initiated. Suspect vehicles can be observed from a distance.
    - ii. Vehicle Intercept: The act of utilizing law enforcement vehicles to block the path of travel of a stationary vehicle or a vehicle coming to a stop. Vehicle intercept is also referred to as vehicle traps or box-ins. The utilization of vehicle intercept is a specific maneuver which requires initial and recurrent training prior to use.
  - b. Pursuit Termination Techniques: (See SOP 386.2 – Intervention Techniques)
    - i. Rolling Roadblock: The intentional act of using law enforcement vehicles to physically force a suspect vehicle to slow to a stop and then prevent the driver from exiting the driver's door. The rolling roadblock is a specific technical

maneuver, which requires initial and recurrent training prior to use.

- ii. Stationary Roadblock: The intentional act of utilizing a barricade or obstruction across a roadway or path of travel of a suspect vehicle.

[REDACTED]  
[REDACTED] a Division/Bureau Commander or higher decides that a stationary roadblock must be positioned to be clearly visible and to provide the suspect with ample opportunity to safely stop.

- iii. Precision Immobilization Technique (P.I.T.): The intentional act of utilizing a law enforcement vehicle to physically alter a suspect vehicle's path of travel to stop it. The P.I.T. is a specific technique maneuver, which requires initial and recurrent training prior to use. The utilization of the P.I.T. maneuver requires that law enforcement personnel have the justification (forcible felony) to pursue the suspect vehicle.

- iv. Tire Deflation Devices: Tire deflation devices that contain hollow spikes such as Stop Sticks or Stinger Spike Systems. Upon deployment, the spikes are introduced into the tire causing deflation and reduction of speed. The tire deflation devices require initial and recurrent training prior to use.

- c. Firearms: Law enforcement personnel shall not discharge firearms at a moving vehicle or shoot a firearm from a moving vehicle unless the use of deadly force is justified under state law, agency policies, procedures, and is consistent with providing due care for the safety of the public.

NOTE: Pursuing law enforcement personnel shall retain the duty to drive with due regard for the safety of all persons and shall be responsible for the consequences of any reckless disregard for the safety of others. A determination to continue or terminate a pursuit should be based on the totality of the circumstances as they occur and, if appropriate, as the pursuit continues.

C. Communication:



- 1. Upon initiation of the pursuit, Law Enforcement Personnel shall:

- a. Notify the communications dispatcher of the pursuit by stating “I am in pursuit” or words to that effect;
- b. State the known or believed law violation or reason for the pursuit;
- c. Provide the location, direction, approximate speed of travel, and environmental conditions;
- d. Advise the vehicle description, the age and description of occupants; if known;
- e. The pursuing officer shall request and receive express verbal permission via radio to continue the pursuit from the shift commander or patrol supervisor as soon as practicable. If no permission is received within a reasonable time from the request being made, the pursuit shall be terminated by the initiating officer.
- f. Provide continuous updates of the pursuit including among other things: location, speed, and direction of travel;
- g. Provide any other information that could aid in identification, apprehension, or determination to either continue or terminate the pursuit;
- h. Request assistance from Aviation via radio; and
- i. Have the secondary unit take over the radio transmission at the time the unit becomes involved in the pursuit. The secondary unit will relay appropriate information to dispatch and other units. If Aviation services are employed, after identifying the pursued vehicle, the Aviation Unit shall assume the communication responsibility of the primary law enforcement officer.



2. Communications (Dispatch) Responsibilities:

- a. Upon initiation of the pursuit, the shift commander and the supervisor in the district of the pursuit shall be notified of the pursuit and the involved units.
- b. Transmissions shall not routinely be repeated unnecessarily.
- c. Ensure that the initiation of the pursuit is identified and marked by a Communications Supervisor.

d. When notified of a pursuit the dispatcher will:

- i.   
Any units attempting to broadcast routine traffic unrelated to the pursuit will be requested to stop transmitting 
- ii. Notify the unit's supervisor;
- iii. Notify the Communications supervisor;
- iv. Notify air service;
- v. Originate a written log of locations and changes;
- vi. Do not routinely repeat transmissions unnecessarily restricting air traffic during the pursuit. Instead, the dispatcher should be prepared to echo or repeat the information when requested. The dispatcher should, however, repeat status information such as, expedite back up, 10-15, terminate pursuit, that is given by a patrol supervisor or shift commander.

e. The Communications supervisor will:

- i. Monitor the pursuit;
- ii. Notify the appropriate shift commander by telephone;
- iii. Coordinate frequency utilization and assist in notifications;
- iv. Ensure the pursuit is broadcast   
 as practical and when terminated; and
- v. Produce a copy of the pursuit recording and forward it the appropriate Division/Bureau Commander.
- vi. If the shift commander or supervisor becomes engaged in a pursuit and is the superior officer in the affected district/bureau; then a shift commander or supervisor from separate district/bureau will be contacted by the communications supervisor. The communications supervisor will brief that shift commander or supervisor and

have them take over supervisor responsibilities of the pursuit.

3. As noted previously, Aviation will assume the communication responsibility as the primary law enforcement officer.
4. Law Enforcement Supervisory Responsibilities:
  - a. Upon initiation of a pursuit, affected supervisor(s) will acknowledge and monitor the pursuit making appropriate decisions as necessary. The shift commander or patrol supervisor shall respond within a reasonable time to the pursuing officer's request to continue a pursuit.
  - b. The affected supervisor will acknowledge the pursuit via radio by stating, "I approve the pursuit" or words to that effect.
  - c. Supervisors involved in or witnessing a pursuit will advise dispatch of status.
  - d. Overall responsibility for the discretionary decisions concerning the continuance or discontinuance of a pursuit rests primarily with the shift commander or patrol supervisor.
  - e. The supervisor or shift commander will respond to the termination point of all pursuits. If the pursuit is called off before termination, the supervisor will meet with all officers involved.

Note: All supervisors monitoring the pursuit will have a responsibility in the initiation, continuation, and termination of the pursuit.

- f. If the shift commander or supervisor becomes engaged in a pursuit and is the superior officer in the affected district/bureau; then a shift commander or supervisor from separate district/bureau will be contacted by the communications supervisor. That shift commander or supervisor will assume supervisor responsibility to maintain independent judgement of the continuance of the pursuit.
- g. If the shift commander or supervisor becomes engaged in a pursuit, the shift commander or supervisor shall disengage and allow another pursuit rated unit to take over the pursuit as soon as practical, so that the shift commander or supervisor can reclaim supervisory responsibility of the pursuit.

D. Inter-jurisdictional Pursuits:

1. Pursuit initiated by TPD:

a. Notify the jurisdiction that is being approached of the pursuit. Relay pursuit-related information to include:

i. Charges; and

ii. Description of vehicle and suspect(s).

b. If an arrest is affected outside of Hillsborough County, the arrestee(s) shall be held at the scene until law enforcement members of the agency in the jurisdiction where the arrest occurred, arrive to make the formal arrest. The arrestee(s) shall not be returned to Hillsborough County until formal procedures have been carried out.

F.S.S. § 901.25 authorizes any municipal police officer in fresh pursuit to pursue outside his jurisdiction. This statute does not restrict the pursuit of a violator to the confines of the county in which the municipality is located.

c. If the pursuit continues beyond our agency's jurisdiction, the pursuing officer shall request and receive express verbal permission via radio to continue the pursuit from the shift commander or patrol supervisor as soon as practicable. If no permission is received within a reasonable time from the request being made, the pursuit shall be terminated by the initiating officer.

2. Pursuit initiated by Other Agencies:

a. Participation:

Participation in another agency's pursuit is allowed if specifically authorized by a field supervisor. In these circumstances, Tampa Police pursuit policies are in effect for units that participate in another agency's pursuit. Additionally, participation is allowed if:

i. It is clearly demonstrated that the pursuing unit is unable to ask for assistance, or

ii. The emergency circumstances dictate the need for assistance.

b. Assistance:

- i. Assistance in apprehending suspects in another agency's pursuit will be rendered if it does not actively involve engaging in the pursuit.
- ii. When a pursuit initiated by another jurisdiction terminates in Hillsborough County, law enforcement officers who work within Hillsborough County shall respond to the apprehension scene to assist and transport the arrestee(s).

E. Termination of Pursuit:

1. The pursuit may be terminated by any primary unit involved in the pursuit and/or aviation unit at any time.
2. Ultimate responsibility regarding continuance or termination of a pursuit rests with the supervisor.

3. Termination order:

a. May be given by a supervisor at any time;

b. Includes Aviation participation [REDACTED]

c. Requires all involved units and Aviation to:

i. Acknowledge the termination via voice communications. Aviation will acknowledge the termination [REDACTED]

ii. Deactivate emergency equipment.

- iii. Drive their vehicle in a direction away from the vehicle that was being pursued unless otherwise directed by Aviation.
  - iv. Aviation will change their flight pattern if the decision is made to break off contact.
4. The supervisor or shift commander will respond to the termination point of all pursuits and meet with all involved law enforcement personnel.

F. After-action Reporting:

- 1. Personnel involved in the pursuit shall complete an incident report or supplement.
  - a. If directed by a supervisor, an administrative letter documenting actions taken during the initiation, continuance, or termination of the pursuit.
  - b. The Shift Commander monitoring the pursuit will enter the pursuit in BlueTeam as an administrative review of the pursuit's initiation, continuance, and conclusion. The administrative review will also indicate whether a policy, training, or equipment issue(s) should be addressed.
  - c. If a policy violation is identified, the shift commander will confer with the division commander to determine whether a District Investigation needs to be originated in BlueTeam.
- 2. The Shift Commander monitoring the pursuit shall complete or cause the completion of appropriate administrative processes involving the pursuit and associated criminal incident reporting. This reporting includes but not limited to:
  - a. Daily Incident Log;
  - b. BlueTeam
  - c. Incident/Traffic Crash or Supplement Reports (includes outside jurisdiction reports or report numbers);
  - d. Criminal Report Affidavits;
  - e. Risk Management Form (HR 307-B);

- f. Ensure that a copy of the dispatch recording(s) is made by the Communications supervisor when the pursuit involves any member of the Tampa Police Department;
  - g. Ensure that any available digital evidence (i.e., aviation unit video, BWC, in-car video, radio communication) is uploaded in Evidence.com;
  - h. Forward BlueTeam through the Chain of Command.
3. Special Considerations:
- a. If the pursuit's termination is caused by a traffic crash or police intervention technique and results in less than serious injuries or property damage, the supervisor will:
    - i. Notify the appropriate shift commander who will determine use of additional latent personnel and resources.
    - ii. Request the response of Forensics personnel to photograph and process the scene.
  - b. If the pursuit's termination is caused by a traffic crash or police intervention technique and results in death or life-threatening injury, immediate notification will be made to the Chief's Executive Staff, affected Division/Bureau Commander, Professional Standards Bureau, Homicide, Traffic Homicide Unit, the police legal advisor, public information safety coordinator, and City of Tampa Risk Management.

Supersedes SOP 386.1, dated 2/26.