

**OFFICERSHERMANTOWN POLICE DEPARTMENT  
GENERAL ORDER**

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| <b>SUBJECT:</b><br><br><b>Vehicle Pursuit and Emergency Vehicle Operations</b> | <b>NUMBER: 221.00</b>   |
|  | <b>EFFECTIVE DATE: 09/18/89</b>   |
|  | <b>AMENDED DATE: 05/18/93</b><br><b>05/24/93</b><br><b>10/28/99</b><br><b>11/09/00</b><br><b>08/09/05 XII, B</b><br><b>07/20/12 XI</b><br><b>09/20/19</b> |
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**I. POLICY STATEMENT**

The purpose of this General Order is to provide guidance on motor vehicle pursuits.

**II. GUIDING PRINCIPLES**

- A. Officers shall keep in mind, and base their decisions on, the departments' mission of traffic safety that aims to protect all those who use our roads from injury or death.
- B. The decision to pursue or not pursue is critical and must be made quickly, under unpredictable circumstances.
- C. The decision to start or engage in a pursuit must be made by weighing the risk to the public, officers, and the fleeing driver against any need for immediate apprehension of the fleeing driver and/or other occupants.
- D. The decision-making process must be continuously evaluated during the entire duration of the pursuit.
- E. 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 officer will be disciplined for making a decision to discontinue a pursuit.

- F. Officers may only make their decisions on pursuits based upon the information reasonably known at the time. Fleeing for an unknown reason does not provide any additional need/importance for the pursuit to continue.
- G. 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](#)).
- H. Supervisor directives shall be immediately obeyed.

### III. DEFINITIONS

#### A. Motor Vehicle Pursuit

1. An active attempt by an officer 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 an officer 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 is not considered a motor vehicle pursuit.

#### B. Discontinue a Pursuit

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

#### 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

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

- Travel direction/location
- Reason for initial contact (specific violations)
- Identity of fleeing driver, if known
- Plate number if available, and/or vehicle description
- 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.

IV. DISCONTINUATION OF 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 a law enforcement 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. For pursuits crossing state lines, a felony offense *in addition* to the fleeing offense is required to pursue into Wisconsin. Officers have no jurisdiction pursuing into Canada and little or no jurisdiction to pursue into Red Lake or Bois Forte Reservations and shall discontinue at those borders.

## V. PURSUIT DECISION MAKING

- A. In the decision to engage in a pursuit, Officers 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), Officers shall give strong consideration to quickly discontinuing the pursuit.
  2. In the case of a suspected impaired driver, 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, Officers 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.

## VI. PURSUIT INTERVENTIONS STRATEGIES

Before employing a pursuit intervention strategy to safely end a pursuit, officers 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. Officers shall employ any strategy consistent with their training.

### A. Stop-Sticks

Officers 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.

### B. Pursuit Intervention Technique (PIT)

1. Officers 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/or 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 unit 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 officer, motoring public, and fleeing driver. In any roadblock, the location and deployment method shall allow the fleeing driver ample opportunity to voluntarily stop.

VII. ASSISTING OTHER AGENCIES

- A. Officers shall consider the purpose, intent and likelihood of a traffic safety benefit from their individual involvement before joining an allied agency's pursuit.
- B. Officers shall not become involved in another agency's pursuit as a primary or support unit unless a common radio communication talkgroup is utilized.
- C. Officers shall only become involved, and remain in, another 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 Hermantown 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 (e.g. pursuits entering Minnesota, originating agency's vehicle becomes disabled, etc.). The originating agency's internal policy or their supervisory decisions are not extenuating circumstances.

## VIII. SHOOTING FROM OR AT A MOVING VEHICLE

- A. Officers shall not shoot from or at a moving vehicle, except when deadly force is authorized pursuant to General Order 219 (Use of Force).
- B. Officers 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 Officers 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.

## IX. PURSUIT RESPONSIBILITIES

### A. General

- 1. In order to be engaged in a pursuit, Officers 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, officers 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, officers shall discontinue their involvement in the pursuit unless otherwise directed by a supervisor.
- 4. Officers 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 St. Louis 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. 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.

X. PURSUIT FOLLOWUP AND REPORTING RESPONSIBILITIES

A. Officers(s)

1. Primary and support units involved in a pursuit, or officers having used an intervention strategy (even if the pursuit was discontinued), shall complete the Pursuit Report and Incident report. The reports shall be submitted prior to the conclusion of the work shift unless otherwise directed by a supervisor. The reports must include all pertinent and detailed information indicating the member's involvement, including all Required Initial and Evolving Information known to the member. Such information should demonstrate that the officer continuously evaluated the need to apprehend the driver or occupants given any specific risk factors present during the pursuit.
2. If the fleeing driver and/or other occupants are not apprehended, officers shall conduct further investigation with the intent to identify and charge any suspects (i.e., requesting a KOPS alert on the vehicle, contacting the registered owner, etc.). Officers should request assistance from the Detective Bureau when needed.
3. Examine Stop-Sticks after use for damage and report to the Patrol Commander if repair is necessary.

B. Patrol Commander

1. Review the pursuit for compliance with HPD policy by a thorough review of all incident report(s), pursuit report(s), and in-squad video(s).
2. Ensure that reports substantiate the elements of any crimes charged and that all pertinent information (including Required Initial Information (TRIPS) and Evolving Information) is included in the reports. Ensure a follow-up investigation occurred for any fleeing driver and/or other occupants who were not apprehended.
3. Ensure that a post-pursuit review is completed by a supervisor with the involved Officers as soon as practicable after the incident.
4. Immediately notify the Chief of Police of any pursuit which has the likelihood of resulting in a tort claim.
5. Ensure that any unintended tire damage to other vehicles due to Stop-Sticks is addressed as soon as possible using district/section purchasing procedures. Further, when sticks have been damaged due to use, ensure that a deployment report is completed at <https://www.stopstick.com/>.

D. Chief of Police

1. Review and evaluate HPD pursuit involvement for compliance with policies and that the reports include all pertinent information relevant to the incident.
2. Ensure that HPD pursuit involvement is reported to the Bureau of Criminal Apprehension within 30 days.

XI. TRAINING

- A. Training for sworn officers may only be provided by those officers authorized by the Administrative Commander to conduct such training.
- B. In accordance with POST requirements, all sworn officers 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.

XII. COMMENTS

|                              |             |
|------------------------------|-------------|
| Rescinds:                    | N/A         |
| Standards Reference:         | G.O. 122.00 |
| Statute/Ordinance Reference: | N/A         |
| General Order Reference:     | N/A         |

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BY AUTHORITY OF:

JAMES M. CRACE  
Chief of Police

# Decision to Pursue

Strong consideration to quickly discontinue pursuit

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

Known Impaired  
 Driver with  
 Obvious Threat to  
 Public Safety

Severe and  
 Imminent Threat

Factors to be continuously considered

## NO PURSUIT\*

Aviation Overhead      GPS Tracking  
 Non-Sworn Passengers      Identity Known  
 Wrong Way      Juvenile Offender      Lost Sight

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

|                                  |                                |
|----------------------------------|--------------------------------|
| Local Streets                    | Controlled Access              |
| High Speed Relative to Limit     | Low Speed                      |
| Heavy Traffic                    | Light Traffic                  |
| Pedestrians Likely               | Pedestrians Unlikely           |
| Obstructed Views                 | Unobstructed Views             |
| High Density Intersections       | Rural Sight Lines              |
| Long Duration                    | Short Duration                 |
| Weather Concerns                 | Good Weather                   |
| Intervention Strategies Unviable | Intervention Strategies Viable |



**TRIPS** - **T**<sub>RAVEL</sub> **R**<sub>EASON</sub> **I**<sub>DENTITY</sub> **P**<sub>LATE</sub> **S**<sub>PPEED</sub>

