

# Chapter 3 - General Operations

## Section 314 - Pursuit Policy

Effective: 05/20/2024

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### 314.1 PURPOSE AND SCOPE

The primary purpose of this policy is to ensure officers and any member of the Grand Rapids Police Department respects the sanctity of life when making decisions regarding vehicle pursuits. Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The intent of this policy is to provide officers with guidance in balancing the safety of the public, safety of other officers and themselves, and law enforcement's duty to apprehend violators of the law, while minimizing the potential for pursuit related crashes.

#### 314.1.1 Guiding Principles

- A decision to pursue should be based upon the totality of information and circumstances reasonably known to the officer at the time the decision is made, recognizing that law enforcement must often make immediate decisions with partial information.
- The safety of all persons involved in or by a police pursuit is of primary importance. It also must balance the risks of the pursuit to the public and peace officers with the consequences of failing to pursue (Minn. Stat. § 626.8458 Sub. 2 (1)).
- No officer will be disciplined for terminating a pursuit.
- Officers, when responding to an emergency call or pursuing a fleeing vehicle shall, when approaching a stop sign or red light, slow down as necessary for safety, but may proceed cautiously if they sound a siren or display at least one red light to the front (Minn. Stat. §169.03(2)).
- The speed limitations do not apply to an authorized emergency vehicle responding to an emergency call or vehicle pursuit, although this 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 street, nor does it protect the driver of an authorized emergency vehicle from the consequence of a reckless disregard of the safety of others (Minn. Stat. §169. 177). Officer(s) should consider reducing their speeds and ensuring that the way is clear before proceeding through an intersection or other locations where there is an increased likelihood of a collision with another vehicle or pedestrian. Evaluation of vehicle speeds should take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.
- Involved officers should frequently re-evaluate factors and conditions to assess the continuation of the pursuit.

- Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment

## **314.2 DEFINITIONS**

- A. Pursuit:** An active attempt by a sworn member operating a patrol unit or specialty unmarked unit to apprehend a driver of a motor vehicle who, having been given a visual and audible signal by a peace officer directing said driver to bring their vehicle to a stop, increases speed, extinguishes motor vehicle headlights or taillights, refuses to stop the vehicle, or uses other means with intent to attempt to elude a peace officer (Minn. Stat. §609.487).
- B. Termination of a Pursuit:** A pursuit is terminated when the pursuing officer(s) notify dispatch, turn off their emergency lights and sirens, and reduce speed to the posted speed limit.
- C. 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.
- 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.
- F. Pursuit Intervention Technique (PIT):** A driving maneuver designed to stop a fleeing motorist by applying precision vehicle-to-vehicle-contact resulting in a predictable spin of the suspect's vehicle, bringing it to a stop.
- G. Flee:** The term "flee" means to increase speed, extinguish motor vehicle headlights or taillights, refuse to stop the vehicle, or use other means with intent to attempt to elude a peace officer following a signal given by any peace officer to the driver of a motor vehicle (Minn. Stat. § 609.487 Subd. 1).
- H. Primary Unit:** The law enforcement unit that initiates a pursuit or any other unit that assumes control of the pursuit.
- I. Support Units:** The primary responsibility is to remain in close proximity to the pursuing vehicle(s) so that officers are immediately available to render aid or assistance to anyone who may require it as a result of the pursuit. Support officers may also assume responsibility for radio traffic, and do not take over/assume control of the pursuit.
- J. Other Assisting Units:** Units not actively involved in the pursuit itself but assisting by deploying stop sticks, blocking intersections, compelling paths, or otherwise working to minimize risk.

- K. **Ramming:** The deliberate act of impacting a fleeing offender's vehicle with another vehicle to functionally damage or otherwise force the violator to stop.
- L. **Spike Strips:** A device that extends across the roadway and is designed to puncture the tires of the fleeing offender's pursued vehicle.
- M. **Blocking or vehicle intercept:** A slow speed coordinated maneuver where two or more law enforcement vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary roadblock.
- N. **Boxing-in:** A tactic designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.
- O. **Paralleling:** The practice of non-pursuing squad vehicles driving on streets nearby to the active pursuit, in a manner parallel to the pursuit route. Parallel driving does not exempt officers from obeying traffic laws. Minn. Stat. § 169.14, subd. 1.
- P. **Roadblocks:** A tactic designed to stop a violator's vehicle by intentionally placing a vehicle or other immovable object in the path of the violator's vehicle.

### **314.3 PROCEDURE**

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle that has been given a signal to stop by a peace officer.

#### **314.3.1 Pursuit Considerations - Minn. Stat §626.8458 Subd. 2 (2).**

1. Pursuit is justified when the need for immediate apprehension or the risk to public safety outweighs the risk created as a result of the pursuit.
2. Factors to be considered when weighing risks:
  - Severity of the offense (in cases of non-violent offenses, officers should consider terminating the pursuit).
  - Speed of the pursuit
  - Area of the pursuit (including the geographical area, time of day, amount of vehicular and pedestrian traffic)
  - Divided highways and one-way roads (Minn. Stat. § 169.03 Subd. 3)
  - Approach to intersections that are controlled by traffic signals, signs, or other location where there is an increased likelihood of a collision (Minn. Stat. §169.03)
  - Environmental conditions (weather, visibility, road surface conditions)
  - Special hazards (school zones, road construction, parades, special events)
  - The ability to identify the offender at a later time

- Age of the suspect and occupants
  - Other persons in or on the suspect vehicle
3. Standards applied to the ongoing evaluation of a pursuit, as well as the decision to continue a pursuit shall include the following considerations:
- The immediate need to apprehend the offender outweighs the risk created by the pursuit.
  - The dangers created by the pursuit exceed the dangers posed by allowing the offender to escape.
  - Involved officers should frequently re-evaluate factors and conditions to assess the continuation of the pursuit.

**314.3.2 Procedures & Tactics for an Officer Engaging in a Pursuit– Minn. Stat. § 626.8458 Subd. 2 (3)**

1. Emergency vehicles shall be driven in a safe manner and with due regard for public safety.
2. Emergency vehicles operating in emergency mode, lights and sirens, are permitted to violate certain traffic regulations, when necessary, as long as the operator continues to exercise due care in vehicle operation.

**314.3.3 Primary Unit Responsibilities – Minn. Stat. § 626.8458 Subd. 2 (4)**

The driver of the primary unit shall notify dispatch of the pursuit and shall provide at least the following critical information to dispatch when possible:

- Travel direction/location/traffic and road conditions
  - Reason for initial contact (specific violations)
  - Identity of fleeing driver, if known
  - Plate number, if available, and/or vehicle description
  - Speed of fleeing vehicle
  - Number of Occupants
  - Information concerning the use of firearms, threat of force, injuries, hostage/s, or other unusual hazards
  - Request for medical assistance for any person injured in the course of the pursuit (Minn. Stat. 626.8458 Subd. 2)
1. Provide relevant evolving information to dispatch
  2. No officer will intentionally make vehicle-to-vehicle contact unless this action is in conformance with agency policy on use of force (Refer to GRPD Use of Force Policy Section 300)

3. Roadblocks must conform to the agency's policy on use of force
4. Only law enforcement vehicles with emergency lights and siren will be used as pursuit vehicles
5. Unmarked and low-profile agency vehicles may engage in pursuits until a marked vehicle can take over as the primary vehicle. Officers shall not become engaged in pursuits while operating a non-departmental (private) motor vehicle or departmental vehicles not equipped with required emergency equipment.
6. Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary unit should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit joining the pursuit to minimize distractions and allow the primary unit to concentrate foremost on safe pursuit tactics.

#### **314.3.4 Support Units**

1. Distinctively marked patrol vehicles should replace unmarked vehicles involved in a pursuit whenever practicable.
2. Support Units shall announce their involvement when joining the pursuit.
3. The support unit immediately behind the primary unit should assume responsibility for providing evolving information.
4. The number of support units involved in the pursuit should be only those that are reasonably needed for the situation.
5. Serve as backup to the primary unit once the subject has been stopped.

#### **314.3.5 Other Assisting Units**

1. Other assisting units, not actively involved in pursuit, shall announce their intentions and communicate with primary and support units.
2. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public.
3. When possible, non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, obeying all non-emergency traffic laws.

### 314.3.6 Supervision of Pursuit Activities

It is the policy of this department that available supervisory control will be exercised over all vehicle pursuits involving officers from this department (Minn. Stat. § 626.8458 Subd. 2 (4)).

Upon becoming aware that a pursuit has been initiated, the Shift Sergeant should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Sergeant has the final responsibility for the coordination, control and termination of a motor vehicle pursuit and shall be in overall command (Minn. Stat. § 626.8458 Subd. 2 (8)).

In the event that there is not a Sergeant, or higher level supervisor, available, supervision should fall to the senior officer working.

The Sergeant of the officer initiating the pursuit, or if unavailable, the nearest supervisor will be responsible for the following:

1. The use of a detached supervisor that is not directly involved in the pursuit, when available, should be considered.

Based on the known information the supervisor, when available, shall monitor the pursuit in order to take appropriate action to continue or terminate the pursuit (Minn. Stat. §626.8458 Subd. 2 (4)).

2. Procedures regarding control over pursuit activities should include:
  - Verbally acknowledge they are monitoring the pursuit.
  - Assess critical information necessary to evaluate the continuation of the pursuit. Evaluate and ensure pursuit is within policy.
  - Direct that the pursuit should be discontinued if it is not justified to continue under the guidelines of this policy or for any other reason.
  - Communicate to all involved units if the pursuit should be terminated
3. Options to keep in mind during a pursuit include, but are not limited to:
  - Parallel pursuits
  - Channeling techniques
  - Creating a compelling path
  - Air support
  - Spike strips or other tire deflation device
  - Pursuit Intervention Techniques (PIT)
  - Blocking or Vehicle Intercept
  - Boxing-in
  - Other apprehension or GPS tracking methods - Minn. Stat. §626.8458 Subd 2 (3)

4. Ensure that all applicable reports are completed, and prepare a post-pursuit critique and analysis of the pursuit for training purposes.

### **314.3.7 Dispatch Responsibilities**

For pursuits originating in the City of Grand Rapids/Itasca County, dispatching will be handled by the Itasca County Communications Center. Dispatch responsibilities will fall under the Itasca County Sheriff's Office policies.

### **314.4 PURSUIT TERMINATION**

Pursuits should be discontinued whenever the totality of objective circumstances known, or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

Operating an emergency vehicle in a pursuit with emergency light(s) and siren does not relieve the operator of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons and does not protect the driver from the consequences of his/her reckless disregard for the safety of others (Minn. Stat. § 169.17).

The above factors on when to initiate a pursuit are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit.

Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In the context of this policy, the term terminate shall be construed to mean discontinue or to stop chasing the fleeing vehicle.

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.

1. The officer deems the conditions of the pursuit too risky for the safe continuation of the pursuit.
2. A supervisor orders it terminated.
3. Information is communicated that indicates the pursuit is out of compliance with policy.

4. Communication is broken.
5. Visual contact is lost for a reasonable period of time, or the direction of travel cannot be determined.
6. 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.
7. Officer's pursuit vehicle sustains damage or a mechanical failure that renders it unsafe to drive
8. Pursuit vehicle suffers an emergency equipment failure that causes the vehicle to no longer qualify for emergency operation use.
9. If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.
10. When an Officer becomes physically, mentally, or emotionally unable to safely continue / maintain the pursuit.

### **314.5 PURSUIT INTERVENTION STRATEGIES**

Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to Department policies guiding such use. Officers who have not received Department-approved training in the application and use of any intervention tactic or equipment shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

Before employing a pursuit intervention strategy to safely end a pursuit, officers shall consider:

1. The necessity to continue the pursuit and if so;
2. whether the strategy is practical given the situation; and
3. whether the strategy is reasonable when considering the risk of injury to all involved.
4. Officer Training and comfort with selected strategy/technique

#### **314.5.1 – Strategies**



## **1. Stop-Sticks**

(a) Officers shall always consider personal safety during deployment and use stop-sticks consistent with training. The use of stop-sticks on a vehicle with less than 4 wheels shall be considered use of deadly force.

(b) Stop-Sticks may be used on a vehicle that is no longer being actively pursued, but is still fleeing or has freshly fled. Only a GRPD supervisor may authorize their use in these instances. Authorization may be provided after considering the totality of the circumstances, including:

1. a determination that further attempts to stop the vehicle will be futile;
2. reasonable knowledge that the driver has remained the same; and
3. the degree that the vehicle has been or is under surveillance of a peace officer, GPS, camera, or aviation.

If Stop-Sticks are used under this section the supervisor authorizing shall complete a report detailing the factors above.

## **2. Pursuit Intervention Technique (PIT)**

(a) Trained Officers shall consider using the PIT maneuver at the earliest opportunity in a pursuit, knowing the opportunity may be short-lived.

(b) The PIT maneuver may be executed at speeds of 40 mph or less on straight roadways or 25 mph or less in cornering situations. Speeds greater than this may be considered deadly force.

(c) The PIT maneuver is not allowed in the following circumstances unless deadly force is authorized:

1. On vehicles with fewer than four wheels;
2. On a vehicle pulling a trailer;
3. On unconventional vehicle types to include, but not limited to, straight trucks, recreational vehicles, off highway vehicles, ATV's, etc.

## **3. Intentional Contact**

(a) Intentional contact shall only be used when other intervention strategies have been considered and determined not practicable.

(b) Intentional contact shall be considered a use of force (reported as a pursuit), up to and including deadly force, and must be reasonably applied based on the totality of the

circumstances presented.

1. Unless deadly force is authorized, intentional contact shall only occur: (1) at low speeds; and (2) when there is a reasonable belief that no one will be injured as a result.

(c) Intentional contact with any vehicle having fewer than four wheels shall only occur if deadly force is authorized.

#### **4. Channeling/Compelling/Boxing in**

The use of squad cars or other devices is allowed as a means to direct a fleeing driver in order to safely end a pursuit.

The use of such techniques must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.

#### **5. Roadblocks**

Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor, and only then under extraordinary conditions and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or other members of the public.

#### **6. Ramming**

Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. This policy is an administrative guide to direct officers in their decision-making process before ramming another vehicle.

When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:

1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner.

3. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.

### **314.5.2 Use of Firearms**

1. Officers shall not shoot from or at a moving vehicle, except when deadly force is authorized pursuant to GRPD Use of Force Policy

2. Officer should make every effort not to place themselves in a position that would increase the possibility that the vehicle they are approaching can be used as a deadly weapon against officers or other users of the road.

3. Firearms shall not be utilized when the circumstances do not provide a high probability of striking the intended target or when there is a substantial risk to the safety of other persons, including risks associated with vehicle crashes.

### **314.6 INTERJURISDICTIONAL PURSUIT – Minn. Stat. § 626.8458 Subd. 2 (5)**

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.
5. When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to the dispatcher and to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist (Minn. Stat. § 626.8458 Subd. 2 (5)).
6. If a pursuit from another agency enters the Department's jurisdiction, Dispatch should update the on-duty supervisor. No pursuit will continue into another state unless permission is received from a supervisor, if available, prior to entering that state and the pursuit is of a known or suspected violent felon. Prior to crossing the state line, the dispatcher will notify the appropriate out of state authority to coordinate the pursuit and the channels to be used for communications.

### **314.6.1 Fresh Pursuit Outside State Boundaries**

If the pursuing officer has received supervisory approval, the officer may continue the pursuit across state lines with those states, which grant reciprocity. This would include North Dakota, South Dakota, Iowa, and Wisconsin (Minn. Stat. §626.65, Uniform Law on Fresh Pursuit; Reciprocal.)

### **314.7 AIR SUPPORT**

When practical and available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider whether the participation of an aircraft warrants their continued involvement in the pursuit (Minn. Stat. § 626.8458 Subd. 2 (4)). The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If ground units are not within visual contact and the air unit determines that it is unsafe to continue the pursuit, the air unit should recommend terminating the pursuit.

### **314.8 CAPTURE OF SUSPECT(S)**

- Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects shall be consistent with the agency use of force policy and Minn. Stat. 609.06.
- Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspect(s) following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans to contain and capture the suspect.

### **314.9 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. Rendering assistance includes but is not limited to: Minn. Stat. §626.8458 Subd. 2 (6)

- Calling an ambulance
- Rendering first aid until the officers are no longer needed at the injury scene
- Summoning additional units to the scene for assistance with the injured persons and/or traffic control

### **314.10 PURSUIT REPORTING**

1. The primary officer and the supervisor shall file a pursuit summary report.

1. To ensure compliance with Minn. 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 pursuit.
2. As required in Minn. Stat. §626.5532, the report must contain the following elements:
  - a) the reason(s) for, and the circumstances surrounding the pursuit;
  - b) the alleged offense;
  - c) the length of the pursuit in distance and time;
  - d) the outcome of the pursuit;
  - e) any injuries or property damage resulting from the pursuit; and
  - f) any pending criminal charges against the driver.
  - g) other information deemed relevant by the Commissioner of Public Safety.

2. Any supporting officers that were actually engaged in the pursuit, regardless of the initiating agency, shall complete supplementary reports.

### **314.11 EVALUATION AND CRITIQUE**

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.

### **314.12 TRAINING**

In accordance with POST requirements, all sworn members shall be given initial and periodic updated training in the department's pursuit policy and safe emergency vehicle operation tactics. Emergency Vehicle Operations Course (EVOC) training is minimally required for each officer every five years. This training shall comply with learning objectives developed and approved by the board and shall minimally consist of at least eight hours of classroom and skills-based training every five years per Minn. Stat. § 626.8458 Subd. 5. Continual training should also be considered for those officers authorized to use the PIT maneuver, spike strip deployment, GPS tracking, and related pursuit intervention procedures, tactics, and technologies

