DEPARTMENT OF CORRECTIONS

Policy Number:	**107.061**
Title:	**Police Pursuits and Emergency Vehicle Operations**
Effective Date:	**12/17/19**

PURPOSE: To set guidelines for emergency vehicle operations during pursuits.

APPLICABILITY: Office of special investigations (OSI), fugitive apprehension unit

DEFINITIONS:

Compelling path – the use of channeling technique with a modified roadblock located at its narrow 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.

DOC INFORM server – records all department of corrections (DOC) radio communications on DOC-controlled talkgroup channels. DOC INFORM server does not record any other talkgroups that are not controlled by the Minnesota DOC.

Primary pursuit unit – the vehicle that is usually the unit closest to the vehicle being pursued and is providing periodic information via the radio to support units and to the appropriate dispatch center.

Pursuit – occurs when a driver or operator of a motor vehicle, which has been given a visual or audible signal by a DOC FAUM or other law enforcement officer to stop, fails to obey that signal and appears to be attempting to elude or flee the officer.

Support units – law enforcement vehicles which assist the primary pursuit unit during the pursuit or when the vehicle has been stopped.

Termination of pursuit – occurs when the pursuing officers turn off their emergency equipment and resume routine vehicle operations, or occurs when the suspect vehicle stops.

PROCEDURES:

A. Pursuit decisions

1. A fugitive apprehension unit member's (FAUM's) decision to initiate, continue, or terminate a pursuit must take into account the risks of the pursuit to the public and police officers, as well as the likely consequences of failing to pursue.
   a) Those risks and consequences must be continually considered as they may change during the course of the pursuit.

   b) Terminating a pursuit is considered a decision made in the interest of public safety.

   c) FAUMs' pursuit decisions must take into account the following:
      (1) The severity of the suspected criminal activity for which the FAUM is pursuing the suspect;
      (2) The likelihood of successfully apprehending the suspect;

(3) The amount and accuracy of information about the suspect including identity, propensity for violence, threat to public safety if the driver or occupants are not quickly apprehended, and suspected reason for fleeing; and

(4) Factors unrelated to the suspect, including weather conditions, roadway hazards, traffic congestion and pedestrian presence.

2. Pursuits are highly recommended for termination in the following situations:

a) Factors (such as the known identity of the fleeing suspect and the suspect's lack of a propensity for violence);

b) Circumstances (such as pedestrians or others on or around the roadway, unfavorable weather conditions, and/or traffic congestion);

c) Direction that continuing the pursuit would be imprudent because prompt apprehension of the suspect is not of great consequence, and/or

(1) Circumstances substantially increase the immediate risks to the public or police officers,

(2) Thereby substantially decreasing the probability of a safe and successful end to the pursuit;

d) Any jurisdiction supervisor orders the termination of the pursuit;

e) A failure of a pursuit vehicle's essential emergency devices or essential mechanical equipment;

(1) This provision applies only to the vehicle with the device or equipment failure; and

(2) Other properly equipped vehicles may continue the pursuit; or

f) Two or more marked squads are in pursuit to take over primary and secondary pursuit. (FAUMs should still attempt to assist marked squads if necessary or should arrive at the end of the pursuit to assist as needed.)

B. Pursuit tactics

1. Pursuit vehicles must be driven with due regard for public safety.

2. 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.

3. Only police vehicles with emergency lights and sirens can be used as pursuit vehicles.

4. The FAUM in the primary unit must notify the appropriate dispatcher of the pursuit and must provide the following information, if possible:

a) DOC fugitive apprehension unit identification;

b) Offense for which the suspect is being pursued;

c) Suspect vehicle description, including the license number if reasonably possible;

d) Location, direction, and speed;

e) Description of the occupant(s) and suspect information, if known; and

f) Any other important information about the suspect vehicle or environment (e.g., the suspect is traveling without lights, FAUM loses sight of vehicle).

5. When practical, the FAUM in the primary pursuit unit must arrange for another law enforcement agency's marked squad to take the position of primary pursuit unit, relinquish control of the pursuit to that agency, and assume the role of a support unit.

6. FAUMs must cooperate with and assist the Minnesota State Patrol or another law enforcement agency dispatch center handling the pursuit with jurisdictional notifications and coordination, use of air support, and other similar communication issues. All pursuit communications occurring on the ARMER 800 MHz radio system must comply with the State Emergency Communication Board interoperability standard 3.44.0 "Statewide Pursuit Communications."

7. Support units must position themselves to provide assistance during the pursuit and at its termination.
   a) Support units must not attempt to pass the primary pursuit unit unless such a change of position is coordinated with the primary pursuit unit and other support units.

   b) No FAUM must intentionally make vehicle-to-vehicle contact unless in conformance with Policy 107.022, "Office of Special Investigations – Use of Force – Fugitive Apprehension."
      (1) FAUMs assigned to the North Star Fugitive Task Force (United States Marshal Service (USMS) special deputation) who drive a USMS vehicle may use certain vehicle blocking techniques taught by the USMS to the task force FAUMs.
      (2) These techniques can incur reasonable force contact to a vehicle, guided by the USMS Use of Force policy, to prevent the escape of a fugitive.

   c) FAUMs must notify dispatch of any FAUM vehicles involved and assist with communication of pursuit.

8. Fresh pursuit of the suspect(s) may be continued across state lines. If a suspect is apprehended out of the State of Minnesota, the suspect must be turned over to a law enforcement agency in that jurisdiction.

C. Supervisory responsibilities
Once notified of the pursuit, the assistant director – investigations or the deputy director –fugitive unit or the director must monitor the pursuit activities and provide involved FAUMs with appropriate guidance.

D. Medical care
In the event of an accident or injury during a pursuit, FAUMs must see to it that arrangements for necessary medical assistance are made.

E. Post-pursuit activity
1. After a pursuit, the involved FAUM must inform the office of special investigations (OSI) assistant director – investigations or the deputy director – fugitive unit of the outcome of the pursuit and prepare a report regarding the pursuit.

a) This report must be entered into the augmented criminal investigations support system (ACISS) report system for approval.
b) Recorded radio audio on DOC-controlled channels is retained on the DOC INFORM server, per the retention schedule.

2. As required by Minn. Stat. § 626.5532, information regarding each pursuit incident must be provided to the Commissioner of the Department of Public Safety (DPS) for review. The pursuit report form must be completed by the director of OSI and submitted to DPS. Completed Minnesota pursuit report forms are retained by the director of OSI.

3. After a pursuit, the director, assistant director, deputy director, and FAUM(s) involved must evaluate the pursuit. If appropriate, recommendations for improving pursuit tactics or this policy must be made to the director of OSI.

INTERNAL CONTROLS:

A. Recorded radio audio on DOC-controlled channels is retained on the DOC INFORM server, per the retention schedule.

B. Completed Minnesota pursuit report forms are retained by the director of OSI and sent to the Minnesota DPS.

ACA STANDARDS: None

REFERENCES: Minn. Stat. §§ 169.03; 169.011, subd. 3; 169.14; 169.17; 169.541; 169.751; 169.752; 169.753; and 626.5532
Policy 107.022, "Office of Special Investigations - Use of Force – Fugitive Apprehension"

REPLACES: Policy 107.061, "Police Pursuits and Emergency Vehicle Operations," 5/1/18. All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

APPROVALS:
Deputy Commissioner, Community Services
Deputy Commissioner, Facility Services
Assistant Commissioner, Operations Support
Assistant Commissioner, Facility Services