

MINNEOTA POLICE DEPARTMENT

NUMBER: M103-04 PAGES: 8

EFFECTIVE DATE: September 19, 2018 (*This order supersedes all previous releases.*) revised 07/27/2017

SUBJECT: PURSUIT AND EMERGENCY VEHICLE OPERATION

1.0 **PURPOSE:**

It is the purpose of this general order to establish policy and procedures for the operation of police vehicles in pursuit and emergency situations by all officers of the Minneota Police Department.

2.0 **POLICY:**

- 2.1 It is the primary mission of the Minneota Police Department to protect lives while enforcing the law.
- 2.2 It is the responsibility of the Minneota Police Department to guide its officers in the safe and reasonable performance of their duties.
- 2.3 The following policy is provided to control and regulate the manner in which emergency vehicle operations are undertaken and performed.
- 2.4 When engaged in emergency vehicle operations in the performance of official duties, drivers of authorized emergency vehicles are granted exemptions, by statute, from certain traffic laws. These exemptions are provided to help protect lives, not to place them at undue risk.
- 2.5 Officers are encouraged to use their best judgement in operating emergency vehicles and in responding to emergency calls for service.

3.0 **DEFINITIONS**

- 3.1 Pursuit: A multi-stage process by which a police officer initiates a vehicular stop and a driver resists the signal or order to stop, increases speed, takes evasive action and/or refuses to stop the vehicle. Once the driver refuses to obey the police officer's signal or order, this pursuit policy and procedure will determine the officer's and department's actions.
- 3.2 Termination of a Pursuit: A pursuit **SHALL** be considered terminated when the primary officer turns off the emergency equipment, resumes routine vehicle operation and informs dispatch, or when the suspect vehicle stops.

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- 3.3 Divided Highway: Any highway which has been separated into two or more roadways by 1) a physical barrier, or 2) a clearly indicated dividing section so constructed as to impede vehicular traffic.
- 3.4 Channeling: To direct vehicular traffic into a progressively narrowing passageway or lane location on the roadway.
- 3.5 Compelling Path: The use of channeling technique with a modified roadblock located at its narrowed end. The compelling path differs from a termination roadblock in that the driver or any vehicle traveling the path has an exit option at the narrowed end.

4.0 PURSUIT CONSIDERATIONS:

- 4.1 Pursuit is justified:
 - 4.1.1 When a vehicle operator fails to stop after being given a visual or audible signal to stop by a peace officer, and
 - 4.1.2 When there is reasonable expectation of a successful apprehension of the suspect.
- 4.2 Other factors to be considered:
 - 4.2.1 The initial decision to engage in a pursuit shall lie primarily with the officer who has initiated the vehicular stop, after considering the elements of this policy, Minnesota state statutes and public safety.
 - 4.2.2 These elements shall include, but are not limited to, the crime for which the suspect is wanted (the need to apprehend immediately) and the risk to the community created by the pursuit (traffic, area of pursuit, environmental factors, and weather conditions).
 - 4.2.3 The officer **SHALL** continually consider the risks created by the pursuit, as those risks may change during a pursuit.
 - 4.2.4 Terminating a pursuit **SHALL** be considered a decision made in the interest of public safety. Many times the termination of a pursuit is the safest and most appropriate action.

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4.2.5 The officer's decision to continue a pursuit may be overridden by the Chief of Police at any time.

4.3 Standards applied to the evaluation of a pursuit, as well as the decision to continue a pursuit, **SHALL** include the following:

4.3.1 Is the need to immediately apprehend the suspect more important than the risk created by the pursuit?

4.3.2 Do the dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape?

5.0 **PROCEDURES AND TACTICS FOR AN OFFICER ENGAGING IN PURSUIT:**

5.1 Emergency vehicles **SHALL** be driven in a safe manner and with due regard for public safety.

5.2 Emergency vehicles operating in emergency mode are permitted to violate certain traffic regulations when necessary, as long as the operator continues to exercise due care in vehicle operation.

5.3 The vehicles shall be known as the primary units, which will be the unit closest to the fleeing vehicle and the secondary unit, which shall remain at a safe distance behind the primary unit but close enough to provide support and communicate with dispatch. Backup units as needed **SHALL** operate at a safe distance to provide support.

6.0 **RESPONSIBILITIES OF THE PRIMARY UNIT:**

6.1 The driver of the primary unit **SHALL** notify dispatch of the pursuit and **SHALL** provide at least the following critical information to dispatch:

6.1.1 Unit identification.

6.1.2 Offense for which the suspect is being pursued.

6.1.3 Suspect vehicle description, including license number if reasonably possible.

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- 6.1.4 Location, direction, and speed of both vehicles.
- 6.1.5 Description of occupant(s) and if suspect is known to officer.
- 6.1.6 Any other important information about the suspect vehicle or environment that the pursuing officer determines is relevant based upon his best judgement. (for example: suspect is traveling without lights, officer loses sight of vehicle, etc.)
- 6.2 Based on the known information, the highest ranking officer **SHALL** make the decision to either take appropriate action or terminate the pursuit.
- 6.3 No officer will intentionally make vehicle-to-vehicle contact unless in conformance with Departmental Policy on Use of Force M101-16.
- 6.4 Roadblocks established **SHALL** conform to Department Policy M103-5.
- 6.5 Only police vehicles with emergency lights and siren will be used as pursuit vehicles.
- 7.0 **CHIEF OF POLICE'S RESPONSIBILITIES:**
 - 7.1 The Chief of Police **SHALL** have control over the activities of the pursuit.
 - 7.2 Once notified that a unit has become involved in a pursuit, the Chief of Police **SHALL** acknowledge his/her presence immediately, monitor the pursuit activities and provide the driver of the primary unit with appropriate direction.
 - 7.3 The Chief of Police **SHALL** request critical information necessary to evaluate the continuation of the pursuit.
 - 7.4 The Chief of Police has the authority to terminate any pursuit.
 - 7.5 Options for the Chief of Police to keep in mind include, but are not limited to the following:
 - 7.5.1 In cases involving wrong-way drivers, parallel pursuits may be used.

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7.5.2 Notification of the next jurisdiction is encouraged.

7.5.3 Channeling techniques may be used.

7.5.4 Creating a compelling path.

7.6 All pursuits **SHALL** be reported to the Police Chief as soon as possible following the pursuit if the officer was unable to make the notification during the pursuit.

8.0 DISPATCH RESPONSIBILITIES:

8.1 Lyon County Dispatch **SHALL** coordinate critical information, both as timely and accurately as possible.

8.2 Lyon County Dispatch is asked to notify the Chief of Police of the pursuit. If the Chief of Police is not on duty, he should be contacted and he/she will come in and take command.

9.0 FACTORS INFLUENCING THE TERMINATION OF A PURSUIT

9.1 Any officer involved in the pursuit to include the driver of the primary unit, backup / assisting units and the Chief of Police **SHALL** have the ability to terminate the pursuit and **SHALL** continually evaluate the risks and likelihood of a successful apprehension of the suspect.

9.2 The conditions of the pursuit become too risky for the safe continuation of the pursuit, i.e., it is futile to continue.

9.3 The Chief of Police orders it terminated.

9.4 If information is communicated that indicates the pursuit is out of compliance with policy.

9.5 When normal communication is broken.

9.6 When visual contact is lost for a reasonable period of time or the direction of travel cannot be determined.

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- 9.7 When the suspect is known and could be apprehended later, and to delay apprehension does not create a substantial known risk of injury or death to another.

10.0 INTERJURISDICTIONAL PURSUIT

- 10.1 The primary unit, before leaving its jurisdiction, **SHALL** update critical information to the dispatcher.
- 10.2 The primary police vehicle **SHALL** remain the primary vehicle in other jurisdictions unless the officer of the primary police vehicle determines that it would be safer to have a police vehicle from the jurisdiction in which the pursuit is in to take over or if the emergency units in that jurisdiction want to take over the pursuit.
- 10.3 Upon receiving notification that the pursuit is entering another agency's jurisdiction, the dispatcher **SHALL** forward all critical information possessed by the dispatcher to that agency.
- 10.4 When a pursuit enters this department's jurisdiction:
- 10.4.1 The dispatcher **SHALL** update the critical information to the Chief of Police.
- 10.4.2 The Chief of Police **SHALL** determine if the pursuit is in conformance with policy.
- 10.4.3 The Chief of Police **SHALL** provide the appropriate direction to units.

- 11.0 AIR SUPPORT (IF AVAILABLE): Once contact is made with air support and air support has suspect vehicle in sight, the primary pursuit unit **SHALL** reduce the level of pursuit to that of support or other backup unit.

12.0 CARE AND CONSIDERATION OF VICTIMS

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- 12.1 If during a pursuit an officer observes or is made aware of an injury to an individual, the officer **SHALL** immediately notify the peace officer's dispatcher to have the appropriate emergency units respond.
- 12.2 The officer making the notification of injury **SHALL** be responsible for ensuring that assistance is provided to people who may have been injured during the course of a pursuit. The officer making the notification of injury may delegate the responsibility to render the assistance to a specific support or backup unit when they are immediately available to render assistance.

13.0 PURSUIT SUMMARY REPORT

- 13.1 The primary officer and the Chief of Police **SHALL** file a supplementary report.
- 13.2 To ensure compliance with Minnesota Statute 626.5532, the chief law enforcement officer **SHALL** ensure the completion of the state pursuit report form and forward it to the BCA/CJIS within 30 days following the incident.
- 13.3 The report **SHALL** contain the following elements:
 - 13.3.1 The reason(s) for, and the circumstances surrounding the incident
 - 13.3.2 The initial reason for pursuit
 - 13.3.3 The length of the pursuit: including time started, time ended, and distance
 - 13.3.4 The outcome of the pursuit
 - 13.3.5 Any injuries or property damage resulting from the incident
 - 13.3.6 Any pending criminal charges against the driver; and
 - 13.3.7 Assisting agencies.

14.0 EVALUATION AND CRITIQUE:

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- 14.1** After each pursuit, the Chief of Police and department units involved with the pursuit will evaluate the pursuit and make recommendations on ways to improve the department's pursuit policy and tactics.