Medina Police Department

Policy Manual

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to minimize the potential for pursuit-related collisions. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers (Minn. Stat. § 626.8458 Subd. 1).

307.1.1 PHILOSOPHY

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the risk to public safety created by vehicle pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit due to the risk involved. This includes circumstances where Department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicle pursuits are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit (Minn. Stat. § 626.8458 Subd. 1).

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officers conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. An individual's unreasonable desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement pursuit (Minn. Stat. § 626.8458 Subd. 2 (2)).

307.2 DEFINITIONS

Definitions related to this policy include:

Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more law enforcement vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary road block.

Boxing-in - A tactic designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Channeling - To direct vehicular traffic into a progressively narrowing passageway or lane location on the roadway.

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.

Discontinue a Pursuit - A peace officer is deemed to have discontinued a pursuit when he/she turns off emergency lights and siren, returns to nonemergency operation, and informs dispatch.

Evolving Information - Additional information to be conveyed as soon as possible and continuously updated throughout the pursuit including:

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

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

Pursuit Intervention Technique (PIT) - A low-speed maneuver intended to terminate the pursuit by causing the violator's vehicle to spin out and come to a stop.

Required Information (TRIPS) - The minimum amount of information that must be communicated to dispatch as soon as possible upon initiation of a pursuit.

- 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 fleeing vehicle

Roadblocks - A tactic designed to stop a violator's vehicle by intentionally placing a vehicle or other immovable object in the path of the violator's vehicle.

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 by Minn. Stat. § 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.

Stop Sticks or Spikestrips - A device that extends across the roadway and is designed to puncture the tires of the pursued vehicle.

Vehicle pursuit - An event in which a peace officer initiates a vehicular stop and a driver resists the signal or order to stop by increasing speed, taking evasive action or otherwise refusing to stop the vehicle.

307.3 PEACE OFFICER RESPONSIBILITIES

It is the policy of this department that a vehicle pursuit shall be conducted with at least one flashing red warning lamp visible from the front and a siren that is sounded when necessary to warn pedestrians or other drivers (Minn. Stat. § 169.17 and Minn. Stat. § 169.68).

Operating an emergency vehicle in a pursuit with emergency lights and siren does not relieve the operator of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons, and does not protect the driver from the consequences of a reckless disregard for the safety of others.

307.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle that has been given a visual or audible signal to stop by a peace officer, and there is a reasonable expectation of a successful apprehension of the suspect.

The following factors individually and collectively shall be considered in deciding whether to initiate or continue a pursuit (Minn. Stat. § 626.8458 Subd. 2(2); Minn. R. § 6700.2701):

- (a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.
 - 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 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.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) Apparent nature of the fleeing suspect (e.g., whether the suspect represents a serious threat to public safety).
- (d) The identity of the suspect has been verified and there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (f) Pursuing officer's familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (g) Weather, traffic and road conditions that unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).

- (k) Age of the suspect and occupants.
- (I) Availability of other resources, such as aircraft assistance.
- (m) The police unit is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with a prisoner in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the prisoner in transport. A unit containing more than a single prisoner should not participate in a pursuit.
- (n) In the case of a suspected impaired driver, peace officers 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.

Upon becoming involved in a pursuit situation, the primary pursuit vehicle shall immediately comply with the following:

- (a) Immediately notify Hennepin County Dispatch that a pursuit is underway and provide required initial information (TRIPS).
- (b) Provide evolving information unless a support unit assumes that responsibility.

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. The number of support units should be only those that are reasonably needed for the situation.

307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape. 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.

The above factors on when to initiate a pursuit are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit. In the context of this policy, the term "terminate" shall be construed to mean discontinue or to stop chasing the fleeing vehicle.

In addition to the factors listed above, the following factors should be considered when deciding whether to terminate a pursuit (Minn. Stat. § 626.8458 Subd. 2 (2); Minn. R. § 6700.2701):

(a) Distance between the pursuing officers and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.

- (b) Pursued vehicle's location is no longer definitely known.
- (c) Pursuit vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) Pursuit vehicle suffers an emergency equipment failure that causes the vehicle to no longer qualify for emergency operation use.
- (e) Extended pursuits of violators for misdemeanors not involving abuse or risk of serious harm (independent of the pursuit) are discouraged.
- (f) Hazards to uninvolved bystanders or motorists.
- (g) If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.
- (h) When directed to terminate the pursuit by a supervisor.
- (i) When radio communications are broken or inadequate.
- (j) When the danger that the continued pursuit poses to the public, the officers or the suspect is too great, balanced against the risk of allowing the suspect to remain at large.

Unless a pursuit is based upon a severe and imminent threat, it shall be discontinued when:

- (a) The fleeing vehicle comes under the surveillance of an air unit;
- (b) The fleeing vehicle is being monitored by a tracking service using GPS;
- (c) There is a non-sworn passenger present in the patrol unit;
- (d) The identity of the fleeing driver is established to the point where later apprehension may be accomplished;
- (e) The fleeing driver proceeds the wrong way on any limited access or interstate highway, divided highway or one-way street;
- (f) It is known or there is reason to know that the fleeing driver is a juvenile;
- (g) The distance between the pursuing member and the fleeing driver is so great that continued pursuit is useless, or when visual contact is lost.

307.3.3 SPEED LIMITS

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, officers and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:

- (a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.
- (b) Pursuit speeds have exceeded the driving ability of the officer.

(c) Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.

307.4 INTER-JURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to the dispatcher and to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist (Minn. Stat. § 626.8458 Subd. 2 (5); Minn. R. § 6700.2701).

If a pursuit from another agency enters the Department's jurisdiction, Dispatch should update the on-duty supervisor.

307.4.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Medina Police Department officers will discontinue the pursuit when another agency has assumed the pursuit unless continued assistance of the Medina Police Department is requested by the agency assuming the pursuit. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

The role and responsibilities of officers at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies, a request for another agency's assistance will mean that its personnel will assume responsibilities for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

307.4.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose peace officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the officer and/or supervisor should consider these additional following factors:

- (a) Ability to maintain the pursuit.
- (b) Circumstances serious enough to continue the pursuit.

- (c) Adequate staffing to continue the pursuit.
- (d) The public's safety within this jurisdiction.
- (e) Safety of the pursuing officers.
- (f) The pursuit meets the Medina Police Department's policy.
- (g) Required initial information (TRIPS) is communicated to the member and dispatch; evolving information is continuously communicated; and
- (h) 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.

As soon as practicable, a supervisor or the Sergeant should review a request for assistance from another agency. The Sergeant or supervisor, after consideration of the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing outside agency by officers of this department will terminate at the City limits provided that the pursuing peace officers have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to peace officers from the outside agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

307.5 PURSUIT INTERVENTION

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT (Pursuit Intervention Technique), ramming or roadblock procedures.

307.5.1 WHEN USE AUTHORIZED

In deciding whether to use intervention tactics, officers and/or supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With these risks in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision (Minn. Stat. § 626.8458 Subd. 2; Minn. R. § 6700.2701).

It is imperative that officers act within legal bounds using good judgment and accepted practices.

307.5.2 USE OF FIREARMS

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

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.

Firearms shall not be utilized when the circumstances do not provide a high probability of striking the intended target or when there is a substantial risk to the safety of other persons, including risks associated with vehicle crashes.

307.5.3 INTERVENTION STANDARDS

Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to Department policies guiding such use. Officers who have not received Department-approved training in the application and use of any intervention tactic or equipment shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

- (a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this technique should only be employed by officers who have received training in such tactics and after giving consideration to the following:
 - 1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, officers or other members of the public.
 - 2. All other reasonable intervention techniques have failed or reasonably appear ineffective.
 - Employing the blocking maneuver does not unreasonably increase the risk to officer safety.
 - 4. The target vehicle is stopped or traveling at a low speed.
 - 5. At no time should civilian vehicles be used to deploy this technique.
- (b) Only those officers trained in the use of the PIT will be authorized to use this procedure and only upon consideration of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.
 - 1. Members shall consider using the PIT maneuver at the earliest opportunity in a pursuit, knowing the opportunity might be short-lived.
 - 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 to a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. This policy is an administrative guide to direct officers in their decision-making process before making intentional contact with another vehicle. When intentional contact is used as a means to stop a fleeing vehicle, the following factors should be present:
 - 1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
 - 2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner.
 - 3. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of intentional contact is not authorized.
- (d) ChaNnelling, compelling path, and boxing in are techniques allowed as a means to direct a fleeing driver in order to safely end a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.
- (e) Stop Sticks or Spike strips should be deployed only when it is reasonably apparent that only the pursued vehicle will be affected by their use. Prior to the deployment of spike strips, the officer shall notify pursuing units and the supervisor of the intent and location. Officers should carefully consider the limitations of such devices as well as the potential risks to officers, the public and occupants of the pursued vehicle. If the pursued vehicle is a vehicle transporting hazardous materials or a school bus transporting children officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle. The use of Stop Sticks or spike strips on a vehicle with fewer than four wheels shall be considered deadly force.
- (f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor, and only then under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or other members of the public. In any roadblock, the location and deployment method shall allow the fleeing driver ample opportunity to voluntarily stop.

307.5.4 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 the 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. (See attachment: Pursuit Continuum.PDF)

307.5.5 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary under the circumstances to properly perform their lawful duties.

Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspect(s) following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans to contain and capture the suspect.

307.6 REPORTING AND REVIEW REQUIREMENTS

All appropriate reports shall be completed to comply with appropriate local and state regulations. The Administrative Assistant shall ensure the appropriate forms are filed with the Department of Public Safety within 30 days (Minn. Stat. § 626.5532):

- (a) The primary officer shall complete appropriate crime/arrest reports.
- (b) The primary officer or supervisor shall complete the appropriate pursuit report.
- (c) After first obtaining available information, the on-duty field supervisor shall promptly complete a Supervisor's Log or interoffice memorandum, briefly summarizing the pursuit to the Chief of Police or designee. This memo should minimally contain the following information (Minn. Stat. § 626.5532):
 - 1. Date and time of pursuit.
 - 2. Length of pursuit in distance and time.
 - Involved units and officers.
 - 4. Initial reason and circumstances surrounding the pursuit.
 - 5. Starting and termination points.
 - 6. Alleged offense, charges filed or disposition: arrest, citation or other release.
 - 7. Arrestee information should be provided if applicable.
 - 8. Injuries and/or property damage.
 - Medical treatment.

- 10. The outcome of the pursuit.
- 11. Name of supervisor handling or at the scene.
- 12. A preliminary determination that the pursuit appears to be in compliance with this policy or additional review and/or follow-up is warranted.
- (d) After receiving copies of reports, logs and other pertinent information, the Chief of Police or designee shall conduct or assign the completion of a post-pursuit review as appropriate to the circumstances.
- (e) Annually, the Chief of Police should direct a documented review and analysis of Department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

307.6.1 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary training on pursuits, all licensed non-exempt employees will participate, no less than annually, in regular and periodic training on this policy and the importance of vehicle safety and protecting the public at all times. Training will include a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

The Sergeant shall ensure the frequency and content of emergency vehicle operations and vehicle pursuit training meets or exceeds that required by law (Minn. Stat. § 626.8458 Subd. 5; Minn. R. § 6700.2702).

307.6.2 POLICY REVIEW

Each licensed member of this department shall certify in writing that they have received, read and understand this policy initially and upon any amendments.

307.6.3 YEARLY CERTIFICATION

This policy shall be reviewed and certified to the state annually that it complies with requirements of any new or revised model policy adopted by the state (Minn. Stat. § 626.8458 Subd. 3).

307.6.4 PUBLIC DISCLOSURE

Copies of the current pursuit policy shall be made available to the public on request.

Policy Manual

Attachments

2380-1 Pursuit Continuum.PDF

NO PURSUIT*

Aviation Overhead
GPS Tracking
Ride Along (non-sworn)
Identity Known
Wrong Way
Juvenile Offender
Lost Sight



DECISION TO PURSUE

Strong consideration to quickly discontinue pursuit

Traffic/License Violations
Property Crimes
Stolen Vehicles
Unknown Offenses
Drug Crimes

Known Impaired Driver with Inherent Danger to Public Safety

Severe and Imminent Threat (as defined by policy)

FACTORS TO BE CONTINUOUSLY CONSIDERED

Local StreetsControlled Access
High Speed (Relative to Limit) Low Speed
Heavy Traffic Light Traffic
Pedestrians LikelyPedestrians Unlikely
Obstructed views
High Density Intersections Rural Sight Lines
Long Duration
Weather ConcernsGood Weather
Intervention Strategies Unviable Intervention Strategies Viable

^{*}Exception available when pursuit is based on severe and imminent threat as defined by policy.