

CHAPTER G

POST MANDATED

EMERGENCY VEHICLE OPERATION/VEHICLE PURSUITS

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G-1 EMERGENCY VEHICLE OPERATION

Personnel will, under normal conditions, operate police vehicles in the same manner as required for the public. Violations of motor vehicle laws, when not authorized by emergency conditions or careless, abusive use of police vehicular equipment, will result in disciplinary action.

Vehicles shall not be driven when they are in unsafe mechanical condition. Officers shall inspect their assigned vehicle before each tour of duty and report any damage or mechanical failure to the Chief.

Officers must exercise sound professional judgment in gauging their speed and manner of driving. There are multiple factors that bear on safety during emergency driving, including but not limited to road, traffic, weather, and lighting conditions, time of day, and the presence of pedestrians. Officers should take these and other relevant factors into account and respond in a manner that does not, given the urgency of the situation, unreasonably endanger others.

Officers must discontinue an emergency response when:

- a. Circumstances indicate the risk created by emergency driving plainly outweighs the necessity of arriving quickly.
- b. The emergency has ceased to exist; or
- c. When directed by a supervisor to discontinue.

G-2 HIGH SPEED DRIVING

As outlined in Minnesota State Statute 169.03:

- A. The driver of any authorized emergency vehicle, when responding to an emergency call, upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety but may proceed cautiously past such red or stop sign or signal after sounding siren and displaying red lights.
- B. The driver of any authorized emergency vehicle, when responding to any emergency call, may enter against the run of traffic on any one-way street, or

highway where there is authorized division of traffic, to facilitate traveling to the area in which an emergency has been reported; and the provisions of this section shall not affect any cause of action arising prior to its passage.

- C. An authorized emergency vehicle, when at the scene of a reported emergency, may park or stand, notwithstanding any law or ordinance to the contrary.
- D. No driver of any authorized emergency vehicle shall assume any special privilege under this chapter except when such vehicle is operated in response to any emergency call or in the immediate pursuit of an actual or suspected violator of the law.

G-3 RAMMING OF PURSUED VEHICLES

In the course of pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, or driving alongside the pursued vehicle while it is in motion shall be prohibited, unless such actions are specifically authorized by the Chief of Police. Such actions may be approved only when the use of deadly force would be authorized. Reckless or hazardous driving maneuvers shall not be duplicated by any pursuing vehicle. This policy may be reviewed and rewritten in the event an officer(s) receives proper PIT training as authorized and sanctioned by the Minnesota POST BOARD.

G-4 ROADBLOCKS

The use of roadblocks must be authorized by the Chief of Police. The use of a roadblock must be directly associated with the seriousness of the crime for which the suspect is wanted. The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop. The roadway shall not be completely blocked unless the use of deadly force would be authorized.

G-5 VEHICULAR PURSUITS

I. POLICY

It is the policy of the Belgrade/Brooten Police Department to protect lives while enforcing the law and 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 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.

II. DEFINITIONS

- A. *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.

- B. *Termination of a Pursuit:*** A pursuit shall terminate when the pursuing officer(s) turn off the emergency equipment, resume routine vehicle operation and informs dispatch, or when the suspect vehicle stops.
- C. *Divided Highway:*** Any highway that is separated into two or more roadways by:
 - a. a physical barrier, or
 - b. 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.

III. PROCEDURE

A. *Pursuit Considerations*

- a. Pursuit is justified when:
 - 1. a vehicle operator fails to stop after being given a visual and audible signal to stop by a peace officer; and
 - 2. 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 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 considerations:

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.

B. Procedures & 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 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.

C. Responsibilities of the Primary Unit

- a. The driver of the primary unit shall notify dispatch of the pursuit and shall 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 the officer.
 6. any other important information about the suspect vehicle or environment (for example, the suspect is traveling without lights, or the officer has lost sight of the vehicle).
- b. Based on the known information the supervisor shall make the decision to either take further appropriate action or terminate the pursuit.
- c. No officer will intentionally make vehicle-to-vehicle contact unless this action is in conformance with the Use of Force (600.01) and Ramming a Pursued Vehicle policy (700.03).
- d. Roadblocks must conform to the Use of Force (600.01) and Roadblock policy (700.04).
- e. Only law enforcement vehicles with emergency lights and siren will be used as pursuit vehicles.

D. Supervision of Pursuit Activities

- a.** When an officer with the Belgrade/Brooten Police Department engages in a pursuit, the officer will request dispatch notify the Chief of Police immediately when safe to. The Chief of Police, if able, will monitor the pursuit and determine whether the pursuit should continue or be terminated. This does not preclude the initiating officer to terminating the pursuit based on their observations. If the Chief of Police is not available, the officer may request the County's on-duty Sergeant or higher rank; they will have the same decision-making authority as the Chief of Police.

- b.** Options to keep in mind during a pursuit include, but are not limited to:
 - 1.** parallel pursuits
 - 2.** channeling techniques
 - 3.** creating a compelling path

E. Dispatch Responsibilities

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

F. 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.

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

G. Interjurisdictional Pursuit

- a.** The primary unit shall update critical information to the dispatcher before leaving its jurisdiction.
- b.** The primary law enforcement vehicle shall remain the primary vehicle in other jurisdictions unless the controlling pursuit authority transfers its authority to another jurisdiction.
- c.** 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.
- d.** When a pursuit enters the Belgrade/Brooten Police Department's jurisdiction, officers will notify the Chief of Police of the pursuit and their intent to assist with it.
 - 1.** the dispatcher shall update the critical information to the officers or other authorized individuals.
 - 2.** when a pursuit nears the Belgrade/Brooten Police Department's jurisdiction, officer's should position themselves in such a way to try and prevent the pursuit from entering into the residential areas of the community.
 - 3.** the controlling pursuit authority shall determine if the pursuit is in conformance with policy and shall provide appropriate direction to their units.

H. Air Support

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

I. 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 dispatcher to have the appropriate emergency units respond.
- b.** 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 will not delegate the responsibility to render the assistance to a backup unit. If the officer is alone, they will provide a description and direction of travel to other responding units.

J. Pursuit Summary Report

- a. The primary officer shall file a pursuit summary report.
- b. To ensure compliance with MN 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 incident.
- c. As required in MN STAT 626.5532, the report must contain the following elements:
 1. the reason(s) for, and the circumstances surrounding the incident;
 2. the alleged offense;
 3. the length of the pursuit including time and distance;
 4. the outcome of the pursuit;
 5. any injuries or property damage resulting from the incident; and
 6. any pending criminal charges against the driver.

K. Evaluation and Critique

After each pursuit the Chief or Supervisor involved with the pursuit may evaluate the pursuit and make recommendations to the officer and/or on ways to improve the pursuit tactics or pursuit policy.

G-6 Training

Officers whom the Chief of Police determines may be involved in police pursuits are required to undergo the training specified by Minn. Stat § 626.8458 subd. 5 for pursuits and emergency vehicle operations. Other officers who operate vehicles in emergency status should receive in-service training in emergency vehicle operations as may be directed.