

2-200 VEHICLE PURSUITS

It is the policy of the University of Minnesota Duluth 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.

2-201 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 informs dispatch, 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.

Violent Felony (for purposes of this policy): Instances of homicide, aggravated robbery, felony-level assault, felony-level criminal sexual conduct, kidnapping, and first-degree burglary.

2-202 PREREQUISITES AND CONSIDERATIONS

UMDPD officers may only engage in a vehicle pursuit to apprehend a suspect wanted for a violent felony. Violent felonies include actual or attempted: homicides, aggravated robberies, felony-level assaults, felony-level criminal sexual conduct, kidnapping, and first-degree burglaries. Other significant public safety risks may exist which may require deviation from this policy. UMDPD supervisor approval is necessary in those instances.

With the above conditions met, 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 the following considerations:

- whether the need to immediately apprehend the suspect is more important than the risk created by the pursuit;
- whether the dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape.

2-203 PROCEDURES, TACTICS, AND RESPONSIBILITIES

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.

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 (for example, the suspect is traveling without lights, or the officer has lost sight of the vehicle).

Based on the known information the supervisor shall make the decision to either take further appropriate action or terminate the pursuit.

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

UMDPD officers will not initiate, form, or request roadblocks.

Only UMDPD vehicles with functioning emergency lights and siren will be used as pursuit vehicles.

Options to keep in mind during a pursuit include, but are not limited to:

- parallel pursuits;
- channeling techniques;

- creating a compelling path.

Following completion of pursuit, primary or a secondary officer involved shall initiate notification and advisory of the pursuit up the UMDPD chain of command.

2-204 SUPERVISION OF PURSUIT ACTIVITIES

When on-duty, UMDPD supervisory and/or command staff will monitor radio transmissions pertaining to the pursuit, if not the actual pursuit itself. Supervisors and command staff are authorized to order termination of any pursuit. A supervisor on duty at the time of the pursuit will notify command staff by telephone as soon as is practicable after conclusion of the pursuit.

Should a pursuit occur at a time when UMDPD supervisors or command staff are not on-duty, a senior officer is authorized to order termination of the pursuit. Absent supervisors, command staff, and senior officer, pursuing officer will be held to adherence of this policy in determining whether the pursuit should proceed or be terminated.

Absent supervisors and command staff, the senior-most officer on duty at the time of the pursuit will notify supervisory or command staff by telephone as soon as is practicable after conclusion of the pursuit.

Should a UMDPD-initiated pursuit enter the jurisdiction of another law enforcement agency, the pursuit shall be terminated or relinquished to that agency if directed to by any of its on-duty personnel.

2-205 DISPATCH RESPONSIBILITIES

UMDPD will adhere to practice and procedure dictated by St. Louis County emergency dispatch personnel during any pursuit.

2-206 FACTORS INFLUENCING TERMINATION OF 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.

Should a UMDPD-initiated pursuit enter the jurisdiction of another law enforcement agency, the pursuit shall be terminated or relinquished to that agency if directed to by any of its on-duty personnel.

2-207 INTER-JURISDICTIONAL PURSUITS

Should a UMDPD-initiated pursuit enter the jurisdiction of another law enforcement agency, the pursuit shall be terminated or relinquished to that agency if directed or requested to by any of its on-duty personnel. Should primary pursuit status remain with a UMDPD officer/s in another jurisdiction, our officers shall continue to adhere to this policy.

When a pursuit enters UMDPD jurisdiction, on-duty officers will monitor radio traffic pertaining to the pursuit, if not the pursuit itself. Command or supervisory staff (or senior-most officer, in lieu of) will request or direct termination of the pursuit if it poses a threat to the safety of persons, facilities, or infrastructure on our campus or property.

UMDPD officers will not assume primary status of the pursuit, or join the pursuit as secondary pursuers, unless requested to do so by the pursuing agency and primary or secondary pursuit is authorized under this policy.

UMDPD officers will immediately respond to and assess any injuries or damage incurred on UMD campus or property resulting from another agency's pursuit.

2-208 AIR SUPPORT

If an air support option is present during a pursuit, and 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 back-up unit.

2-209 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 back-up unit.

2-210 REPORTING AND DOCUMENTATION

Any UMDPD officer involved in any pursuit will document the involvement in a departmental report.

To ensure compliance with Minnesota Statute 626.5532, the Director/designee 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.

As required in Minnesota Statute 626.5532, the report must contain the following elements:

- the reason/s for, and the circumstances surrounding the incident;
- the alleged offense;
- the length of the pursuit including time and distance;
- the outcome of the pursuit;
- any injuries or property damage resulting from the incident; and
- any pending criminal charges against the driver.

2-211 EVALUATION AND CRITIQUE

After each pursuit, the supervisor and officer/s involved in it will evaluate the pursuit and make recommendations to the Director/designee on ways to improve the agency's pursuit policy and tactics.

2-212 PURSUIT TRAINING

The Chief of Police shall ensure the frequency and content of emergency vehicle operations and vehicle pursuit training meets or exceeds that required by law (Minnesota Statute 626.8458 Subd. 5; Minn. R. § 6700.2702).

2-213 ANNUAL POLICY COMPLIANCE

The Chief of Police shall annually ensure that this policy is reviewed and certified to the state that it complies with requirements of any new or revised model policy adopted by the state (Minnesota Statute 626.8458 Subd. 3).