

**GENERAL ORDER 41  
POLICE PURSUIT****PURPOSE**

Police have a responsibility to protect lives while enforcing the law, and to guide its officers in the safe and reasonable performance of their duties. Their responsibilities are especially great during pursuits of fleeing suspects. Some pursuits are necessary, even unavoidable, when serious crimes take place. Officers must always keep in mind that many high-speed pursuits end in accidents, injury or death.

**POLICY**

The following policy is provided to control and regulate emergency vehicle operations. When engaged in emergency vehicle operations in the performance of official duties, drivers of authorized emergency vehicles are granted exemptions from certain traffic laws by State Statute. These exemptions are provided to help protect lives, not to place them at undue risk.

**DEFINITIONS**

***Pursuit:*** A multi-stage process by which a peace 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 peace 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 pursuing officer(s) turn off the emergency equipment, resume routine vehicle operation and inform dispatch of pursuit termination, or when the suspect vehicle stops.

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

a physical barrier, or  
a clearly indicated dividing section constructed so 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. 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.

**PROCEDURE****41.1 Pursuit Considerations**

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

Other factors to be considered: 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.

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).

The officer must continually consider the risks created by the pursuit, as those risks may change during a pursuit. Terminating a pursuit shall be considered a decision made in the interest of public safety. The officer's decision to continue a pursuit may be overridden by a supervisor at any time.

Standards applied to the evaluation of a pursuit, as well as the decision to continue a pursuit, shall include a consideration of the need to immediately apprehend the suspect versus the risk created by the pursuit. Officers involved in a pursuit must evaluate if dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape.

#### **41.2 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:

- The conditions of the pursuit become too risky for the safe continuation of the pursuit.
- A supervisor orders it terminated.
- Information is communicated that indicates the pursuit is out of compliance with policy.
- Communication is broken.
- Visual contact is lost for a reasonable period of time or the direction of travel cannot be determined.

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.

#### **41.3 Procedures & Tactics for an Officer Engaging in a Pursuit**

Emergency vehicles shall be driven in a safe manner and with due regard for public safety.

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.

The pursuing vehicle 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. Backup units as needed shall operate at a safe distance to provide support.

#### **41.4 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:

- Unit identification.
- Offense for which the suspect is being pursued.
- Suspect vehicle description, including license number if reasonably possible.
- Location, direction, and speed of both vehicles.
- Description of occupant(s) and if suspect is known to the officer.
- Any other important information about the suspect vehicle or environment such as the suspect vehicle traveling without lights, or the officer losing sight of the suspect vehicle.

No officer will intentionally make vehicle-to-vehicle contact unless this action is in conformance with agency policy on use of force (see agency policy on use of force).

Roadblocks must conform to the agency's policy on use of force.

Only law enforcement vehicles with emergency lights and siren will be used as pursuit vehicles.

Post-pursuit chain of command notifications are required. If no supervisor is on duty at the time of the pursuit, a supervisor should be notified of the pursuit as soon as it is reasonably possible to do.

#### **41.5 Supervision of Pursuit Activities**

Based on initial information provided to dispatch by the initiating officer, the supervisor shall make the decision to either take further appropriate action or to terminate the pursuit, and shall have full authority over all aspects of the pursuit.

In the event that no ranking supervisor or other supervisor is on duty or available, it shall be the responsibility of the officer initiating the pursuit to make all necessary evaluations relative to the continuation or discontinuance of the pursuit as outlined in this policy.

Upon being notified of the pursuit, the supervisor shall acknowledge their presence immediately, monitor the pursuit activities, and shall provide the primary unit with appropriate direction.

The supervisor shall request critical information necessary to evaluate the continuation of the pursuit.

Upon notification of a pursuit entering this jurisdiction, the supervisor shall determine if the pursuit is in conformance with this policy, and shall provide appropriate direction to department units.

##### **41.5.1 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.

The primary pursuit unit will be responsible for ensuring assistance is provided to people who may have been injured during the course of a pursuit. The primary pursuit unit may delegate the responsibility to render the assistance to a backup unit.

#### **41.6 Dispatch Responsibilities**

Dispatch shall coordinate critical information as timely and accurately as is reasonably possible.

#### **41.7 Interjurisdictional Pursuit**

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.

Upon receiving notification the pursuit is entering another agency's jurisdiction, the dispatcher shall forward all critical information possessed by the dispatcher to that agency.

When a pursuit enters this law enforcement agency's jurisdiction, the dispatcher shall update the critical information to the shift supervisor or other authorized individual identified by the law

enforcement agency. The controlling pursuit authority shall determine if the pursuit is in conformance with policy and shall provide appropriate direction to their units.

#### **41.8 Air Support**

If air support is able to respond, the primary pursuit unit shall reduce the level of pursuit to that of support or backup unit once air support has the suspect vehicle in sight.

##### **41.9.1 Pursuit Summary Report**

The primary officer and the supervisor shall file a pursuit summary report.

To ensure compliance with MN STAT 626.5532, the Chief of Police shall ensure the completion of the State pursuit report form and forward it to the Commissioner of Public Safety within 30 days following the incident.

##### **41.9.2 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 of Police regarding possible improvement of pursuit policy and tactics.