

City of Baxter

Police Department Manual

POLICE PURSUIT/EMERGENCY VEHICLE OPERATIONS			
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PAGE(S):	6	AUTHORIZED BY: Chief James Exsted	

PURPOSE

It is the primary mission of the Baxter Police Department to protect lives while enforcing the law. The purpose of this policy is to provide direction for the operation of law enforcement vehicles while involved in pursuit situations.

POLICY

It is the responsibility of the Baxter Police Department to guide its officers in the safe and reasonable performance of their duties. To accomplish these goals, the following policy is provided to control and regulate the manner in which emergency vehicle operations are undertaken and performed. When engaged in emergency vehicle operations in the performance of official duties, drivers of authorized emergency vehicles are granted exemptions, by statute, from certain traffic laws. These exemptions are provided to help protect lives, not to place them at undue risk.

DEFINITIONS

PURSUIT: A multi-stage process by which a police officer initiates a vehicular stop and a driver resists the signal or order to stop, increases speed, takes evasive action and/or refuses to stop the vehicle. Once the driver refuses to obey the officer's signal or order, this pursuit policy and procedure will determine the officer's and agency's actions.

TERMINATION OF A PURSUIT: A pursuit shall terminate when the primary officer turns off the emergency equipment, resumes routine vehicle operation and informs dispatch, or when the suspect vehicle stops.

DIVIDED HIGHWAY: Any highway which has been separated into two or more roadways by:

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

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.

PROCEDURES

I. PURSUIT CONSIDERATIONS

A. Pursuit is justified:

1. When vehicle operator fails to stop after being given a visual or audible signal to stop by a peace officer; and
2. When there is reasonable expectation of a successful apprehension of the suspect.

B. Other factors to be considered:

1. The initial decision to engage in a pursuit shall rest primarily with the officer who has initiated the vehicular stop, after considering the elements of this policy.
2. These elements shall include, but are not limited to, the crime for which the suspect is wanted (the need to apprehend immediately) and the risk to the community created by the pursuit (traffic, area of pursuit, environmental factors, and weather conditions).
3. The officer's decision must continually consider the risks created by the pursuit, as those risks may change during a pursuit.
4. Terminating a pursuit shall be considered a decision made in the interest of public safety.
5. The officer's decision to continue a pursuit may be overridden by a supervisor at any time.

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

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

II. PROCEDURES AND TACTICS FOR AN OFFICER ENGAGING IN A PURSUIT

- A. Emergency vehicles shall be driven in a safe manner and with due regard for public safety.
- B. 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.
- C. The vehicles shall be known as the primary unit, which will be the unit closest to the fleeing vehicle and the secondary unit, which shall remain at a safe distance behind the primary unit but close enough to provide support and communicate with dispatch. Once a secondary unit is available, the primary unit may turn radio communications over to that vehicle. Backup units as needed shall operate at a safe distance to provide support.
- E. Use of Affirmative Methods
 - 1. **Pursuit Intervention Tactics:** Vehicle contact for the purpose of intervention is only permitted by an officer who is properly trained and certified in pursuit intervention tactics.
 - 2. **Roadblocks:** Roadblocks represent stationary methods used to reduce the speeds of and to restrict the free passage of motor vehicles. Roadblocks are permitted when necessary to protect others who are in imminent danger of death or great bodily harm from a fleeing vehicle or a fleeing violent felon. Other pursuing vehicles should be notified of the roadblock and the location. Vehicles used in roadblocks should have all emergency lights on. These vehicles should not be occupied. The officer(s) setting the roadblock shall be aware of the location and speed of the oncoming pursuit.
 - 3. **Use of Tire Deflation Devices:** TDD's are designed to be used on 4-wheeled type vehicles normally. Use on two or three wheeled vehicles is only authorized in deadly force situations.
 - a. When setting up roadblocks, provide an avenue of escape for the target vehicle. An avenue of escape is defined as the open traffic lane in front of the roadblock. Deploy TDD's across the open lane.
 - b. Deployment method #1. If time does not allow for TDD's to be set up on the opposite side of the road and pulled across the lane, simply lay the devices across the avenue of escape as the target vehicle approaches. This technique should only be used if the suspect vehicle is at a safe distance.
 - c. Deployment method #2. When time allows, set up devices on the opposite side of the road and attach the cord reel. When the target vehicle approaches, pull the TDD across the open lane. Do not wrap the cord reel line around any part of your body at any time.

- d. After deploying the TDD, position yourself in a safe location away from the point of contact between the target vehicle and the deployed TDD. If a safe location is not available do not deploy the TDD. Hiding behind your vehicle is not to be considered a safe location. Make sure you advise pursuing units that you have TDD's deployed.
 - e. Detail the use and justification of TDD's in your incident report. When the individual is charged in the matter, request restitution for TDD replacement as part of your report.
- F. Only police vehicles with emergency lights and siren will be used as pursuit vehicles.
- G. Officers are permitted to engage in, assist with, and otherwise participate in pursuits if their passengers(s) are law enforcement officers performing official law enforcement duties and others authorized by the chief or his/her designee.
- Officers shall relinquish pursuits to another unit as soon as possible while transporting ride-a-long civilians, observers, Law Enforcement Explorers, interns, or other civilian passengers.
- Officers normally will not engage in, assist with, or otherwise participate in pursuits whenever they are transporting prisoners.
- H. The use of force and the use of deadly force in pursuit situations are limited to those circumstances governed by Minnesota State Statutes 609.06, 609.066 and by department Use of Force Policy.

III. RESPONSIBILITIES OF THE PRIMARY UNIT

- A. The driver of the primary unit shall notify dispatch of the pursuit and shall attempt to provide at least the following critical information to dispatch:
- 1. Unit identification.
 - 2. Offense for which the suspect is being pursued.
 - 3. Suspect vehicle description, including license number if reasonably possible.
 - 4. Location, direction, and speed of both vehicles.
 - 5. Description of occupant(s) and if suspect is known to officer.
 - 6. Any other important information about the suspect vehicle or environment (for example: suspect is traveling without lights, officer loses sight of vehicle, etc.)

IV. RESPONSIBILITIES OF THE ON-DUTY SUPERVISOR

- A. The immediate supervisor or ranking Officer on-duty will take responsibility for the pursuit upon being advised of the pursuit.

- B. Based on the known information, the supervisor shall make the decision to either take further appropriate action or terminate the pursuit.
- C. Procedures regarding control over pursuit activities by the on-duty supervisor should include:
 - 1. When notified of a pursuit, the supervisor on-duty shall monitor the conduct of the pursuit.
 - 2. Supervisor will assist in giving direction and determining if outside assistance is needed.
 - 3. Supervisor will determine if an outside agencies actions are in violation of this policy, and the control of the pursuit is lost, then it will be the supervisor's or ranking officer's duty to end the pursuit.
 - 4. Supervisor will ensure the filing of all mandated reports.
- D. Options to keep in mind during a pursuit include, but are not limited to the following:
 - 1. In cases involving wrong-way drivers, parallel pursuits may be used.
 - 2. Notification of the next jurisdiction is encouraged.
 - 3. Channeling techniques may be used.
 - 4. Creating a compelling path.
- E. Supervisor shall ensure that proper notifications are made in regards to chain of command following the pursuit.

V. FACTORS INFLUENCING THE TERMINATION OF A PURSUIT

- A. The driver of the primary unit and the supervisor shall continually evaluate the risks and likelihood of a successful apprehension of the suspect.
- B. The conditions of the pursuit become too risky for the safe continuation of the pursuit, i.e., it is futile to continue.
- C. A supervisor orders it terminated.
- D. If information is communicated that indicates the pursuit is out of compliance with policy.
- E. When normal communication is broken.
- F. When visual contact is lost for a reasonable period of time or the direction of travel cannot be determined.
- G. When the suspect is known and could be apprehended later, and to delay apprehension does not create substantial known risk of injury or death to another.

VI. INTERJURISDICTIONAL PURSUIT

- A. Baxter Police Officers are authorized to pursue violators outside of the City and into other jurisdictions. While in other jurisdictions, our policy shall govern the conduct of its members.

- B. The primary police vehicle shall remain the primary vehicle in other jurisdictions unless the controlling pursuit authority transfers their authority to another jurisdiction.
- C. When a pursuit enters this agency's jurisdiction:
 - 1. The controlling pursuit authority shall determine if the pursuit is in conformance with policy and shall provide appropriate direction to their units.

VII. AIR SUPPORT

- A. Once contact is made with air support and air support has vehicle in sight, the primary unit shall reduce the level of pursuit to that of support or other backup unit.

VIII. CARE AND CONSIDERATION OF VICTIMS

- A. 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.

IX. PURSUIT SUMMARY REPORT

- A. The primary officer and the supervisor shall file a pursuit summary report.
- B. To ensure compliance with MN Statute 626.5532, the chief law enforcement officer shall insure the completion of the statute pursuit report form and forward it to the Commissioner of Public Safety within 30 days following the incident.
- C. Supervisors shall review all pursuits and pursuit reporting forms.
- D. Pursuits resulting in damage to patrol vehicles in excess of \$1,000 or which result in personal injury to any person will be reported to the Chief of Police as soon as possible.

X. EVALUATION AND CRITIQUE

- A. After each pursuit, the supervisor and 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.