

Vehicle Pursuits

306.1 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 respect the sanctity of life when making decisions regarding vehicle pursuits and 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).

306.1.1 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 that 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. 2 (a)(1)).

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officer conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. The safety of all persons involved in or by a police pursuit is of primary importance. It also must balance the risks of the pursuit to the public and peace officers with the consequences of failing to pursue (Minn. Stat. § 626.8458 Sub. 2 (1)). 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)).

306.1.2 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 low-speed tactic designed to stop a fleeing vehicle by surrounding it with emergency 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.

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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.

Divided Highway: Any highway that is separated into two or more roadways by:

1. A physical barrier, or
2. A clearly indicated dividing section constructed so as to impede vehicular traffic.

Flee: The term "flee" means to increase speed, extinguish motor vehicle headlights or taillights, refuse to stop the vehicle, or use other means with intent to attempt to elude a peace officer following a signal given by any peace officer to the driver of a motor vehicle (Minn. Stat. § 609.487 Subd. 1).

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

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.

Paralleling: The practice of non-pursuing squad vehicles driving on streets nearby to the active pursuit, in a manner parallel to the pursuit route. Parallel driving does not exempt officers from obeying traffic laws. Minn. Stat. § 169.14, subd. 1.

Portable Tire Deflation Device: A device that extends across the roadway and is designed to puncture the tires of the fleeing offender's pursued vehicle.

Pursuit Intervention Technique (PIT) - A low-speed tactic designed to apply lateral pressure to the rear quarter panel of a fleeing vehicle, causing it to spin out, stall, and come to a stop (also known as a Precision Immobilization Technique).

Ramming - The deliberate act of impacting a fleeing vehicle with another vehicle to functionally damage or otherwise force the fleeing vehicle to stop.

Roadblock - A tactic designed to stop a fleeing vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the fleeing 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 in 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.

Support Units: The primary responsibility is to remain in close proximity to the pursuing vehicle(s) so that officers are immediately available to render aid or assistance to anyone who may require it as a result of the pursuit. Support officers may also assume responsibility for radio traffic, and do not take over/assume control of the pursuit.

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Termination of a Pursuit: A pursuit is terminated when the pursuing officer(s) notify dispatch, turn off their emergency lights and sirens, and reduce speed to the posted speed limit.

Tire deflation device - A device designed to be placed on the roadway and puncture the tires of a fleeing vehicle, sometimes referred to as spike strips.

Vehicle pursuit - An attempt by one or more law enforcement officers to apprehend a suspect in a motor vehicle who, having been given a visual and audible signal to stop, fails to yield or uses high-speed driving or other evasive tactics (e.g., driving off a highway, turning suddenly) in an attempt to avoid arrest (Minn. Stat. § 609.487).

306.2 POLICY

It is the policy of this department to balance the need to apprehend a fleeing suspect with the risks associated with vehicle pursuits.

306.3 INITIATING A PURSUIT

Officers who have received appropriate training are authorized to initiate a vehicle pursuit when the need to apprehend a fleeing suspect clearly outweighs the risks a vehicle pursuit poses for officers and the public (Minn. Stat. § 626.8458, Subd. 1).

When balancing the risk of a pursuit with the need to apprehend the suspect, officers shall consider (Minn. Stat. § 626.8458, Subd. 2 (a)(2)):

- a. The seriousness of the known or reasonably suspected crime committed by the suspect and the threat to the safety of the public if the suspect remains at large.
- b. Whether the identity of the suspect is known with enough certainty to enable apprehension at a later time.
- c. The speed of the vehicles relative to the conditions of the area, such as the population density, amount of vehicular and pedestrian traffic (e.g., school zones), time of day, and road and weather conditions.
- d. The pursuing officer's driving capabilities, familiarity with the area, and quality of radio communications with the dispatcher/supervisor.
- e. The nature of the pursuing unit (e.g., marked vs. unmarked) and its speed and performance capabilities in relation to the fleeing vehicle (e.g., performance motorcycle).
- f. Whether there are other persons in or on the fleeing vehicle, their ages, and their relationship to the situation (e.g., passengers, co-offenders, hostages).
- g. Whether the pursuing unit is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist.
- h. The availability of other resources such as air support or vehicle locator/deactivation technology.

306.4 PURSUIT UNITS

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit units and the supervisor vehicle). However, an officer or supervisor may request that additional units join a pursuit if, after assessing the factors outlined above, it reasonably appears that the number of officers involved may be insufficient to safely arrest the number of suspects.

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306.4.1 EMERGENCY EQUIPMENT

Vehicle pursuits shall only be conducted using authorized police department vehicles that are equipped with emergency lighting and sirens as required by law (Minn. Stat. § 169.68). Each pursuit unit's emergency lights and sirens should remain activated throughout the unit's participation in the pursuit.

Officers operating vehicles not equipped with emergency lights and siren are prohibited from pursuing a fleeing vehicle or joining a pursuit. Officers in such vehicles may provide support to pursuing units when needed, but should operate the vehicle in compliance with all traffic laws and should discontinue such support immediately upon arrival of a sufficient number of authorized emergency vehicles or any air support.

306.4.2 UNMARKED UNITS

Unmarked and low-profile agency vehicles may engage in pursuits until a marked vehicle can take over as the primary vehicle. Officers shall not become engaged in pursuits while operating a non-departmental (private) motor vehicle or departmental vehicles not equipped with required emergency equipment.

Vehicles not equipped with red light and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing units as long as their vehicle is operated in compliance with all traffic laws.

306.4.3 PRIMARY UNIT

The initial pursuing officer will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspects without unreasonable danger to the officer or other persons (Minn. Stat. § 626.8458 Subd. 2 (4)).

The primary unit should notify St Louis County 911 Communications Center, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including but not limited to:

- a. Travel direction/location/traffic, weather and road conditions.
- b. Reason for initial contact (specific violations).
- c. Identity of fleeing driver, if known.
- d. Plate number, if available, and/or vehicle description.
- e. Speed of the fleeing vehicle.

Other relevant evolving information to provide to dispatch:

- a. Number of occupants.
- b. Identity of other agencies involved in the pursuit.
- c. Information concerning the use of firearms, threat of force, injuries, hostages, or other unusual hazards.

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If during a pursuit an officer observes or is made aware of an injury to an individual, the officer shall immediately notify the dispatcher to have the appropriate emergency units respond. Rendering assistance includes, but is not limited to: (Minn. Stat. § 626.8458 Subd. 2 (6)).

- a. Calling an ambulance
- b. Rendering first aid until the officers are no longer needed at the injury scene
- c. Summoning additional units to the scene for assistance with the injured persons and/ or traffic control

Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary unit should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or aircraft joining the pursuit to minimize distractions and allow the primary unit to concentrate foremost on safe pursuit tactics.

306.4.4 SECONDARY UNIT

The second officer in the pursuit should be designated as the secondary unit and is responsible for:

- a. Notifying St Louis County 911 Communications Center of their entry into the pursuit.
- b. Broadcasting the progress of the pursuit, updating known or critical information, and providing changes in the pursuit, unless the situation indicates otherwise.
- c. Identifying the need for and requesting additional resources or equipment as appropriate.
- d. Serving as backup to the primary unit once the fleeing vehicle has been stopped.

306.4.5 AIR UNITS

When available, air unit assistance should be requested. The air unit should assume responsibility of broadcasting the pursuit once they have established visual contact with the fleeing vehicle. Ground units should maintain operational control and consider whether the continued close proximity and/or involvement in the pursuit is warranted (Minn. Stat. § 626.8458, Subd. 2 (a)(4)).

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit, and provide pursuing units with details of upcoming traffic congestion, road hazards, or other information pertinent to evaluating whether to continue the pursuit. If ground units are not within visual contact of the fleeing vehicle and the air unit determines that it is unsafe to continue the pursuit, the air unit should recommend termination.

306.5 PURSUIT DRIVING

The decision to use specific driving tactics requires consideration of the same factors as initiating a pursuit. In addition, officers involved in the pursuit should adhere to the following (Minn. Stat. § 626.8458, Subd. 2 (a)(3)):

- a. Pursuing units should space themselves far enough from other involved vehicles to be able to see and avoid hazards and react safely to maneuvers by the fleeing vehicle.
- b. Pursuing units should exercise caution and slow down as necessary when proceeding through intersections.

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- c. Pursuing units should not follow a fleeing vehicle driving against traffic (wrong way) and should instead:
 - 1. Request assistance from available air support.
 - 2. Maintain visual contact with the fleeing vehicle by paralleling it on the correct side of the roadway.
 - 3. Request other units to observe exits available to the fleeing vehicle.
- d. Pursuing units should request that St Louis County 911 Communications Center notify the Minnesota State Patrol and/or another law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- e. Pursuing units should not attempt to pass other pursuit units unless the situation indicates otherwise or they are requested to do so. Passing another pursuit unit should only be attempted with a clear understanding of the maneuver.

306.5.1 RULES OF THE ROAD

Officers shall drive with due regard for the safety of all persons and property. However, when in pursuit, if there is no unreasonable risk to persons and property, officers may (Minn. Stat. § 169.03; Minn. Stat. § 169.17):

- a. Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- b. Exceed the speed limit.
- c. Disregard regulations governing direction of movement or turning in specified directions.

306.5.2 OFFICERS NOT INVOLVED IN THE PURSUIT

Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned jurisdiction, unless requested, and should not become involved with the pursuit unless directed otherwise by a supervisor.

Non-pursuing personnel needed at the termination of the pursuit should respond in a nonemergency manner, observing the rules of the road.

The primary unit, secondary unit and supervisor should be the only units operating under emergency conditions (emergency lights and siren) unless other units are assigned to the pursuit.

306.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department (Minn. Stat. § 626.8458 Subd. 2 (4)).

The use of a detached supervisor that is not directly involved in the pursuit, when available, should be considered. When available the supervisor of the officer initiating the pursuit will be responsible for the following:

- a. Upon becoming aware of a pursuit, immediately notify involved officers and St Louis County 911 Communications Center of supervisory presence and ascertain all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established department guidelines.
- b. Engage in the pursuit, when appropriate, to provide on-scene supervision.
- c. Exercise management and control of the pursuit even if not engaged in it.

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- d. Ensure that no more than the number of required law enforcement units needed are involved in the pursuit under the guidelines set forth in this policy.
- e. Direct that the pursuit be terminated if, in the supervisor's judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- f. Ensure that aircraft assistance is requested if available.
- g. Ensure that the proper radio channel is being used.
- h. Ensure the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.
 - a. Control and manage HPD units when a pursuit enters another jurisdiction.
 - j. Prepare a post-pursuit critique and analysis of the pursuit for training purposes.

306.6.1 SERGEANT RESPONSIBILITIES

Upon becoming aware that a pursuit has been initiated, the Sergeant should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Sergeant has the final responsibility for the coordination, control, and termination of a vehicle pursuit and shall be in overall command (Minn. Stat. § 626.8458, Subd. 2 (a)(4)).

306.7 ST LOUIS COUNTY 911 COMMUNICATIONS CENTER

Radio communications during a pursuit should be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

306.8 INTERJURISDICTIONAL 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)).

If a pursuit from another agency enters the department's jurisdiction, St Louis County 911 Communications Center should update HPD.

The primary unit shall update critical information to the dispatcher before leaving its jurisdiction. The primary law enforcement vehicle shall remain the primary vehicle in other jurisdictions unless the controlling pursuit authority transfers its authority to another jurisdiction.

No pursuit will continue into another state unless permission is received from a supervisor, if available and as soon as is practical. Prior to, or as soon as possible after crossing the state line, the dispatcher will notify the appropriate out of state authority to coordinate the pursuit and the channels to be used for communications.

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306.8.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Hermantown Police Department officers will discontinue the pursuit when another agency has assumed the pursuit unless continued assistance of the Hermantown 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.

306.8.2 PURSUITS EXTENDING INTO THIS JURISDICTION

Officers from this department should not join a pursuit being conducted by another agency unless specifically requested to do so by that agency and with approval from a supervisor.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Hermantown Police Department, the Sergeant or supervisor should review the request as soon as practicable, taking into consideration:

- a. Whether the need to apprehend the fleeing suspect outweighs the risks of the pursuit to officers and the public.
- b. Whether there is adequate staffing to continue the pursuit.
- c. The available units' capabilities to maintain the pursuit.
- d. The number of available units and other resources of the pursuing agency.

Assistance to a pursuing agency by officers of this department should terminate at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department should continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers should provide appropriate assistance to the pursuing agency such as scene control, inter-agency coordination, completion of supplemental reports, and any other reasonable assistance requested or needed.

306.9 PURSUIT INTERVENTION

Pursuit interventions should only be used when it reasonably appears that using the intervention will contain or prevent the pursuit, and the need to immediately stop the fleeing vehicle outweighs the risks of injury or death to officers and others.

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Pursuit interventions may be construed as a use of force, including deadly force, and are subject to the policies guiding such use. Officers should consider the guidelines for the use of force when deciding how, when, where, and if a pursuit intervention should be employed. Refer to the Use of Force Policy for additional guidance.

In deciding whether to use intervention tactics, officers/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).

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

Whenever practicable, an officer should seek approval from a supervisor before employing any pursuit intervention to stop a fleeing vehicle. Officers should not attempt a pursuit intervention unless they have received the appropriate training for the intervention being used.

306.9.1 TIRE DEFLATION DEVICE

Before deploying a tire deflation device, officers should consider factors such as:

- a. Speed of the fleeing vehicle - Traveling at high speeds increases the risk the suspect will lose control of the vehicle after driving over or swerving to avoid a tire deflation device.
- b. Weather and visibility - Tire deflation devices should only be deployed when the location, weather, and other conditions allow the deploying officer to clearly see the fleeing vehicle, pursuit units, and other approaching traffic.
- c. Cover - Deployment should occur in a location that provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicles.
- d. Road conditions - Soft or loose material such as dirt or gravel may prevent a tire deflation device from puncturing the vehicle's tire. Deploying the device on loose pavement or icy or wet roads increases the risk of the suspect losing control of the vehicle.
- e. Characteristics of the deployment area - A tire deflation device should not be deployed in areas that are heavily populated with pedestrians, at times of heavy traffic, or at a location where there is a heightened chance of striking a fixed object.
- f. Characteristics of the fleeing vehicle - Except in extraordinary circumstances, a tire deflation device should not be used when the fleeing vehicle is a motorcycle or other vehicle with fewer than four wheels, an ATV, a vehicle transporting hazardous materials, or a school bus transporting children.

Because of the risks to deploying officers, the intent to deploy a tire deflation device and its location should be clearly communicated to the dispatcher and all involved units.

306.9.2 PIT

Only those officers trained in the use of the PIT will be authorized to use this procedure 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.

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A PIT should only be attempted in a vehicle with a reinforced bumper.

Before conducting a PIT, officers should consider factors such as:

- a. Speed of the fleeing vehicle - Conducting a PIT while traveling at high speeds increases the risk of the suspect or officer losing control of their vehicle. A PIT should not be conducted at speeds greater than the speed at which the officer has received training.
- b. Road conditions - Because the intention of a PIT is to cause the fleeing vehicle to spin out by reducing the friction between the tires and the roadway, the material of the roadway (e.g., pavement, gravel, dirt) should be considered and a PIT should not be attempted when road conditions are wet or icy.
- c. Characteristics of the deployment area - A PIT should not be attempted in areas that are heavily populated with pedestrians, at times of heavy traffic, or at a location where there is a heightened chance of striking a fixed object.
- d. Characteristics of the fleeing vehicle - A PIT should not be used when the pursued vehicle is a motorcycle or other vehicle with fewer than four wheels, an ATV, a vehicle transporting hazardous materials, or a school bus transporting children. The increased risk of rolling over should be evaluated on vehicles with a high center of gravity.
- e. Number of pursuit units - A PIT should not be used unless there is a sufficient number of pursuit units available to prevent further movement of the fleeing vehicle after spinning out.

306.9.3 BOXING-IN AND INTENTIONAL CONTACT

Boxing-in and intentional contact should only be used when the fleeing vehicle is stopped or traveling at a low speed.

Boxing-in requires the participation of multiple units and therefore must be carefully coordinated with all involved.

306.9.4 RAMMING AND ROADBLOCKS

Ramming and Roadblocks present obvious dangers that must be considered before their implementation. They are used to seal an area in which a criminal is believed to be or to stop a vehicle that is being pursued by police.

- a. Ramming and roadblocks shall only be used when deadly force is warranted and all other reasonable alternatives have been exhausted or reasonably appear ineffective.
- b. Use of a roadblock requires the approval of a supervisor, if available, and if time allows.
- c. Whenever possible, members setting up a roadblock will make the roadblock visible from a sufficient distance so a target vehicle has the opportunity to stop or avoid the roadblock if they choose to do so. If members are unable to provide sufficient sight distance, members must provide another way for a target vehicle to safely avoid the roadblock and the use of deadly physical force must be justified.
- d. Officers shall not remain in squads being used for a roadblock.
- e. Officer shall not stand in groups in the area of the roadblock, as this may provide a single target for gunfire or approaching vehicle.
- f. All pursuing squads must be notified of the location of the roadblock, and care should be taken to notify assisting squads from other departments that are not on our radio frequency.
- g. Absent exigent circumstances, only marked police vehicles will be used to establish a roadblock and all emergency lights activated.

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306.9.5 FIREARMS

Specific guidance on the use of a firearm during a vehicle pursuit is addressed in the Use of Force Policy.

306.10 TERMINATING 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.

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, a pursuit should be terminated when (Minn. Stat. § 626.8458, Subd. 2 (a)(2)):

- a. The 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. The pursued vehicle's location is no longer definitely known.
- c. The officer's pursuit vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- d. The 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 and/or information is communicated that indicates the pursuit is out of compliance with policy..
- 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.

When a pursuit terminates for any reason, all pursuit units should verbally acknowledge termination, turn off emergency lights and sirens, reduce their speed, and obey all traffic laws. The primary unit should communicate the location of pursuit termination to the dispatcher.

306.10.1 LOSS OF PURSUED VEHICLE

When a pursuit is terminated because the location of the fleeing vehicle is no longer known, the primary unit should broadcast pertinent information for other units to assist in locating the suspect. The primary unit or supervisor will be responsible for coordinating any further search for the pursued vehicle.

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306.10.2 APPREHENSION OF SUSPECTS

Officers should exercise proper self-discipline and sound professional judgment at the conclusion of a pursuit and while apprehending the suspect.

Unless otherwise directed by a supervisor, an officer other than the primary unit should coordinate efforts to apprehend the suspect following the pursuit.

Any use of force necessary to apprehend the suspect shall be consistent with the Use of Force Policy.

306.11 DEBRIEFING

Participating officers should return to the Department as soon as practical following a pursuit to debrief with a supervisor.

306.12 REPORTING REQUIREMENTS

All appropriate reports shall be completed to comply with appropriate local and state regulations.

The Records Technician 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 supervisor shall promptly complete a interoffice memorandum, briefly summarizing the pursuit to the Director of Public Safety 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.
 3. 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.
 9. 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 Director of Public Safety or designee shall conduct or assign the completion of a post-pursuit review as appropriate to the circumstances. The Deputy Chief of Patrol will complete the following:
 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).

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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 Director of Public Safety 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 portable tire deflation device is addressed as soon as possible.

(f) 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.) Officer should request assistance from the Detective Bureau when needed.

After each pursuit, the supervisor and law enforcement agency units involved with the pursuit will evaluate the pursuit and make recommendations to the Director of Public Safety on ways to improve the agency's pursuit policy and tactics.

Annually, the Director of Public Safety should direct a documented review and analysis of Department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

306.12.1 STATE-SPECIFIC REPORTING REQUIREMENTS

The Records Technician shall ensure the appropriate forms are filed with the Department of Public Safety within 30 days (Minn. Stat. § 626.5532).

306.13 PURSUIT 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 operation tactics. 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.

In accordance with Minn. Stat. §626.8458, the chief law enforcement officer shall provide inservice training in emergency vehicle operations and in the conduct of police pursuits to every peace officer and part-time peace officer employed by the agency who the chief law enforcement officer determines may be involved in a police pursuit given the officer's responsibilities.

This training shall comply with learning objectives developed and approved by the board and shall minimally consist of at least eight hours of classroom and skills-based training every five years. Continual training should also be considered for those officers authorized to use the PIT maneuver, tire deflation device deployment, GPS tracking, and related pursuit intervention procedures, tactics, and technologies.

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The Deputy Chief 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).

If the chief law enforcement officer determines an officer will not be involved in police pursuits, the CLEO must notify POST of the officer's exemption status.

306.13.1 STATE-SPECIFIC TRAINING REQUIREMENTS

The Deputy Chief 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).

306.14 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).