



NORTH MIAMI POLICE DEPARTMENT



STANDARD OPERATING PROCEDURES

VEHICLE PURSUIT POLICY 300.17

EFFECTIVE DATE: 10-29-20

APPROVED:

A blue ink signature of the Chief of Police.

Chief of Police

SUPERSEDES: 08-30-19

CFA: 14.05

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I. PURPOSE

To establish guidelines for the emergency and pursuit operation of North Miami Police Department vehicles and to establish guidelines for personnel in determining the level of response.

II. POLICY

Police officers are called upon to engage in emergency vehicle operations in response to calls for assistance or crimes in progress that may result in the vehicle pursuit of law violators. The conditions and privileges that drivers of authorized emergency vehicles must obey and comply with during pursuits are contained in Florida State Statute 768.28. A policy on police vehicle pursuit operations, which further underscores statutory concern for the safety of police officers, persons being pursued, and other citizens, is desirable and reasonable.

III. SCOPE

This policy applies to all sworn members of the Department.

IV. DEFINITIONS

- A. Vehicle Pursuit: An active attempt by a law enforcement officer in an authorized emergency vehicle to apprehend one or more occupants of a moving motor vehicle, providing that the driver of such vehicle is aware of the attempt and increases vehicle speed and/or takes other evasive actions in an attempt to avoid apprehension.
- B. Violent Felony: A felony involving violence or the threat of violence to another person. Such crimes include murder, manslaughter, sexual battery, kidnapping, robbery, aggravated battery, aggravated assault, or any other felony that involves the use or threat of physical force or violence to a person.
- C. Reasonable Belief: Facts that would cause a reasonable person to conclude that the point at issue is probably true.
- D. Language Clarification:
 - Should: Indicates a general or expected action, absent a rational basis for failing to conform.
 - Shall or Will: Indicates a mandatory action.

V. PURSUIT PROCEDURES

- A. Officers who have reasonable belief that a violent felony (as defined above) has occurred, and that the suspects are fleeing, may pursue a vehicle following an evaluation of the circumstances as prescribed under Section VIII of this policy. No more than two police vehicles will be actively involved in a pursuit, unless specifically directed otherwise by the supervisor controlling the pursuit. The police vehicles actively involved in the pursuit will be known as: **CFA 14.05A**
 1. Primary Unit: This will generally be the initiating officer, but in all cases will be the unit in closest proximity to the fleeing vehicle.
 2. Support Unit: A police unit that trails the primary unit at a safe distance that will be immediately available to assume the pursuit

or assist the primary unit in the event the fleeing vehicle is stopped. **CFA 14.05C**

3. Backup Unit: With the exception of the primary and support unit, all police vehicles cognizant of the pursuit shall become backup units. They will remain alert to the direction and progress of the pursuit and may position themselves at strategic sites along the probable pursuit route or on parallel roadways for response to any exigencies that may develop; however, these units will not be operated in an emergency mode. There shall be no caravanning by other units not directly involved in the immediate pursuit. (This does not preclude units from activating emergency lights in order to prevent traffic from entering the likely path of the pursuit.)

B. Emergency Vehicle Operation: Vehicle pursuits shall be conducted in strict compliance with existing statutes.

1. Initial contact: In order to diminish the likelihood of a pursuit developing, officers intending to stop a vehicle shall, when practicable, be within close proximity to the vehicle prior to activating the emergency lights and siren.
2. Emergency Equipment: Officers engaged in a vehicle pursuit shall utilize all emergency equipment including:
 - a. Siren;
 - b. Emergency Lights; and
 - c. Headlights - day or night.

C. Initiating/Primary Pursuing Unit Notification Responsibilities:

1. The officer initiating a pursuit shall, in all cases, immediately notify the Miami-Dade dispatcher that a pursuit is underway and have the shift supervisor advised.
 - a. The Miami-Dade dispatcher will then hold all other non-emergency radio traffic thus allowing the initiating/primary unit and other units involved in the pursuit to provide the following information: **CFA 14.05B,E**
 - 1.) Unit identification;
 - 2.) Vehicle description, including license number, if known;
 - 3.) Location, estimated speed and direction of travel;

- 4.) The specific reason for the pursuit, including known laws violated; and
- 5.) Number and description of occupants, if known, to be given at the discretion of the pursuing officer based on conditions at hand.

D. In the course of a pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle is prohibited. Pursuits shall involve primarily “following” actions. Reckless or hazardous driving maneuvers or when the violator proceeds the wrong way on any roadway shall not be duplicated by any pursuing vehicle.

E. Passing: There shall be no attempt by officers to pass the primary pursuit unit unless the passing officer receives specific permission from the primary officer or a supervisor.

F. Spacing: All units in pursuit shall space themselves in a manner that will ensure adequate braking distance to avoid colliding with other units.

G. Traffic Regulatory Controls: Pursuant to applicable Florida State Statutes, police officers, while engaged in a pursuit with emergency equipment activated, must at all times operate the vehicle in a manner so as to not endanger life or property and exercise due regard for the safety of all persons.

H. Roadblocks/forcible stopping methods, such as ramming a pursuit vehicle, using police vehicles or other barriers as roadblocks, and all other forcible stopping techniques are strictly prohibited. **CFA 14.05G**

I. Radio Transmission: When a pursuit is in progress, radio transmissions shall be restricted to the primary pursuing unit and incidents of an emergency nature.

J. Back-up units will not advise their location or other information unless deemed necessary for apprehension efforts.

VI. INTERJURISDICTIONAL PURSUITS

A. When an officer is in pursuit, he/she, or their supervisor, may request the Miami-Dade dispatcher to broadcast the pursuit on the appropriate police radio frequency, and to advise affected agencies should the pursuit continue into another jurisdiction. **CFA 14.05I**

B. Upon being made aware of an interjurisdictional pursuit in progress by another agency, North Miami officers shall not become involved in the other agency's pursuit unless:

1. Authorized by their supervisor; and
2. It is clear that the circumstances require the immediate intervention and assistance by North Miami Police units.

VII. SPECIALIZED POLICE VEHICLES

A. Police vehicles without emergency equipment: Unmarked or marked police vehicles that are not equipped with a siren and emergency lights will not engage in pursuits. **CFA 14.05D**

B. Specialized police vehicles with emergency equipment, including but not limited to, unmarked police vehicles, motorcycles, and S.U.V.s, should engage in pursuits only under extreme circumstances and then only until such time as assistance can be obtained from a marked police vehicle bearing emergency lights and siren. **CFA 14.05D**

VIII. TERMINATION OF PURSUIT

In order to pursue a vehicle, officers must have reasonable belief that a violent felony has occurred, and the suspects are fleeing. Officers will abide by the following guidelines when evaluating the circumstances surrounding a vehicle pursuit: **CFA 14.05A**

A. Pursuits will be terminated immediately under the following conditions: **CFA 14.05H**

1. A supervisor orders the pursuit terminated;
2. After initiation, the offense is determined to be a traffic infraction, misdemeanor, or non-violent felony;
3. The distance between the officer and violator is so great that further pursuit is futile;
4. The officer loses visual contact with the violator for an extended period of time (approximately 15 seconds);

5. When there is an equipment failure involving the emergency lights, siren, radio, brakes, steering or other essential mechanical equipment;
6. When there is a clear and unreasonable danger to the officer, fleeing subject and/or other persons. A clear danger exists when speed dangerously exceeds the normal flow of traffic or when vehicular or pedestrian traffic necessitates dangerous maneuvering exceeding the performance capabilities of the vehicle or the driver.
7. The violator proceeds the wrong way on an interstate highway, turnpike or expressway.

B. While not necessarily dictating immediate action, strong consideration should be given to terminating the pursuit under the following conditions:

1. Environmental factors such as rain, fog, or darkness substantially increase the danger of the pursuit;
2. When the officer is unfamiliar with the area and unable to accurately notify the dispatcher of his/her location and the direction in which the pursuit is proceeding;
3. Road conditions are congested by traffic or pedestrians; this would be especially appropriate during rush hour or in the area of any school;

C. Under the following conditions, the primary pursuing unit will reduce the level of pursuit to that of a support or back-up unit:

1. The fleeing vehicle comes under the surveillance of an air unit;
2. When another police vehicle comes into closer proximity to the vehicle being pursued.

IX. SUPERVISORY RESPONSIBILITIES

- A. Supervisor: Shall assert control by monitoring the pursuit and taking the necessary action to ensure compliance with this policy. **CFA 14.05F**
- B. The supervisor of the unit initiating the pursuit shall be responsible for the submission of a documented administrative review consisting of an analysis and critique of the pursuit through the chain of command to the Section Major within 72 hours after the incident.
 - 1. The documented administrative review, along with the offense report and any other pertinent documentation, will be forwarded to the Chief of Police, who will have the final level of authority in the review process.
- C. The supervisor must also submit two audiotape-recorded copies of applicable radio transmissions of the pursuit. These copies will be submitted through the chain of command to the Chief's Office within 72 hours after the incident. One copy will be forwarded to Risk Management; the other will be forwarded to the Office of Professional Compliance. **CFA 14.05J**

X. TRAINING & POLICY REVIEW

- A. All sworn members will receive initial training on the agency's policy. **CFA 14.05K**
- B. The Office of Professional Compliance will conduct an annual analysis of pursuit reports, to include a review of the policy and reporting procedures, to be reviewed and approved by the Chief of Police.