



CRYSTAL POLICE DEPARTMENT

Department Policy Manual

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This policy is a mandated policy by the Minnesota Board of Peace Officer Standards and Training (POST Board) by MSS §626.8458. This policy meets all requirements of the POST Board Model Policy

PURPOSE

This policy establishes a framework and guidelines for vehicle pursuits by department personnel. While apprehension of law violators is a primary focus of law enforcement, it is understood that law violators may attempt to avoid arrest by attempting evasion in a vehicle. All personnel operating police vehicles shall exercise due regard for the safety of all persons and no tasks shall be so important that they justify the reckless disregard of the safety of innocent persons. The purpose of this policy is to give guidance to officers on how to balance the many facets of this responsibility. Compliance with these guidelines is mandatory, but it is recognized that officers must also attend to other primary duties and the safety of all concerned, sometimes in circumstances that are tense, uncertain, and rapidly evolving.

POLICY

The policy of the Crystal Police Department is that officers will always be aware of the potential hazards to people and property of high-speed pursuits. Officers will take appropriate actions to avoid high-speed pursuits whenever possible and to mitigate risks when engaged in pursuits. This may be accomplished by:

- Preplanning traffic stops to remove the temptation of violators to flee;
- Attempting to identify violators for later apprehension prior to a pursuit;
- Attempting to quickly bring an end to a pursuit that appears ready to begin or has begun through various means;
- Once a pursuit has started, continually evaluating the benefit of apprehension of the violator versus the hazard of proceeding with the pursuit.

Officers should always operate police vehicles within the limits prescribed by state statutes governing emergency vehicles (MSS §169.17), particularly with regard to the duty to drive with due regard for the safety of person using the street. At the point at which the hazards or the safety or the pursuit exceed the value of the arrest, officers should take action to terminate the pursuit or reduce their efforts at an appropriate level.

DEFINITIONS

PURSUIT: A multi-stage process by which a police officer initiates a vehicular stop based on an articulable offense or suspicion and a driver resists the signal.

PRIMARY UNIT: The unit which initiates the pursuit, though may later be replaced by a unit closest to the fleeing unit.

SECONDARY UNITS: These units are the additional police units in direct pursuit of the fleeing vehicle. The units follow the primary unit at a safe distance and may assume the role of primary unit or back-up unit when the fleeing vehicle is stopped.

BACK-UP UNITS: Other police units participating in the pursuit but are not in the direct pursuit of the fleeing vehicle. These units may operate emergency equipment and get in position to assist in stopping the fleeing vehicle or other traffic or assist at the stop of the fleeing vehicle.

SUPERVISOR: An officer of the rank of sergeant or higher. In the absence of an on-duty sergeant, the senior-most officer on-duty assumed the responsibility of supervisor.

PURSUIT CONSIDERATIONS

A pursuit is justified and authorized:

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

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

- The initial decision to engage in a pursuit shall lie 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 density, area of pursuit, environmental factors, and weather conditions);
- The ability to identify the driver and/or suspect(s) for later apprehension;
- The need to immediately apprehend the suspect versus the risk created by the pursuit. Do the dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape;
- 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.

SUPERVISOR RESPONSIBILITY

Upon being notified of the pursuit, the supervisor shall:

- A. As soon as applicable, ensure that all appropriate and relevant information about the circumstances of the pursuit have been communicated over the radio;
- B. Actively monitor the pursuit activities, including requesting updates as needed, and ensure that the pursuit is operating within the guidelines established in this policy;
- C. Provide appropriate direction to involved officers;
- D. Request and direct additional resources as needed;
- E. Continually evaluate the risks of the pursuit with the benefits and likelihood of a successful apprehension;
- F. Direct termination of the pursuit if it is determined that the risks outweigh the benefit.

PURSUIT TERMINATION

Police officers and supervisors will not be disciplined for terminating a pursuit when, in the police officer or supervisor opinion, continued pursuit constitutes unreasonable risk.

Because the primary concern in all vehicle pursuits is the safety of the public, it is essential that pursuits be concluded quickly and safely with minimal risk to the public whenever possible. Once an officer is certain that a subject is starting to flee, the officer should immediately seek and use opportunities to end the pursuit as quickly and safely as possible and practical. Facilitating an early end to a vehicle pursuit will accomplish the goals of safety to the public and apprehension of the subject. Depending on the circumstances of the vehicle pursuit, officers have a number of options to help facilitate this. These options may include Tire Deflation Devices, Pursuit Intervention Technique (PIT), Aerial Assistance, intentional collisions, and roadblocks.

The decision to disengage a pursuit may be the most prudent course of action. Police officers and supervisors must continually re-evaluate the situation and continually evaluate the need for apprehension with the risks of continued pursuit.

The driver of the primary unit and the supervisor shall continually evaluate the risks and likelihood of a successful apprehension of the suspect. Pursuits shall be abandoned when:

- The conditions of the pursuit become too risky for the safe continuation of the pursuit;
- A supervisor orders the pursuit terminated;
- If, at any point, it is determined that the pursuit is out of compliance with policy;
- When normal communication is broken with the primary unit, secondary units, supervisor, or dispatch;
- When emergency lighting or siren becomes inoperable on the pursuing unit;
- When visual contact is lost for a reasonable period of time or the direction of travel cannot be determined;
- When the suspect is known and could be apprehended later, when delay does not create a substantial known risk of injury or death to another.

Upon the decision of an officer or supervisor to terminate a pursuit, the primary and secondary unit(s) shall:

- Turn off emergency equipment;
- Resume routine vehicle operation (i.e. resume normal speeds and operation);
- Inform dispatch of the pursuit termination;
- In the event a supervisor directs the termination of a pursuit, all primary and secondary unit(s) will acknowledge the termination of the pursuit on the radio as soon as practical.

AID TO INJURED PERSONS

In the event that, during a pursuit, a crash occurs that involved persons and/or vehicles that are not involved in the pursuit:

- The primary unit shall immediately notify dispatch and appropriate emergency medical services shall be requested;
- If the primary unit or the first secondary unit becomes aware of a potentially significant injury to a third party resulting from the pursuit, the first secondary unit shall exit the pursuit and provide medical assistance as necessary;

- If there is no secondary unit within sight of the primary unit, the primary unit shall terminate the pursuit and provide medical assistance as necessary;
- Any other secondary units may continue the pursuit if sufficient assistance to the crash victim(s) is being provided.

WRITTEN REPORT REQUIRED

The primary officer from the Crystal Police Department involved in a vehicle pursuit shall complete a Crystal incident report and the MN Pursuit report as outlined in MSS §626.532. All other assisting officers who actively participated in the pursuit or deployed tire deflation devices shall document specific details in a supplemental police report utilizing the format of the Vehicular Pursuit Report.

TRAINING

As a minimum of each POST licensing period, police officers shall participate in a training program for emergency vehicle operation that complies with the learning objectives approved by the MN POST Board. In accordance with MN POST Board guidelines, if the Chief of Police determines an officer will not be involved in emergency vehicle operations and/or police pursuits, the Chief of Police may grant the officer an “exemption” to this requirement and must notify the MN POST Board of the exception.