

**General Order 51**  
**VEHICLE PURSUIT**

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Issuing Authority:	Joseph Stark, Chief of Police

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**PURPOSE**

Employees have a responsibility to operate department vehicles in a legal, safe, and courteous manner. Acceptable vehicle operation involves adherence to standards of fleet maintenance, regular inspections, and defensive driving. Officers are at great risk of injury or liability when driving routine patrol under various road and traffic conditions.

Their responsibilities are especially great during emergency field responses of pursuits of fleeing suspect. 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**

Vehicle operations should help ensure employee and public safety, minimize needless expenses, and increase efficiency. Safety is first. Employees share responsibility for their own safety and for other motorists whenever they operate and Wabasha Police Department vehicle. Officers should respond to emergency calls quickly, but with regard for the safety of lives and property.

**PROCEDURES**

**Inspection of Vehicles**

Inspect your assigned vehicle at the beginning of your shift. Look for visible damage and check to see that all assigned equipment is in the vehicle and in good working order.

**Vehicle Safety Inspection**

At the beginning of your shift, make safety checks of tires, all lights, water levels, brakes, brake and transmission fluid levels, seat belts, emergency equipment, and other potential hazards to the operation of the vehicle.

**Vehicle Damage Inspection**

Inspect for visible damage and cleanliness of the exterior and interior of the vehicle.

### **Inspection of Equipment in Vehicle**

Check the shotgun, fire extinguisher, spare tire, jack, lug wrench, flares, first aid kit, and other equipment, verifying they are secure and in good working order.

### **Reporting Vehicle Discrepancies**

Immediately report deficiencies found in the condition of your assigned vehicle or equipment to your supervisor.

### **Interior Inspection**

Check for contraband and weapons that prisoners might have left in the car.

## **Response to Calls for Service**

### **Routine Response**

All calls for service and other incidents are presumed to be routine unless designated as an emergency by you, a supervisor, or the Chief of Police. Dispatchers only recommend an emergency response.

- \* Parking Police Department Vehicles - When you must park contrary to traffic laws to conduct public business, and while protecting traffic accidents, crime scenes or stopped vehicles, use emergency lights or flashing hazard lights as needed for safety.
- \* Stopping Vehicles - When necessary to violate traffic laws to stop vehicles, use the emergency lights.

## **Emergency Response**

Make an emergency response when conditions exist, or are believed to exist, that have resulted or may lead to serious injury, death or disastrous effect on the community. Using the siren or emergency lights during an emergency response.

\* Responding to Emergencies - During an emergency response, you may:

\*\* Stand contrary to traffic laws;

EXCEPTION: At fire scenes, do not block access to a fire hydrant or block passage of fire trucks and apparatus.

\*\* Proceed through a stop sign or red light, but only after slowing as may be necessary for safe operation. Your lights and siren are notifying other drivers of your request for the right of way; resume pursuit speed only when safe to do so;

\*\* Exceed posted speed limits, using a high degree of caution to reduce risks of danger to life or property;

\*\* Ignore traffic laws governing direction of traffic movement or turning, using a high degree of caution.

EXCEPTION: Do not respond the wrong way on interstate, controlled access or divided highways.

\* Consider Existing Conditions - During an emergency response, always consider existing light, weather, road, traffic and vehicle conditions.

\* Alertness and Foresight - During an emergency response, you must be extra cautious as other motorists may unpredictably react and create added hazards.

## **Use of Safety Belts**

Always wear a lap and shoulder safety belt while operating Police Department vehicles or in private vehicles while conducting department business. Follow State Revised Statutes in all cases. Have all Passengers in your vehicle wear a safety belt.

## **Pursuits**

### **Evaluate Circumstances**

To begin or continue a pursuit, consider several circumstances, including but not limit to:

- \* Prevention of Serious Crime or Physical Harm - Do you believe the violator or suspect presents an immediate threat to the safety of others? Have they committed, or are they trying to commit a serious crime? Is there a possibility of injury or death to another or destruction of property?
- \* No Other Reasonable Choice Exists - Does immediate apprehension of the fleeing violator or suspect outweigh the possible dangers of a pursuit?
- \* Time of Day - Is there little chance of heavy traffic congestion and the presence of pedestrians?
- \* Conditions - Is there favorable light, weather and road conditions?

### **Ending Pursuit**

You may decide to stop a pursuit at any point. Immediately stop your pursuit when so informed by your supervisor or the Chief of Police. Base your decision to stop on the following or other proper factors:

- \* Endangering Persons - If the pursuit begins to create a serious danger to officers involved or to the public;
- \* Lack of Help - If you are pursuing violent fugitives, suspects in major felonies, multiple fleeing vehicles and occupants and there is no backup aid available to you;
- \* Vehicle Condition- If the condition of your vehicle becomes operationally unsound;
- \* Unfamiliar with Area - If you are unfamiliar with the area and unable to give notice of your location;
- \* Public Safety - If the duration and difficulty of the pursuit begins to outweigh safety factors;
- \* Known Vehicle or Suspect - If you can identify the vehicle or suspect for arrest later under less dangerous conditions.
- \* The suspect's identity has been established to the point where the later apprehension may be accomplished, and there is no longer a need for immediate apprehension.

- \* The pursued's vehicle location is no longer known.
- \* If there is a person injured during the course of a pursuit and there is no one else in the immediate area who is able to render assistance.
- \* If the pursuing officer is unable to articulate the information required under MS State Statute 609 above within a reasonable time after engaging pursuit.

### **Pursuit Driving Techniques**

Pursuing other motor vehicles is extremely hazardous and often misunderstood. While exemptions exist, traffic laws never protect you from the consequences of reckless disregard for the safety of others.

All officers shall be required to attend a pursuit driving school and attend an appropriate refresher course every five years.

- \* Emergency Equipment - Use emergency lights and siren while in pursuit;
- \* Safety Equipment - Keep your safety belt fastened; the department encourages you to lock your vehicle doors during pursuit;
- \* Direct Pursuit - No more than two units may be in direct pursuit of a fleeing vehicle.
- \*\* Space your vehicle at a distance to allow proper braking and reaction time to slowing or stopping vehicles in front;
- \*\* There shall be no caravan of units.
- \* Use of Force - Bumping maneuvers or use of a firearm to stop a fleeing vehicle are forbidden unless authorized by a supervisor, or if a significant and direct threat to life or safety exists for you or other persons;

**NOTE:** Use such measures as a last resort and only when criteria exists for use of deadly force.

- \* Leaving Jurisdiction - do not pursue a fleeing suspect into another jurisdiction, unless authorized by mutual aid agreement or the Chief of Police.

### **Responsibilities of Primary Unit**

As the officer starting pursuit, you begin as the primary unit. Probably you will stay the primary unit if you are driving a marked patrol car.

- \* Preliminary Radio Broadcast - Give an early radio broadcast, making the pursuit known, your location, direction of travel, and reason or violation. If known, give vehicle identification and license plate number of the offender's vehicle, number and description of occupants.
- \* Unmarked Vehicle - If you are not driving a marked patrol car, request one to be assigned as the primary unit. When the marked patrol car is in position, abandon your pursuit or become the secondary unit.
- \* Added Radio Broadcasts - Update your location and direction of travel. You may choose to continue radio traffic on the State Emergency Radio Network if you are entering another jurisdiction.
- \* Arrest of Suspect - If you were the beginning Officer and abandoned pursuit, yet the pursuit is successful, drive to the ending point. As the original primary unit, you are responsible for making the arrest, with aid from the secondary unit that came the primary unit.
- \* Visual Contact - If visual contact is lost with the fleeing suspect, stop the pursuit. Broadcast your location and any other information that may help other units in making an apprehension. Coordinate any search effort as warranted.
- \* Fleeing on Foot - If suspects stops vehicle and flees on foot, give your location and continue to apprehend on foot.

### **Air Support**

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

### **Responsibilities of Secondary Unit**

As the secondary unit, you give immediate aid and backup to the primary unit.

- \* Assuming Primary Status - If for any reason the primary unit becomes unable to continue or maintain immediate pursuit, you become the primary unit.
- \* Backup for Arrest - If the primary unit makes an arrest, give backup aid.
- \* Radio Broadcasts - You may assume responsibility for radio communication if the primary unit requests.

### **Minnesota State Statutes**

- \* Emergency Vehicles - Minnesota Statute 609-17 - The speed limitations set forth in SS169.14 to 169.17 do not apply to authorized emergency vehicles when responding to emergency calls, but "the driver thereof shall sound audible signal by siren and display at least one lighted red light to the front". This provision does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the streets, nor does it protect the driver of an authorized emergency vehicle from consequences of reckless disregard for the safety of others.
- \* Emergency Vehicles; Applications - Minnesota Statute 169.03 - Under Minnesota Statute 169.03, Subd. 5, no driver of an authorized emergency vehicle shall assume any special privileges except when in response to an emergency call or in immediate pursuit of an actual or suspected violator of the law.
- \* Minnesota Statute 609-487 - Fleeing a Police Officer in a Motor Vehicle - Subd. 1, Flee; Definition: For the purposes of this sections, the term "flee" means to increase speed, extinguish motor vehicle headlights or tail lights, or to use other means with intent to attempt to elude a peace officer following a signal given by a peace officer to the driver of a motor vehicle.
- \* Subd. 3, Fleeing an Officer: Whoever, by means of a motor vehicle, flees or attempts to flee a peace officer who is acting in a lawful discharge of an official duty, and the perpetrator knows or should reasonable know the same to be a peace officer, may be sentenced to prison for not more than one year, or the payment of a fine of not more than \$3,000, or both.
- \* Use of Force: All officers shall adhere to department policy and Minnesota Statute SS609.06 and 609.66.
- \* Vehicle Pursuit: An active attempt by an officer in an authorized emergency vehicle to apprehend suspects who are attempting to avoid apprehension through evasive tactics.
- \* A pursuit may be initiated when a vehicle is being operated in violation of Minnesota Statute 609-487. The decision to initiate or continue a pursuit should be based on the following factors:
  - \*\* Nature of offense;
  - \*\* Road and weather conditions;
  - \*\* Traffic Conditions;
  - \*\* Presence and location of pedestrians;

- \*\* Geographic location;
- \*\* Type of vehicle involved;
- \*\* Time of day;
- \*\* Other options available.

The Chief of Police or on duty supervisor and officers involved in pursuit should continually evaluate whether the seriousness of the violation justifies the pursuit.

- \* Passengers: Officers having civilian passengers or prisoners in their squads shall not become involved in vehicle pursuits.
- \* Unmarked Vehicles: Officers operating unmarked vehicles equipped with working emergency lights and siren may engage in a vehicle pursuit only when the fleeing vehicle presents an immediate and direct threat to life. As soon as a marked vehicle becomes available to take over the pursuit, the unmarked vehicle shall withdraw from active pursuit and serve as an assisting unit.
- \* Intra- and Inter-Jurisdictional Pursuits: Notification from another jurisdiction of a pursuit in progress shall not be construed as a request to join in another jurisdiction's pursuit unless specifically authorized by the Chief of Police or on duty supervisor, or unless it is clearly demonstrated that failure to do so would immediately endanger the public safety. If a pursuit from this jurisdiction enters a neighboring jurisdiction, the officer involved shall request that the dispatcher notify the dispatcher of the neighboring jurisdiction of the pursuit and that the call is either a request for assistance or a courtesy notification with no participation desired.
- \* Injuries: 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.
- \* Monitoring Activities: The on duty supervisor shall monitor the pursuit activities and direct the tactics to be used. The on duty supervisor may order the termination of a pursuit at any time.
- \* Number and Duties of Units Involved: A pursuit will normally not involve more than two units: the primary unit and one back-up. If more assistance is requested, the number of additional back-up vehicles will be determined by: nature of offense, number of suspects, whether the participating units have more than one officer, and any other available facts.
- \* The on duty supervisor may authorize more than two participating units in a pursuit. Other units are to remain aware of the direction and progress of the pursuit, and may trail at prudent speeds to ensure rapid response once the pursued vehicle is stopped.



- \* Officers shall not pursue on parallel streets to the pursuit unless specifically authorized to do so by the Chief of Police or on duty supervisor.

- \* Caravanning of Police units is not permitted.

### **Documentation**

- \* Reporting: To ensure compliance with Minnesota Statute SS 626.5532, the pursuit officers and the Chief of Police or on duty supervisor shall evaluate the pursuit and write a report on the vehicle pursuit. Copies of the written report shall be forwarded to the Commissioner of Public Safety within 30 days following the incident.

- \* Written Reports: The written report must contain the following elements:

- \*\* The reason(s) for, and the circumstances surrounding the incident(s);

- \*\* 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;

- \*\* Any pending criminal charges against the driver;

- \*\* Types of tactics used in pursuit.

### **Roadblocks**

You may set a roadblock to apprehend felony suspects only when there is a significant and direct threat to life. Roadblocks must be implemented safely to ensure protection for you or other person. Roadblocks require on duty supervisor approval.

### **Criteria for Emergency Roadblocks**

The crime must be serious and there must be adequate personnel and equipment before setting an emergency roadblock to stop a fleeing suspect.

- \* Seriousness of Crime - You may set a partial roadblock to apprehend escaped felons or suspects wanted on warrants for other crimes involving extreme violence or serious injury, fatal hit and run traffic accident, armed robbery, etc., and they constitute an imminent danger or threat of serious physical harm;
- \* Personnel - There must be available personnel to ensure proper and safe operations; Officers must be trained in roadblock operations;
- \* Equipment - There must be adequate patrol vehicles, barricades, flares, and cones at the scene.
- \*\* Officers must provide for complete and immediate recognition by all motorists using the roadway;
- \*\* Use only marked patrol cars with emergency lights operating to set roadblocks.

### **Emergency Roadblock Operations**

In planning roadblock operations, consider the location, type of road surface, topography, distance of visibility, and other safety factors. Set roadblocks in position where a fleeing suspect has a reasonable distance and opportunity to safely stop.

### **Types of Roadblocks**

- \* Partial Roadblock - A partial roadblock allows a car to pass through. Position your marked patrol car so there is adequate roadway for the fleeing vehicle to safely pass. Arrange barricades, cones, flares, etc., to funnel traffic into one passable lane. Park marked vehicles partly in traffic lanes at about a 45-degree angle. Turn on vehicle emergency lights.
- \* Impassable Roadblock - Impassable roadblocks that position marked patrol cars to completely block the roadway are permitted for traffic control. You may set impassable roadblocks for special and emergency disaster scenes, fire scenes, major crime scenes, special events, parades, etc. Do not set impassable roadblocks to stop fleeing violators or suspects.

### **REFERENCES**

CALEA