

 CHAMPLIN POLICE DEPARTMENT POLICY AND PROCEDURES	Segment: 7 – Operations and Procedures Red Section	Section: 702
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702.01 PURPOSE

Vehicle pursuits expose innocent citizens, law enforcement officers, and fleeing violators to the risks of serious injury or death. The intent of this policy is to provide officers with guidance in balancing the safety of the public, safety of other officers and themselves, and law enforcement's duty to apprehend violators of the law, while minimizing the potential for pursuit related crashes. Vehicle pursuits require officers to exhibit a high degree of common sense and sound judgement. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officer. (MN Statute § 626.8458 Sub 1)

702.02 GUIDING PRINCIPLES

- A. A decision to pursue should be based upon the totality of information and circumstances reasonably known to the officer at the time the decision is made, recognizing that law enforcement must often make immediate decisions with limited information.
- B. The safety of all persons involved in or by a police pursuit is of utmost 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)).
- C. No officer will be disciplined for terminating a pursuit.
- D. Officers, when pursuing a fleeing vehicle shall, when approaching a stop sign or red light, slow down as necessary for safety, but may proceed cautiously if they sound a siren and/or display at least one red light to the front (Minn. Stat. §169.03(2)).
- E. The speed limitations do not apply to an authorized emergency vehicle pursuit, although this does not relieve 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 consequence of a reckless disregard of the safety of others (Minn. Stat. §169. 177). Officer(s) should consider

reducing their speeds and ensuring that the way is clear before proceeding thru an intersection or other locations where there is an increased likelihood of a collision with another vehicle or pedestrian. Evaluation of vehicle speeds should take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

- F. Involved officers should frequently re-evaluate factors and conditions to assess the continuation of the pursuit.

702.03

DEFINITIONS

- A. **Pursuit:** An active attempt by a sworn member operating a patrol unit or specialty unmarked 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. §609.487).
- B. **Termination of a Pursuit:** A pursuit is terminated when the pursuing officer(s) notify dispatch, turn off their emergency lights and sirens, resumes routine vehicle operation, or when the suspect vehicle stops.
- C. **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.
- D. **Channeling:** To direct vehicular traffic into a progressively narrowing passageway or lane location on the roadway.
- E. **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.
- F. **Pursuit Intervention Technique (PIT):** The precise removal of a vehicle from the roadway using the police vehicle against the suspect vehicle. It is designed to terminate a pursuit by causing the fleeing vehicle to go into a controlled spin and come to rest at a predetermined place. This technique is used to promote the safety of the general public, the law enforcement officer involved in the pursuit, and the violator.
- G. **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).

- H. **Primary Unit:** The law enforcement unit that initiates a pursuit or any other unit that assumes control of the pursuit.
- I. **Support Units:** Officer(s) in a pursuit who are not the primary unit. These officer(s) may assume responsibility for radio traffic if requested, but do not take over/assume control of the pursuit unless requested. They should 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.
- J. **Other Assisting Units:** Units not actively involved in the pursuit itself but assisting by deploying spike strips, blocking intersections, compelling paths, or otherwise working to minimize risk.
- K. **Ramming:** The deliberate act of impacting a fleeing offender's vehicle with another vehicle to functionally damage or otherwise force the violator to stop.
- L. **Spike Strips:** A device that is designed to puncture the tires of the fleeing offender's pursued vehicle.
- M. **Blocking or Vehicle Suppression:** 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 roadblock.
- N. **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.
- O. **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.

702.04

PROCEDURE

Pursuit Considerations – Minn. Stat §626.8458 Subd. 2 (2).

Pursuit is justified when the need for immediate apprehension or the risk to public safety outweighs the risk created as a result of the pursuit.

A. Factors to be considered when weighing risks:

- 1) Severity of the offense
- 2) Speed of the pursuit
- 3) Area of the pursuit (including the geographical area, time of day, amount of vehicular and pedestrian traffic)
- 4) Divided highways and one-way roads (Minn. Stat. § 169.03 Subd. 3)
- 5) Approach to intersections that are controlled by traffic signals, signs, or other location where there is an increased likelihood of a collision (Minn. Stat. §169.03)
- 6) Environmental conditions (weather, visibility, road surface conditions)
- 7) Special hazards (school zones, road construction, parades, special events)
- 8) The ability to identify the offender at a later time
- 9) Age of the suspect and occupants
- 10) Other persons in or on the suspect vehicle
- 11) Standards applied to the ongoing evaluation of a pursuit, as well as the decision to continue a pursuit shall include the following considerations:
 - The immediate need to apprehend the offender outweighs the risk created by the pursuit.
 - The dangers created by the pursuit exceed the dangers posed by allowing the offender to escape.
 - Involved officers should frequently re-evaluate factors and conditions to assess the continuation of the pursuit.

B. Officers shall not engage in a pursuit if they have a passenger as a ride-along. Passengers include, but are not limited to, Reserve officers, Explorers, Community Service Officers, citizens, and off-duty licensed police officers.

- 1) If the officer elects to drop off the passenger, the officer will make every effort, based on circumstances known at the time, to drop the passenger off at a safe location.
- 2) The officer shall notify dispatch of the location.
- 3) The officer, if unable to clear the incident within a reasonable time, shall arrange for the passenger to be picked up by another officer.

702.05

PROCEDURES & TACTICS FOR OFFICERS ENGAGING IN A PURSUIT

1. Emergency vehicles shall be driven in a safe manner and with due regard for public safety.
2. Emergency vehicles operating in emergency mode are permitted to violate certain traffic regulations, when necessary, as long as the operator continues to exercise due care in vehicle operation.

RESPONSIBILITIES OF THE PRIMARY UNIT

The driver of the primary unit shall notify dispatch of the pursuit and shall provide at least the following critical information to dispatch when possible:

- Travel direction/location/traffic and road conditions
 - Reason for initial contact (specific violations)
 - Identity of fleeing driver, if known
 - Plate number, if available, and/or vehicle description
 - Speed of fleeing vehicle
1. Provide relevant evolving information to dispatch
 2. Vehicle contact, other than PIT, may be used only when this action is in conformance with departmental policy and MN State law.
 3. Roadblocks must conform to the agency's policy on use of force
 4. Only law enforcement vehicles with emergency lights and siren will be used as pursuit vehicles
 5. Unmarked and low-profile agency vehicles may engage in pursuits until a marked vehicle can take over as the primary vehicle, at which point they may become a supporting vehicle if they remain in the pursuit. Officers shall not become engaged in pursuits while operating a non-departmental (private) motor vehicle or departmental vehicles not equipped with required emergency equipment.

PURSUIT INTERVENTION TACTIC (PIT)

- 1) The goal of the Champlin Police Department in vehicle pursuits is to minimize the danger to the public. It is therefore 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 the PIT. If PIT is determined not to be an option, then other tactics may be employed.
- 2) Early and proper use of this technique will increase safety to the public and help to ensure the arrest of the suspect. PIT can be used at any time in a pursuit when it can successfully shorten the pursuit and reduce risk to the public.
- 3) When feasible, the officer conducting the PIT should advise following officers of his/her intention to "take out" the suspect vehicle and where the suspect vehicle will come to rest. Secondary officers should be prepared to block in the suspect vehicle and conduct a high risk stop.

- 4) Except in the case of a deadly force situation, only officers trained in PIT will use the maneuver.

702.08

PROCEDURES & TACTICS FOR SECONDARY SQUAD

- 1) Officer in the second or back-up squad shall advise the dispatcher of their position. The driver of the second squad must also be cognizant of the safety of others and undue hazards of pursuit situations.
- 2) Secondary squads in the pursuit should not attempt to pass other squads engaged in the pursuit. The secondary squad should remain at a safe distance behind the primary squad but close enough to provide support communication with Hennepin County Sheriff's Radio.
- 3) The role of the secondary squad is to maintain communications with dispatch and provide updates on location and direction of travel of the pursuit allowing the primary squad to concentrate on the suspect vehicle. Secondary squads, when entering another jurisdiction, should consider having a marked squad from that jurisdiction, who is familiar with that jurisdiction, to take over calling out the pursuit if possible.

702.09

ROLE OF OTHER SQUADS

Other squads may provide assistance as deemed appropriate during the pursuit.

702.10

SUPERVISION OF PURSUIT ACTIVITIES

1. The use of a detached supervisor that is not directly involved in the pursuit, when available, should be considered.

Based on the known information the supervisor, when available, shall monitor the pursuit in order to take appropriate action to continue or terminate the pursuit (Minn. Stat. §626.8458 Subd. 2 (4)).

2. Procedures regarding control over pursuit activities should include:
 - Verbally acknowledge they are monitoring the pursuit.
 - Assess critical information necessary to evaluate the continuation of the pursuit. Evaluate and ensure pursuit is within policy.
 - Direct that the pursuit should be discontinued if it is not justified to continue under the guidelines of this policy or for any other reason.
 - Communicate to all involved units if the pursuit should be terminated.
3. Options to keep in mind during a pursuit include, but are not limited to:
 - Parallel pursuits
 - Channeling techniques
 - Creating a compelling path

- Air support
- Spike strips or other tire deflation device
- Pursuit Intervention Techniques (PIT)
- Blocking or Vehicle Suppression
- Boxing-in
- Other apprehension or GPS tracking methods - Minn. Stat. §626.8458 Subd 2 (3)

702.11 DISPATCH RESPONSIBILITIES

Upon notification that a pursuit has been initiated, Dispatch will be responsible for the following (MN SS 626.8458 Sub 2 (4)):

- Coordinate pursuit communications of the involved units and personnel.
- Notify and coordinate with other involved or affected agencies as practicable.
- Ensure that a supervisor, if available, is notified of the pursuit.
- Assign an incident number and log all pursuit activities.
- Broadcast pursuit updates as well as other pertinent information as necessary.

702.12 FACTORS INFLUENCING THE TERMINATION OF A PURSUIT

The driver of the primary unit and the supervisor shall continually evaluate the risks and likelihood of a successful apprehension of the suspect and shall consider terminating the pursuit under the following conditions:

1. The officer deems the conditions of the pursuit too risky for the safe continuation of the pursuit.
2. A supervisor orders it terminated.
3. Information is communicated that indicates the pursuit is out of compliance with policy.
4. Communication is broken.
5. Visual contact is lost for a reasonable period of time, or the direction of travel cannot be determined.
6. The suspect is known and could be apprehended later, and delaying apprehension does not create a substantial known risk of injury or death to another.

INTERJURISDICTIONAL PURSUIT - MN SS 626.8458 SUB 2 (5)

- 1) In those instances when a pursuit enters another jurisdiction, generally the dispatcher(s) of the Hennepin County Sheriff's Department will notify the appropriate law enforcement agency. When necessary, the dispatcher(s) may advise squads involved in the pursuit to use a specific radio frequency to better monitor and coordinate activities.
- 2) The notification of another jurisdiction is either to request assistance or merely a courtesy notification with no participation required.
- 3) Officers shall not become involved in another agency's pursuit unless specifically authorized by the duty supervisor, requested assistance by pursuing agency, or the emergency nature of the situation dictates the need for assistance.
- 4) When a pursuit from another jurisdiction enters Champlin and specific assistance has not been requested, Champlin squads may follow the pursuit within the city to advise the pursuing squads of potential hazards, to give directions or other requested /prudent information.
- 5) In those instances when a pursuit from another jurisdiction has entered Champlin and the involved officers have been unable to apprehend the violator, should the pursuit enter another community, officers of this agency will not continue in the pursuit unless so authorized by the on-duty supervisor.
- 6) In any inter-jurisdictional pursuit, all departmental pursuit policies are in effect.
- 7) When a pursuit from Champlin enters another jurisdiction, only the primary and secondary squads shall continue. All other Champlin squads will discontinue unless so authorized by the on-duty supervisor.
- 8) Fresh pursuit outside state boundaries
 - If the pursuing officer has received supervisory approval, the officer may continue the pursuit across state lines with those states, which grant reciprocity. This would include North Dakota, South Dakota, Iowa, and Wisconsin (MN SS 626.65, Uniform Law on Fresh Pursuit; Reciprocal).

AIR SUPPORT

When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider whether the

participation of an aircraft warrants their continued involvement in the pursuit (Minn. Stat. § 626.8458 Subd. 2 (4)). The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If ground units are not within visual contact and the air unit determines that it is unsafe to continue the pursuit, the air unit may recommend terminating the pursuit.

702.15 PURSUIT SUMMARY REPORT

The primary officer shall file a pursuit summary report.

1. To ensure compliance with Minn. Stat. § 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 pursuit.
2. As required in Minn. Stat. §626.5532, the report must contain the following elements:
 - a) the reason(s) for, and the circumstances surrounding the pursuit;
 - b) the alleged offense;
 - c) the length of the pursuit in distance and time;
 - d) the outcome of the pursuit;
 - e) any injuries or property damage resulting from the pursuit; and
 - f) any pending criminal charges against the driver.
 - g) other information deemed relevant by the Commissioner of Public Safety.
3. Per Champlin Policy 315.03, notification of the Chain of Command must be followed.

702.16 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 dispatcher to have the appropriate emergency units respond. Rendering assistance includes, but is not limited to:

Minn. Stat. §626.8458 Subd. 2 (6)

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

702.17 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 discharge 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.

702.18 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 shall be consistent with the agency use of force policy and Minn. Stat. §609.06.

702.19 EVALUATION AND CRITIQUE

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

702.20 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. Emergency Vehicle Operations Course (EVOC) training is minimally required for each officer every five years. 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 per Minn. Stat. § 626.8458 Subd. 5. Continual training should also be considered for those officers authorized to use the PIT maneuver, spike strip deployment, GPS tracking, and related pursuit intervention procedures, tactics, and technologies.

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