

I. Purpose

Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law

II. Policy

It is the policy of La Crescent 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.

III. DEFINITIONS

1. **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.
2. **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.
3. **Divided Highway:** Any highway that is separated into two or more roadways by:
 1. a physical barrier, or
 2. a clearly indicated dividing section constructed so as to impede vehicular traffic.
4. **Channeling:** To direct vehicular traffic into a progressively narrowing passageway or lane location on the roadway.
5. **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.

IV. PROCEDURE

1. Pursuit Considerations

Pursuit is justified when:

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

2. Other factors to be considered:

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

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

- a) is the need to immediately apprehend the suspect more important than the risk created by the pursuit.
- b) do the dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape.

4. 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.

- d) Upon the decision or direction to terminate a pursuit, the pursuing vehicles shall decrease speed to the posted speed limit, deactivate the emergency lights and change direction.

5. 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:
 - 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).
- 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 agency policy on use of force (see agency policy on use of force).
- d) Roadblocks must conform to the agency's policy on use of force.
- e) Only law enforcement vehicles with emergency lights and siren will be used as pursuit vehicles.

6. Supervision of Pursuit Activities

- a) The On-Duty Supervisor or Senior Officer should be made aware of the pursuit as soon as possible after the pursuit is initiated. This may be accomplished through radio transmission from the initiating officer, dispatch or direct communication from our officers on duty.
- b) Once notified, the supervisor has control over pursuit activities, including:
 - Requesting further critical information necessary to evaluate the continuation of the pursuit.
 - Authority to terminate the pursuit at any time.
- c) Options to keep in mind during a pursuit include, but are not limited to:
 - parallel pursuits.
 - channeling techniques.
 - creating a compelling path.

- d) Post-pursuit chain of command notifications are required and should comply with policy #204.

7. The following are procedures regarding control over pursuit activities:

- a). The Houston County Sheriff's Officer Dispatch shall be immediately notified. Critical information in reference to the pursuit shall be relayed to the Houston County Sheriff's Office Dispatch. Dispatch shall be requested to relay critical information to the Chief of Police or a department supervisor. Information shall be forwarded to the Chief of Police or a department supervisor so ongoing pursuits can be evaluated.
- b). During a vehicle pursuit, any La Crescent Police Officer involved in the pursuit has the discretion of discontinuing a pursuit, unless ordered otherwise by their supervisor or Chief of Police. The La Crescent Chief of Police or his/her designated supervisor (Sergeant/Corporal) shall also have the authority to order a pursuit be terminated.
- c). Option to keep in mind during a pursuit include, but are not limited to the following:
 - In cases involving wrong-way drivers, parallel pursuits may be used.
 - Notification of the next jurisdiction is encouraged.
 - Channeling techniques may be used.
 - Create a compelling path.

8. Dispatch Responsibilities

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

9. 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) Officers in pursuit of a vehicle who decide to deactivate emergency lights and reduce speed will be considered to have terminated the pursuit. Re-initiation of the pursuit, along with any intervention tactics, such as PIT or Stop Sticks, shall NOT be considered.

10. Interjurisdictional Pursuit

- 1. The primary unit shall update critical information to the dispatcher before leaving its jurisdiction.
- 2. The primary law enforcement vehicle shall remain the primary vehicle in other jurisdictions unless the controlling pursuit authority transfers its authority to another jurisdiction.
- 3. 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.
- 4. 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.

11. 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.

V. Care and Consideration of Victims

- 1. 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.
- 2. 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.

VI. Pursuit Summary Report

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

VII. Evaluation and Critique

1. After each pursuit the supervisor and law enforcement agency units involved with the pursuit will evaluate the pursuit and make recommendations to the chief law enforcement officer on ways to improve the agency's pursuit policy and tactics.
2. In such pursuit cases, Minnesota officers may arrest and have the full powers of arrest as if they were in Minnesota, however, under no circumstances is the person(s) arrested to be transported back to Minnesota. The person(s) will be turned over to an officer of the law from the jurisdiction the arresting officer is in, or taken immediately before a magistrate in that state. (Note: Wisconsin officers may arrest on probable cause for a misdemeanor and we may provide them with the probable cause).

VIII. Pursuit Intervention Technique (PIT)

1. All La Crescent Police Officers will attend a POST approved course on emergency vehicle operations (EVOC) at least once every 5 years.
 - a). Pursuit Intervention Technique Definition:

Pursuit Intervention Technique, hereafter known as PIT, is a controlled contact between the patrol unit and the pursued vehicle which is intended to cause the fleeing vehicle to go into a controlled spin and to come to rest at a predetermined place.

Caution: Only Officers who are trained in the pursuit intervention technique may use it.

2. Policy

- a). The use of PIT is authorized as an affirmative stopping tactic. This method may be used to bring a pursuit to a safe conclusion for all participants. It is the intent of this tactic to protect the public, as well as, those involved in an already serious incident.

b). The La Crescent Police Department recognizes that vehicle to vehicle contact may be a legitimate means of terminating a pursuit. Furthermore, all cases of vehicle-to-vehicle contact cannot be construed as the use of deadly force. The department recognizes the inherent dangers of such actions and the justification for vehicle contact rests with the officer and his or her assessment of the conditions present and the consequences of those actions.

3. Procedure:

a). Officers may employ the PIT against a pursued vehicle in order to terminate a pursuit or prevent a pursued vehicle from continued operation under the following circumstances:

b). When the officer(s) involved have evaluated the safety of the public, law enforcement personnel and occupants of the pursued vehicle and concluded that the risk of harm to continue the pursuit outweighs the risk of harm from the use of a PIT maneuver.

c). All other means of apprehension have been considered and rejected as impractical to quickly terminate a pursuit. It is appropriate to use at any time in a pursuit when it can successfully shorten the pursuit and reduce risk to the public.

d). The officer(s) affecting PIT must have attended and successfully completed department approved training in the technique which will be employed.

e). Officer(s) shall use reasonable force as dictated by state statute and department policy on use of force/deadly force.

f). It is the policy of this department to accord officers discretion in the use of force to the extent permitted by Minnesota State Statute 609.066, subdivision 2, which authorizes peace officers acting in the line of duty to use deadly force only when necessary.

g). It is recommended that the PIT employed against pursued vehicles be performed at low speeds. Officer(s) shall recognize the fact that as speeds increase, the usage of the PIT maneuver as a use of force will increase to a level which may constitute the use of deadly force.

h). Deadly force is justified by officers only under the following circumstances:

i). Protect the peace officer or another from apparent death or great bodily harm.

ii). Effect the arrest or capture, or prevent the escape of a person whom the peace officer knows or has reasonable ground to believe has committed or attempted to commit a felony involving the use or threatened use of deadly force; or

iii). Effect the arrest or capture, or prevent the escape of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony if the officer believes that the person will cause death or great bodily harm if the person's apprehension is delayed.

IX. Use of STOP STICK:

1. Deployment of STOP STICK:

a). STOP STICK is intended to be an adjunct to the formal pursuit policy of the La Crescent Police Department. STOP STICK is designed to be used on vehicle with four (4) or more tires. For optimum performance, STOP STICK should be deployed on paved surfaces, such as concrete or blacktop.

i). During a pursuit situation, the following guidelines apply:

Regardless of the method of deployment, tactical considerations may include deployment in a manner that limits the suspect's ability to avoid striking a STOP STICK:

Is it possible to deploy in the middle of a bridge?

Is it possible to deploy where natural road configurations, or man-made obstacles would prevent avoiding STOP STICK?

j). If deploying at an intersection, ensure deployment is made on the side of the intersection from which the target vehicle is approaching. Deploying on the opposite side allows the opportunity for the target vehicle to turn and avoid striking the STOP STICK.

k). Make every effort possible to advise pursuing units when and where STOP STICK is being deployed. STOP STICK is an equal opportunity tire deflator, it cannot distinguish police tires from suspect tires.

l). Regardless of the method utilized, always use extreme caution when removing STOP STICK from the road.

2. Pre-load is the primary recommended method of deployment.

a) Pre-load three/four (3-4) unconnected STOP STICKS in the supplied nylon sleeve; with the cord reel attached at the end of the sleeve. Then place the loaded sleeve in the mounting tray until needed.

b). At the time of need, use the red handles to remove the sleeved STOP STICKS from the mounting tray.

c). Unlock the cord reel. When all lanes of traffic are clear, use the red handles to throw the sleeved STOP STICKS to the opposite side of the road.

d). Once the sleeved STOP STICKS are on the opposite side of the road, position yourself in a safe location for the impending deployment.

e). While waiting for the target vehicle to arrive, reel in any slack with the cord reel.

- f).** Keep the cord line flat on the road surface; allowing non-target vehicles to drive over the dispensed cord without interfering with the impending deployment of the sleeved STOP STICKS.
- g).** Lock the cord reel and hold the cord reel by the handle while awaiting the target vehicle.
- h).** As the target vehicle approaches, step backward with the cord reel in hand to pull the sleeved STOP STICKS into the path of the target vehicle.
- i).** Before pulling the sleeved STOP STICKS into position, ensure there are no other vehicles between the target vehicle at the point of deployment.
- j).** Do not wait until the last possible second to deploy the sleeved STOP STICKS.
- k).** After the sleeved STOP STICKS have been struck, step backward with the cord reel in hand to remove the sleeved STOP STICKS from the roadway.
- l).** After STOP STICK has been struck by the target vehicle tire, the device is no longer fully function and should be replaced as soon as possible. Contact StopTech, Ltd. at 1-800-537-0102 to order replacement(s).
- m).** If STOP STICK is not struck, return STOP STICK to the tray for the next deployment situation.

i. Reminders of Important Information:

- Do not wrap the cord reel around any portion of your body.
- Do not wait until the last possible second to deploy STOP STICK.

3. Restrictions on Use

- a).** As previously mentioned, follow the Pursuit Policy as related to pursuits and the use of this device.
- b).** Do not use on motorcycles.
- c).** Do not use if pursuit was or is being terminated. Officers in pursuit of a vehicle who decide to deactivate their squad's emergency lights and reduce speed, will be considered to have terminated the pursuit.

4. Care and Maintenance

- a).** With reasonable care, your STOP STICK will be ready to aid you in preventing or terminating a pursuit that creates a hazard to you and the public.
- b).** To ensure your STOP STICK is ready for use:
 - When STOP STICK is stored in the tray, be sure other items in the truck are not loaded too high.
- c).** STOP STICK could be damaged,

Whatever impacted with STOP STICK could also be damaged.

5. Warning Notes

a). The following warning notes appear on each STOP STICK:

*******Warning*******

CONTAINS SHARP SPIKES

HANDLE WITH CARE

DO NOT DISMANTLE

DO NOT USE ON MOTORCYCLES

Do not bend the device.

Do not push the spike tips through the housing.

6. Conclusion

a). Installation of STOP STICK in each agency patrol vehicle provides a viable alternative to extended vehicle pursuits that endanger you, the public and the fleeing suspect.

Reference and Revision Date(s):

A. Minnesota POST Board – Model Policy

B. Minnesota Statute § 626.5532

C. Minnesota Statute § 626.8452

D. MN Rules 6700.2700 – 6700.2704

E. REVISION DATE(S): 12/11/2018 – Clarification of termination, Section III. B. 4.