

Medina Police Department

Subject: Vehicle Pursuits		Policy Number: 2380	Vehicle Pursuits 2380
Reference: POST Model Policy, MN Rules 6700.2701		Pages: 8	
Personnel: Sworn Personnel			
Issue Date: 05-30-2000	Revised Date: 12-09-2020	Review Date: As Needed	

2380.1 – INTRODUCTION

Vehicle pursuits are necessary to apprehend actual or suspected law violators who refuse to voluntarily comply with a request to stop. In addition, they are necessary to deter others from violation the law. Because vehicle pursuits may be dangerous, restrictions must be placed on their use. Officers must carefully exercise their discretion to initiate, conduct, and continue a pursuit. This discretion necessarily involves the consideration of complex and unpredictable factors. The following policy provides restriction on the use of vehicle pursuits and guidelines for officers in the exercise of their permitted discretion.

2380.2 – PURPOSE

It is the primary mission of the Medina Police Department to protect lives while enforcing the law. In addition, it is the responsibility of the Medina Police Department to guide its officers in the safe and reasonable performance of their duties. To accomplish these goals, the following policy is provided to control and regulate the manner in which emergency vehicle operations are undertaken and performed. 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.

There are situations where the risk of personal injury or death associated with a motor vehicle pursuit is too high to justify anything other than discontinuing the pursuit. No member will be disciplined for making a decision to discontinue a pursuit.

While Minnesota law permits emergency vehicles to disregard traffic signs or signals when in pursuit of an actual or suspected violator of the law (Minn. Stat. sec. 169.03), nothing relieves the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the street, nor does it protect the driver of an authorized emergency vehicle from the consequences of reckless disregard for the safety of others (Minn. Stat. sec. 169.17).

2380.3 – DEFINITIONS

A. Motor Vehicle Pursuit

1. An active attempt by a sworn member operating a patrol unit to apprehend a driver of a motor vehicle who, having been given a visual and audible signal by a peace officer directing said driver to bring their vehicle to a stop, increases speed, extinguishes motor vehicle headlights or taillights, refuses to stop the vehicle, or

uses other means with intent to attempt to elude a peace officer. (Minn. Stat. sec. 609.487)

2. Other instances in which a sworn member activates emergency lights and siren or otherwise clearly gives a signal to stop and the driver complies by coming to a stop in a reasonably short distance are not considered motor vehicle pursuits.

B. Discontinue a Pursuit

A member is deemed to have discontinued a pursuit when he/she turns off emergency lights and siren, returns to nonemergency operation, and informs Dispatch.

C. Intentional Contact

Controlled contact between the patrol unit and the pursued vehicle at low speeds intended to safely end the pursuit.

D. Pursuit Intervention Technique (PIT)

PIT is a specific type of intentional contact. It is a controlled contact between the patrol unit and the pursued vehicle at speeds prescribed below, which is intended to force the rotation of the pursued vehicle, causing the vehicle to become disabled and safely end the pursuit.

E. Required Initial Information (TRIPS)

The minimum amount of information that must be communicated to dispatch as soon as possible upon initiation of a pursuit:

1. Travel direction/location
2. Reason for initial contact (specific violations)
3. Identity of fleeing driver, if known
4. Plate number if available, and/or vehicle description
5. Speed of the fleeing vehicle

F. Evolving Information

Additional information to be conveyed as soon as possible and continuously updated throughout the pursuit:

1. Traffic conditions including cross traffic, controlled intersection violations, and presence of pedestrians
2. Speed and location of fleeing vehicle, including wrong way travel and maneuvers placing anyone at risk
3. Number of occupants, description of occupants.

G. Primary Pursuit Unit

The first patrol unit immediately behind the fleeing driver.

H. Support Units

Any patrol units actively involved in the pursuit other than the primary unit.

I. Other Assisting Units

Units not actively involved in the pursuit itself but assisting by deploying stop sticks, blocking intersections, compelling paths, or otherwise working to minimize risk.

- J. Severe and Imminent Threat
The fleeing driver or other person in the fleeing vehicle is believed to have recently caused great bodily harm (as defined in Minn. Stat. sec. 609.02, subd. 8) or death to another person, or it is reasonably likely to occur if immediate action is not taken to apprehend him/her. The pursuit itself does not constitute a severe and imminent threat.
- K. Channeling
To direct vehicular traffic into a progressively narrowing passageway or lane location on the roadway.
- L. 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.

2380.4 - PURSUIT CONSIDERATIONS

Pursuit is justified:

1. When a vehicle operator fails to stop after being given a visual or audible signal to stop by a peace officer; and
 2. When there is reasonable expectation of a successful apprehension of the suspect.
- A. In the decision to engage in a pursuit, members must weigh the risks associated with the pursuit against any need for immediate apprehension of the fleeing driver and/or other occupants and continuously evaluate the decision to continue the pursuit as risk factors may change.
 - B. When the risk factors present outweigh any need for immediate apprehension of the fleeing driver and/or other occupants, the pursuit shall be discontinued. Risk factors to be continuously evaluated include, but are not limited to, the following: intersections, speed, duration, likelihood of pedestrians, sight lines, traffic conditions, and weather.
 1. In cases with a nonviolent offense (e.g., traffic violations, stolen vehicle or other property crime, drugs, or unknown offense), members shall give strong consideration to quickly discontinuing the pursuit.
 2. In the case of a suspected impaired driver, members shall consider whether or not the pursuit is making an already dangerous situation even more dangerous. In cases where the known impaired fleeing driver is creating an obvious threat to public safety, members should consider the use of any available and reasonable pursuit intervention strategies to end the pursuit with safety in mind.
 3. In pursuits involving a severe and imminent threat, accepting additional risk may be reasonable given the severity of the crime(s) involved and the danger to public safety should the offender not be apprehended.

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

1. Is the need to immediately apprehend the suspect more important than the risk created by the pursuit?
2. Do the dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape?

2380.5 - PROCEDURES AND TACTICS FOR ENGAGING IN A PURSUIT

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

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.

The vehicles shall be known as the primary unit, 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.

2380.6 - PURSUIT INTERVENTION TECHNIQUE (P.I.T.)

CAUTION: Only officers who are department-trained in the Pursuit Intervention Technique (P.I.T.) may use it.

Because our primary concern in all pursuits is the safety of the public, it is essential that all pursuits be terminated quickly. Once an officer is certain that a subject is starting to flee, the officer should immediately seek and use opportunities to end the pursuit with a P.I.T. technique. Early proper use of this technique will accomplish the twin goals of safety to the public and arrest of the subject. It is appropriate to use a P.I.T. technique at any time in a pursuit when it can successfully shorten the pursuit and reduce risk to the public.

In the event that a pursuit is initiated by another law enforcement agency and an officer from Medina becomes involved in the pursuit, the use of P.I.T. can be used if requested.

Before employing a pursuit intervention strategy to safely end a pursuit, members shall consider:

1. the necessity to continue the pursuit and if so;
 2. whether the strategy is practicable given the situation; and
 3. whether the strategy is reasonable when considering the risk of injury to all involved. The type of strategy utilized will depend on the circumstances of each pursuit. Members shall employ any strategy consistent with their training.
- A. Stop Sticks
Members shall always consider personal safety during deployment. The use of Stop Sticks on a vehicle with fewer than four wheels shall be considered the use of deadly force (2390-Use of Force)

- B. Pursuit Intervention Technique (PIT)
1. Members shall consider using the PIT maneuver at the earliest opportunity in a pursuit, knowing the opportunity might be short-lived.
 2. The PIT maneuver may be executed at speeds of 40 mph or less on straight roadways or 25 mph or less in cornering situations. Speeds greater than this may be considered deadly force.
 3. The PIT maneuver is not allowed in the following circumstances unless deadly force is authorized:
 - a. On vehicles with fewer than four wheels;
 - b. On a vehicle pulling a trailer;
 - c. On unconventional vehicle types to include, but not limited to, straight trucks, recreational vehicles, off highway vehicles, ATVs, etc.;
- C. Intentional Contact
1. Intentional contact shall only be used when other intervention strategies have been considered and determined not practicable.
 2. Intentional contact shall be considered a use of force (reported as a pursuit), up to and including deadly force, and must be reasonably applied based on the totality of circumstances presented.
 3. Unless deadly force is authorized, intentional contact shall only occur:
 - a. at low speeds; and
 - b. when there is a reasonable belief that no one will be injured as a result.
 4. Intentional contact with any vehicle having fewer than four wheels shall only occur if deadly force is authorized.
- D. Channeling/Compelling Path/Boxing In
- The use of the patrol vehicle or other devices is allowed as a means to direct a fleeing driver in order to safely end a pursuit.
- E. Roadblock
- The use of a roadblock is allowed, but only when the maneuver can be executed with reasonable safety for all involved, including the member, motoring public, and fleeing driver. In any roadblock, the location and deployment method shall allow the fleeing driver ample opportunity to voluntarily stop.

2380.7 - RESPONSIBILITIES OF THE PRIMARY UNIT

- A. General
1. In order to be engaged in a pursuit, members shall be in a pursuit-rated vehicle and shall use flashing emergency lights and siren.
 2. In order to diminish the likelihood of a pursuit developing, members intending to stop a vehicle shall be within close proximity to the subject vehicle prior to activating the emergency signal devices.
 3. When there is an equipment failure involving emergency lights, siren, radio, brakes, steering, or other essential mechanical equipment, members shall discontinue their involvement in the pursuit unless otherwise directed by a supervisor.
 4. Members are responsible for providing assistance to anyone potentially injured during the course of the pursuit.

- B. Primary Pursuit Unit
Upon becoming involved in a pursuit situation, the primary pursuit vehicle shall immediately comply with the following:
1. Immediately notify Hennepin County Dispatch that a pursuit is underway and provide Required Initial Information (TRIPS).
 2. Provide Evolving Information unless a support unit assumes that responsibility.
- C. Support Unit
1. Support units shall announce their involvement when joining the pursuit. The support unit immediately behind the primary unit should assume responsibility for providing Evolving Information.
 2. The number of support units involved in the pursuit should be only those that are reasonably needed for the situation.
- D. Other Assisting Units
Other assisting units shall announce their intentions and communicate with primary and support units.
- E. Pilot/ Air Unit
When a fleeing vehicle comes under the surveillance of a State Patrol air unit, the pilot or other air crew member shall affirmatively communicate to all ground units that flight is overhead so that Medina Police units know to discontinue.
- F. Supervisory Responsibility
Upon being notified of the pursuit, the supervisor shall:
1. Verbally acknowledge on the radio (or if monitoring by phone, have dispatch acknowledge) that they are monitoring the pursuit.
 2. Ensure that involved member responsibilities are being followed.
 3. Obtain the Required Initial and Evolving Information to continuously evaluate the pursuit for compliance with this policy.
 4. Direct that the pursuit be discontinued if, in his/her judgment, it is not justified to continue under the guidelines of this policy or for any other reason.

2380.8 – SHOOTING FROM OR AT A MOVING VEHICLE

- A. Members shall not shoot from or at a moving vehicle, except when deadly force is authorized.
- B. Members should make every effort not to place themselves in a position that would increase the possibility that the vehicle they are approaching can be used as a deadly weapon against members or other users of the road.
- C. Firearms shall not be utilized when the circumstances do not provide a high probability of striking the intended target or when there is substantial risk to the safety of other persons, including risks associated with vehicle crashes.

2380.9 - SUPERVISION OF PURSUIT ACTIVITIES

Each department shall outline their procedures regarding who has control over pursuit activities.

Procedures regarding control over pursuit activities should:

1. Reference who should be notified that a unit has become involved in a pursuit.
2. Reference who critical information necessary to evaluate the continuation of the pursuit should be directed to.
3. Indicate who has the authority to terminate any pursuit.

2380.10 - DISPATCH RESPONSIBILITIES

Dispatch shall coordinate critical information, both as timely and accurately as possible.

2380.11 - FACTORS INFLUENCING THE TERMINATION OF A PURSUIT

- A. Unless a pursuit is based upon a severe and imminent threat, it shall be discontinued when:
 1. The fleeing vehicle comes under the surveillance of an air unit;
 2. The fleeing vehicle is being monitored by a tracking service using GPS;
 3. There is a non-sworn passenger present in the patrol unit;
 4. The identity of the fleeing driver is established to the point where later apprehension may be accomplished;
 5. The fleeing driver proceeds the wrong way on any limited access or interstate highway, divided highway or one-way street;
 6. It is known or there is reason to know that the fleeing driver is a juvenile;
 7. The distance between the pursuing member and fleeing driver is so great that continued pursuit is useless, or when visual contact with the fleeing vehicle is lost for an extended period of time.
- B. Members shall consider the purpose, intent and likelihood of a traffic safety benefit from their individual involvement before joining an allied agency's pursuit.
- C. Members shall only become involved, and remain in, an allied agency's pursuit as a primary or support unit if:
 1. The pursuing agency requests it, unless it is clear that an emergency exists which dictates immediate intervention and assistance; and
 2. The pursuit meets the Medina Police Department's policy; and
 3. Required initial information (TRIPS) is communicated to the member and dispatch; evolving information is continuously communicated; and
 4. The originating agency remains in the pursuit, unless extenuating circumstances prohibit it. The originating agency's internal policy or their supervisory decisions are not extenuating circumstances.

2380.12 - CARE AND CONSIDERATION OF VICTIMS

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.

The primary pursuit unit will be responsible for ensuring that assistance is provided to people who may have been injured during the course of a pursuit. The primary pursuit unit may delegate the responsibility to render the assistance to a specific support or backup unit when they are immediately available to render assistance.

2380.13 – PURSUIT TERMINATION NOTIFICATION

The Sergeant or Chief of Police will be notified as soon as possible after the pursuit is terminated or concluded.

2380.14 - PURSUIT SUMMARY REPORT

The primary officer and the supervisor shall file a pursuit summary report.

To ensure compliance with MN Statute 626.5532, the chief law enforcement officer shall ensure the completion of the state pursuit report form and forward it to the Commissioner of Public Safety within 30 days following the incident.

The report must contain the following elements:

1. The reason(s) for, and the circumstances surrounding the incident;
2. The alleged offense;
3. The length of the pursuit including time and distance;
4. The outcome of the pursuit;
5. Any injuries or property damage resulting from the incident; and
6. Any pending criminal charges against the driver.

2380.15 - EVALUATION AND CRITIQUE

After each pursuit, the supervisor and department units involved with the pursuit will evaluate the pursuit and make recommendations to the chief law enforcement officer on ways to improve the department's pursuit policy and tactics.

2380.16 – TRAINING

In accordance with POST requirements, all sworn members shall be given initial and periodic updated training in the department's pursuit policy and safe emergency vehicle driving tactics, including pursuit intervention strategies and decision-making.