



LAKELAND POLICE DEPARTMENT

Neighborhood Services Bureau

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TO: CHIEF OF POLICE ROGER BOATNER

FROM: ASSISTANT CHIEF BILL LEPERE, CO/NSB

DATE: JANUARY 17, 2007

SUBJ: SUMMARY OF PURSUIT REVIEW 06-83931 P06-0264

On October 20, 2006, at approximately 1103 hours, officers of the Lakeland Police Department responded to a bank robbery at the SunTrust Bank located at 210 S. Florida Avenue. While setting up the perimeter, officers received information from a citizen who witnessed suspects fleeing from the area of Lake Morton in a white pickup truck after throwing a bicycle into the bed of the truck. A few minutes later, Officer V. Cardin #209 observed a truck with occupants matching the general description in the BOLO in the 900 block of Sikes Blvd.

Cardin followed the vehicle for a few minutes before attempting a vehicle stop. The truck fled from officers, which resulted in a motor vehicle pursuit that lasted approximately 21 minutes. The pursuit ended when Officer J. Barrett #124 used his marked police car to make contact with the fleeing truck, forcing the driver to lose control on Hwy 98 North and flip onto its side. The truck's occupants exited and attempted to flee on foot but were quickly apprehended by officers and K-9s.

The Pursuit Review Board rendered a unanimous opinion that the pursuit was within department policy. This summary report addresses some of the key issues discussed during the review process and concerns raised by board members.

Miscellaneous notes regarding the pursuit

- The Department's helicopter was used as an aerial surveillance platform to call the pursuit. This occurred because the flight crew was at work early that day to give a new pilot some training hours. Consistent with policy, officers were not directed by supervisors to back off just because a helicopter was overhead due to the violent nature of the offense and the fact we did not want suspects escaping from police who were known to be armed.
- Video tapes were received from involved units and became critically important during the review process.
- Deferred apprehension was not considered to be a viable option due to the fact the officers did not know the suspects' identities and the serious nature of the crime (an armed bank robbery where a gun was shown).

- It is clear from the radio transmissions that Sgt. Woolverton and Lt. Giddens assumed command responsibility for the pursuit from the beginning because the original initiating officer was an NLO. Our policy requires stringent supervisory oversight of these pursuits, and both supervisors did a good job in doing exactly what we expect of them.
- The Comm Center dispatcher did a good job of coordinating the pursuit and should be commended for her efforts.

PIT or Ramming tactics used to end the pursuit

Sgt. Woolverton and Lt. Giddens were the pursuit supervisor and OIC respectively. After numerous attempts to deploy stop sticks and other efforts to end the pursuit, Woolverton gave a radio order toward the end of the pursuit telling officers they were "clear to take the vehicle out" while the pursuit was on Galloway Road. The helicopter crew is heard on the radio telling officers the roadway is clear for a PIT.

Our department policy does not have a specific reference to this term "take out", which left some ambiguity as to what was intended by that order. Was permission being given to use a PIT maneuver, a common police tactic that we do not train to perform, or was the order one to ram the vehicle, a tactic that is sometimes synonymous to using lethal force?

A majority of the board interpreted the order to be one that authorized a ramming tactic to end the pursuit. Sgt. Woolverton and Lt. Giddens told the board the intent of that order was to use a PIT, noting they had discussed who was involved in the pursuit that had PIT training or experience. (Note that Woolverton and Giddens were in the same vehicle while monitoring the pursuit, so they had face-to-face discussions about options available to them.)

The lack of clarity in the order as it was intended and how it was interpreted is an issue to be considered. We need to make sure our directions are clear and concise; however, given the fact that PIT is not something we train to do, officers and supervisors were going outside the norm to attempt such an intervention. Sometimes extraordinary circumstances require innovative and risky decision making.

A careful review of the video tapes at the ending of the pursuit show a deliberate attempt by Officer Barrett #124 to have his police car make contact with the side of the fleeing truck. This action does not appear to be a deliberate ramming of the vehicle but rather an attempted PIT. The positioning of the two vehicles was not a classic PIT arrangement, but under the rapidly evolving circumstances it does appear that Barrett attempted some type of modified PIT as the situation permitted.

*** Recommendation to consider PIT as new department policy**

The board recommends the Department reconsider changing pursuit policy and training to incorporate PIT as part of the approved tactics available to end motor vehicle pursuits. This recommendation includes the gradual installation of devices

on the front of police vehicles known as "Rhino bars" to help facilitate PIT maneuvers.

Risk in using Stop Sticks

The board once again discussed the general issue of risk associated with the use of stop sticks. Specifically, the board noted the inherent risk of having a police officer on foot along the side of the roadway ahead of the oncoming pursuit. To ask that officer to be so close to the road that they can throw the stop sticks across the road surface exposes them to the very real danger of a fleeing driver intentionally striking the officer or the driver losing control in an attempt to avoid the devices and thereby striking the officer. We have been fortunate not to have an officer injured while deploying stop sticks, but other agencies have lost officers who were doing just that.

*** Recommendation to reconsider stop stick deployment tactics**

The board recommends the Department order a review of the various ways in which stop sticks can be deployed to determine if we want to continue allowing officers on foot and ahead of an approaching motor vehicle pursuit to be exposed to dangers inherent with such a tactic.

Numerous units involved in the pursuit

The video tapes and audio recordings of radio transmissions show a wide range of officers involved in this incident, including unmarked police cars, motorcycles, and plain-clothed officers. This issue received quite a bit of discussion because our pursuit policy specifically restricts what types of units can become engaged in a pursuit, when and under what circumstances they must end their involvement, and prohibits caravanning while directing units in adjoining zones to remain in their assigned areas.

Sgt. Woolverton did a good job of giving commands over the radio to restrict the involved vehicles to specific units, to include K-9s. Supervisors are held accountable for the pursuit outcomes, but they are rarely in a position where they can actually see what is occurring or whether their orders are being followed. This is where the video tapes become an important part of the review process.

The videos show numerous officers in the general area or along the path of the fleeing vehicle. At least three or four unmarked vehicles are seen in the area as the pursuit is coming to an end. Thus, the massive involvement of police officers from every Department bureau as well as outside agencies, such as the Polk County Sheriff's Office, was addressed by the board.

It was the general consensus of board members that units actually involved in the pursuit followed Sgt. Woolverton's commands. Other units seen on the video were responding to assist in an apprehension if and when the pursuit ended. It is impossible to make a definitive statement that we had no unauthorized participation or caravanning. It is quite likely that somebody became involved in at

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least some portion of the pursuit in violation of our policy, but the board cannot identify anyone specifically.

What is obvious is the fact that many officers went toward the general area in an attempt to provide assistance in whatever manner they possibly could. Armed bank robbery is a serious offense and this incident was less than a month after PCSO D/S Matt Williams was killed in the line of duty after being shot by an armed assailant. To say that our officers had a heightened sense of officer safety concerns is not an understatement or glamorization of the situation.