

**GENERAL ORDER**

April 2016

Immediately

**III-17**

Distribution: All Employees

**Subject: PURSUIT OF A VEHICLE OR BOAT**

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Accreditation Standards: 41.1.3, 41.2.2, 41.2.3, and CFA 14.05

Cross Reference: G.O. II-42, Use of Force  
G.O. III-12, Police Vehicle Operation  
§§ 316.072, 316.126, 776.08, 843.18 and 901.25, Florida Statutes

Replaces: G.O. III-17, Pursuit of a Vehicle or Boat (December 13, 2019)

This Order consists of the following sections:

- I. Policy
- II. Definitions
- III. Initiating the Pursuit
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- VIII. Pursuits by Other Agencies
- IX. Responsibilities of Personnel During a Pursuit
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**I. POLICY**

- A. Pursuits are one of the most dangerous activities that a law enforcement officer can engage in. Pursuits present a danger to the lives of the public, as well as to the police officers and suspects involved in the pursuit.

- B. It is the policy of this Department to protect the lives of all persons and not to engage in vehicular pursuits, unless the action is necessary to apprehend a violent felon and, then, only when the need to apprehend clearly outweighs the risks to the public, officers, and suspect may be exposed to during the pursuit. Therefore, the apprehension of the suspect will not be the sole deciding factor in determining whether to engage in the pursuit of a fleeing felony offender.
- C. At no time will this order or any provision of the Florida Statutes relieve the driver of any emergency vehicle from "the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his or her reckless disregard for the safety of others" (§ 316.072, Florida Statutes).

## II. DEFINITIONS

- A. Boxing in – The surrounding of a vehicle with emergency vehicles which are then slowed to a stop.
- B. Caravanning – During the course of a pursuit, the following or direct participation in the pursuit by unauthorized emergency vehicles.
- C. Contact – The deliberate act of striking a violator's moving vehicle with a police vehicle for the purpose of disabling or forcing the violator's vehicle off the roadway.
- D. Emergency Mode – The operation of an emergency vehicle, utilizing warning lights and audible warning equipment to alert others of the approach of an emergency vehicle.
  - 1. The use of headlights during daylight hours, spotlights, and the air horn should be considered if they will help ensure safe movement of the emergency vehicle.
  - 2. Hazard warning lights [4-way flashers] will not be used as their use interferes with the normal display of the brake and turn signals.
- E. Emergency Vehicle – A vehicle or boat owned, leased or rented by the City of St. Petersburg which is either unmarked or conspicuously marked, as a police vehicle and is equipped with warning lights and audible warning equipment. A vehicle not equipped with visual/audible warning equipment is not considered an emergency vehicle.
- F. Field Supervisor – A sergeant or lieutenant as used throughout this Order.
- G. Paralleling – A tactic during the course of a pursuit where emergency vehicles follow the course of the pursuit in an emergency mode, on streets parallel to the actual pursuit.
- H. Vehicular Intervention – The intentional act of forcing a moving vehicle or vessel to stop with or without intent to strike the vehicle. Examples of vehicular intervention include, but are not limited to, use of ramming, a roadblock, boxing in, and the PIT maneuver. Vehicular intervention is considered deadly force.
- I. Precision Immobilization Technique (PIT) – A pursuit tactic by which a pursuing car uses the inertia and weight of the police vehicle to contact a fleeing vehicle in a controlled manner, enabling the violator vehicle to be stopped. The PIT maneuver is a form of vehicular intervention.
- J. Primary Unit/Officer – An emergency vehicle which initiates a pursuit, or any other emergency vehicle which assumes control of the pursuit as the lead vehicle and is the first police vehicle behind the fleeing suspect.
- K. Pursuit – An active attempt by an officer, operating an emergency vehicle or police boat to apprehend a suspect operating a motor vehicle/boat in a manner to elude or evade apprehension.
- L. Ramming – Ramming is a form of vehicular intervention. The deliberate act of striking the vehicle of a fleeing suspect, for the purpose of damaging or forcing the fleeing vehicle to stop.
- M. Roadblock – Any barricade, obstruction or partial obstruction used to prevent the free passage of motor vehicles in order to stop or prevent the escape of a fleeing vehicle.
- N. Secondary Unit/Officer – An emergency vehicle which becomes involved in the pursuit to back up the primary unit.

O. Terminating the Pursuit – Immediate actions taken by the pursuing officers to include:

1. Slowing to the posted speed limit,
2. Notifying the Emergency Communications Center that the pursuit is terminated;
3. Turning off all emergency warning equipment; and
4. Altering the direction of travel as soon as practical by turning onto another roadway.

P. Vehicle Stop – The actions taken by an officer, while operating an emergency vehicle or vessel, to stop a vehicle/vessel suspected of a traffic violation or offense, or any other purpose, when the driver's behavior is not giving any indication of an intent to elude or evade apprehension.

Q. Violent Felony – A felony involving the commission of a violent act or when there is reasonable cause to believe that serious physical injury or death might be inflicted upon another person.

### III. INITIATING THE PURSUIT

A. Whenever an officer attempts to perform a vehicle or vessel stop and the operator of the suspect vehicle/vessel indicates by their actions an intent to elude or evade apprehension, the officer must determine if there is reasonable cause to believe the person(s) in the vehicle or vessel has committed or is committing a violent felony as defined by this Order.

B. Pursuits ARE NOT PERMITTED unless necessary to apprehend a person(s) who has committed or is committing a VIOLENT FELONY.

C. The Pursuit WILL BE TERMINATED if the hazards created by the pursuit outweigh the necessity for immediate apprehension of the suspect.

D. If the pursuit is necessitated by the suspect's participation in a violent felony, the pursuing officer will take the role of the primary unit, and:

1. Activate all audible and visual emergency warning equipment.
2. Determine whether the identity of the suspect is known and if the suspect can be apprehended later.
3. Evaluate the degree of risk created by the pursuit as it relates to existing conditions, such as:
  - a. Vehicle and pedestrian traffic or the presences of other boats and watercraft;
  - b. Weather, road and lighting conditions;
  - c. Type of area, i.e., residential, commercial, highway; and
  - d. Knowledge of the roads/waterways, the emergency vehicle's condition, and the officer's skill level.

NOTE: Vessel pursuits are not permitted within a harborage or marina, in congested areas, or where two or more boating channels converge, and the operator of the police boat does not have an unobstructed view of all channels and any converging traffic.

E. The officer initiating a pursuit will immediately inform the Emergency Communications Center on a primary radio channel monitored by a dispatcher, and provide the following information:

1. The initiation of a pursuit;
2. The specific violation or suspected violation on which the pursuit is based;
3. The present location, direction of travel and approximate speed of the pursuit;
4. The description of the pursued vehicle/vessel and, if possible, the tag number/vessel registration number; and

5. If known, the identification and description of the occupants.

F. The officer initiating a pursuit will obtain supervisory permission to continue the pursuit.

#### IV. TERMINATING THE PURSUIT

A. The officer will terminate the pursuit when:

1. No field supervisor or higher authority can be contacted to approve continuation of the pursuit.
2. A field supervisor or higher authority directs the pursuit to be terminated.
3. The officer loses visual contact with the pursued vehicle/vessel, or the distance between the vehicle and the primary unit becomes so great that further pursuit is futile.
4. The pursuing units lose radio contact with the Emergency Communications Center.
5. The suspect's identity has been sufficiently established to allow future apprehension, and there is a reasonable belief the need to immediately apprehend the suspect no longer exists.

B. During the course of the pursuit, the primary and secondary officers will continue to evaluate their ability to safely and successfully apprehend the suspect and will, if circumstances warrant it, independently terminate the pursuit. Considerations include:

1. The danger to the public increases due to vehicle or pedestrian traffic.
2. Weather, visibility or road conditions decrease the likelihood of a successful apprehension.
3. The safe operation of the emergency vehicle is no longer probable.

C. When the decision is made to terminate the pursuit by the primary unit or a supervisor, the primary and secondary units will:

1. Immediately slow to the posted speed for the area.
2. Notify the Emergency Communications Center the pursuit is terminated.
3. Turn off all emergency warning equipment.
4. Alter their direction of travel as soon as practical by turning to another roadway.

#### V. CONDUCTING THE PURSUIT

A. The primary and secondary units will continuously operate their vehicles in the emergency mode during the pursuit.

B. The secondary unit will be operated at a safe distance behind the primary unit considering speed, roadway, and traffic conditions.

C. No more than two (2) emergency vehicles will engage in the pursuit. Caravanning is not permitted.

D. The officers engaged directly in the pursuit may:

1. Exceed the maximum speed limits so long as it does not endanger life or property.
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

3. Disregard regulations governing direction of movement or turning in specified directions so long as it does not endanger life or property.
- E. Officers will not pursue a violator the wrong way on any divided roadway or interstate highway. If the violator enters any divided roadway or interstate highway against the flow of traffic, the pursuing officer will:
1. Terminate the pursuit, or
  2. Maintain visual contact while operating on the lawful side of the highway.
  3. Request other units be assigned to observe exits available to the violator.
- F. No police vehicle will pass another emergency vehicle engaged in the pursuit, unless absolutely necessary and, then, only when the overtaking vehicle has received an affirmative acknowledgment from the lead vehicle that the lead vehicle is relinquishing the position of the primary unit.
- G. No units other than the primary and secondary units will leave their assigned district in response to a pursuit **without the approval of a** field supervisor.
1. Paralleling in emergency mode is not permitted.
  2. However, this does not preclude any unit from moving safely within their assigned area to a location which may be advantageous should the pursuit terminate in that district.
- H. Should a pursuit be initiated by an unmarked emergency vehicle which is equipped with warning lights and audible warning equipment, the unmarked vehicle will relinquish any position in the pursuit to a marked vehicle as soon as possible.
- I. The following vehicles will not engage in a pursuit as either a primary or secondary unit/officer:
1. Motorcycle
  2. Golf cart or all-terrain vehicle
  3. Unmarked vehicles, unless they are equipped with warning lights and audible warning equipment as detailed in this Order
- J. Continuous fresh pursuit may be continued outside of the City of St. Petersburg as provided by section 901.25, Florida Statutes.
1. The Emergency Communications Center must be advised when pursuing units leave the City.
  2. If the apprehension is made outside of Pinellas County, the arresting officer will immediately notify the officer in charge of the jurisdiction where the violator was arrested. The arrested person will be taken before a county judge of that jurisdiction without unnecessary delay (§ 901.25, Florida Statutes).
- K. Non-sworn employees will not engage in a pursuit.
- L. Sworn officers operating Department vehicles may engage in a pursuit with **police** cadets as passengers while they are participating in the Department's Ride-along program.
- M. Officers will not engage in a pursuit when transporting prisoners, witnesses, **public safety cadets**, or any other non-sworn passenger.
- N. K-9 vehicles will not engage in a pursuit without considering the limitations of their vehicle, *i.e.*, weight, size, handling, etc.

## VI. VEHICULAR INTERVENTION

- A. Vehicular intervention is ONLY permitted in situations where deadly force would be authorized.
- B. Acts of vehicular intervention will be considered a use of deadly force and will generally be investigated as follows:
  - 1. After such an incident, regardless of injury, the on-duty Watch Commander will make the following notifications:
    - a. Assistant Chief, Uniform Services Bureau,
    - b. Assistant Chief, Investigate Services Bureau,
    - c. Involved officer's chain of command, through the Bureau Assistant Chief,
    - d. On-call Major Crimes Sergeant and
    - e. Major, Office of Professional Standards.
  - 2. Acts of vehicular intervention which DO NOT result in serious injury or death may be investigated by the Major Crimes Unit and the Office of Professional Standards.
  - 3. Acts of vehicular intervention which DO result in serious injury or death to ANY PERSON will be investigated by the Pinellas County Use of Deadly Force Task Force (Task Force).
    - a. The Assistant Chief, Investigative Services Bureau, will notify the Chief of Police. The Chief of Police will ultimately make the decision to activate the Task Force.
    - b. Once the decision to activate the Task Force has been made, the Assistant Chief, Investigative Services Bureau will direct either the Watch Commander or the on-call Major Crimes Sergeant to make the Task Force notification via the Everbridge system.
  - 4. The Chief of Police retains the authority to refer ANY use of force case to the Task Force, regardless of injury.
  - 5. The Department acknowledges the intricacies and unpredictable nature of law enforcement and recognizes there may be rare and extreme circumstances in which vehicular intervention may be the last resort an officer has to eliminate the imminent risk of serious physical injury or death to themselves, other officers, or the public at large. A decision to utilize vehicular intervention will be considered a use of deadly force and will be investigated and reviewed accordingly. Considerations in determining if such vehicular intervention is justified will include:
    - a. The officer's reasonable perception of a threat of imminent serious physical injury or death at the moment of the vehicular intervention.
    - b. The risk of serious injury or death that could reasonably be created by the officer's decision to employ vehicular intervention.
    - c. The exhaustion of all other reasonable means to stop the imminent risk of serious physical injury or death prior to the decision to utilize vehicular intervention.
    - d. Any other circumstances that might aid in determining if such action was reasonable, given the threat faced by the officer at the time the decision was made.
- C. For the purposes of this policy, the Precision Immobilization Technique (PIT) will be considered a form of vehicular intervention, as SPPD officers do not routinely train to conduct PIT and are not authorized to deploy it.
- D. Personnel assigned to a local, state or federal task force which provides the requisite training and utilizes the PIT technique may deploy the PIT only in the context of their task force assignment.

## VII. SUSPECT APPREHENSION

- A. If possible, a backup or non-driving officer should physically take the suspect into custody.
- B. A supervisor will respond to the location of the apprehension and oversee the activities of all officers present.

## VIII. PURSUITS BY OTHER AGENCIES

- A. Officers will not participate in a pursuit initiated by another agency unless all the guidelines in this Order are met and, then, only with the approval of a field supervisor.
- B. Officers participating in a pursuit initiated by another agency will not continue the pursuit beyond the City limits without the expressed approval by a member who holds the actual rank of lieutenant or higher.
- C. St. Petersburg Police Department officers may provide general support and assistance, as needed, if the pursuit terminates in the City.

## IX. RESPONSIBILITIES OF PERSONNEL DURING A PURSUIT

- A. Officers engaged in a pursuit will:
  - 1. Continuously evaluate the safety of the pursuit and the likelihood of apprehension and discontinue if the pursuit presents more danger to persons than would the escape of the violator.
  - 2. Maintain constant radio contact with the Emergency Communications Center, providing location, direction of travel, and other pertinent information (Audible warning equipment and wind noise affect the quality of radio transmissions and should be kept in mind when making radio transmissions).
  - 3. Monitor instructions from the field supervisor.
  - 4. Request the Emergency Communications Center to make notifications to other agencies, as required.  
Notification of a boat pursuit will be made to the Coast Guard and other pertinent marine law enforcement agencies.
  - 5. If air support is available and on-scene, fall back from the pursued vehicle or boat and relinquish surveillance and directing responsibilities to the air unit.
  - 6. Land-based emergency vehicles may assist the police boat by acting as spotters at shore areas along the route. Land units are not authorized to leave their assigned district; however, this does not preclude units from moving safely within their assigned area to a location which may be advantageous should the pursuit terminate in that area.
- B. Emergency Communications Center personnel will:
  - 1. Immediately advise a field supervisor of the initiation of a pursuit and ensure communications exist between the supervisor and the primary unit.
  - 2. Ensure the pursuing units have a clear radio channel to transmit and receive instructions.
  - 3. Relay pertinent information to other units and other channels as necessary.
  - 4. Notify the Watch Commander of the pursuit, its status and termination location.
  - 5. Notify other jurisdictions or make other notifications as necessary.
  - 6. Contact the Pinellas County Sheriff's Office and request air support, if available.
  - 7. When notified of a pursuit within or entering the City by another agency, determine the reason for the pursuit, description of the pursued vehicle and occupants, location and direction of travel, and notify the closest field supervisor.
- C. Field supervisors will:
  - 1. Immediately monitor the initiation of any pursuit and evaluate the information from the primary unit and:

- a. Ensure the pursuit is for a violent felony.
- b. Have knowledge of or make specific inquiry regarding:
  - 1) Weapon used by the suspect;
  - 2) Extent of injury to the victim; and
  - 3) The intent of the suspect.

Note: Great emphasis will be given to the above when allowing the pursuit to continue.

- 2. Based on the information obtained, determine if the pursuit will continue or be terminated, and advise the primary unit.
- 3. Provide follow-up direction as needed, to include:
  - a. If the pursuit is terminated, instructions regarding further investigation.
  - b. If the pursuit is continued, confirm and assign a secondary unit.
- 4. Monitor and direct other police resources, ensuring compliance with all pursuit procedures.
- 5. Terminate the pursuit if its safe conduct can no longer be assured.
- 6. Specifically acknowledge and, if appropriate, allow the pursuit to go beyond the City limits.
- 7. Respond to the scene of apprehension and supervise activities as necessary.

#### X. REPORTING REQUIREMENTS

- A. Upon the conclusion of the pursuit, the officer operating the primary unit will complete a Pursuit Memorandum (Primary Officer), detailing the reason for, and the specifics of, the pursuit whether or not an apprehension was made.
- B. Any officer acting as a secondary unit in a pursuit will complete a Pursuit Memorandum (Secondary Officer), detailing their participation in the pursuit.
- C. The supervisor authorizing the continuation of the pursuit will review the reports prepared by the primary and secondary officers and prepare a Pursuit Memorandum (Supervisor), specifically identifying any unusual circumstances in a critique of the pursuit.
- D. If the pursuit results in any application of force as defined in this Order or in G.O. II-42, Use of Force, a Use of Force Report will be completed prior to going off duty. Vehicular intervention is considered deadly force.

#### XI. PURSUIT REVIEW

- A. The Watch Commander will review the documentation of the pursuit and forward all information, along with a recommendation, to the appropriate Assistant Chief.
- B. The Assistant Chief of the respective bureau will review each pursuit to determine whether or not a violation of the pursuit policy has occurred. The Assistant Chief will indicate their finding and recommendation and forward the reports to the Office of Professional Standards.
- C. The Office of Professional Standards will:
  - 1. Monitor all pursuit documentation to ensure compliance with this Order.
  - 2. Maintain all pursuit-related reports for review and statistical purposes.
  - 3. Conduct a documented annual analysis of pursuit reports.
  - 4. Conduct a documented annual review of pursuit policies and reporting procedures.
- D. The Chief of Police may direct the Office of Professional Standards to conduct additional investigation of a pursuit as deemed necessary.



## XII. TRAINING

### A. Initial Training

1. The Training Division will ensure that all newly appointed sworn personnel will receive documented initial training on the Department's pursuit policy.
2. The Emergency Communications Division will ensure that all newly appointed Emergency Communications Division personnel will receive documented initial training on the Department's pursuit policy.

### B. Annual Review

The Training Division will ensure that all sworn, and Emergency Communications Division personnel will review the Department's pursuit policy.

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Anthony Holloway  
Chief of Police