

SECTION SMP

SMP-C POLICE PURSUIT PROCEDURES

SMP-C: POLICE PURSUIT PROCEDURES AND EMERGENCY OPERATION OF POLICE VEHICLES

Section SMP-C.10 Purpose

It is the primary mission of the Avon Police Department to protect lives while enforcing the law. In addition, it is the responsibility of the Avon Police Department to guide its officers in the safe and reasonable performance of their duties. To accomplish these goals, the following policy is provided to direct the manner in which emergency vehicle operations are undertaken and performed. When engaged in emergency vehicle operations in the performance of official duties, drivers of authorized emergency vehicles are granted exemptions, by statute, from certain traffic laws.

Section SMP-C.11 Definitions

- A. Pursuit: A multi-stage process by which a police 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 initiates the pursuit by refusing to obey the police officer's signal or order, this pursuit policy and procedure will help determine the officer's and department's action.
- B. Termination of Pursuit: A pursuit shall terminate when the primary officer turns off the emergency equipment, resumes routine vehicle operation and informs dispatch, or when the suspect's vehicle stops.
- C. Divided Highway: Any highway which has been separated into two or more roadways by:
 - 1. A physical barrier, or
 - 2. A clearly indicated dividing section so constructed as to impede vehicular traffic.
- D. Channeling: To direct vehicular traffic into a progressively narrowing passageway or lane location on the roadway.

Section SMP-C.12 Pursuit Considerations

A. 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.

B. Other factors to be considered:

The initial decision to engage in a pursuit shall lie with the officer who has initiated the vehicular stop, after considering the elements of this policy.

1. 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).
2. The officer must continually consider the risks created by the pursuit, as those risks may change during a pursuit.
3. Terminating a pursuit shall be considered a decision made in the interest of public safety.
4. The officers decision to continue a pursuit may be over ridden by a supervisor at any time.

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

1. Is the need to immediately apprehend the suspect more important than the risk created by the pursuit?
2. Do the dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape?

Section SMP-C.13 Procedures and 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 vehicles 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 a safe distance to provide support.

Section SMP-C.14 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 information to dispatch:
1. Unit identification.
 2. Offense for which the suspect is being pursued.
 3. Suspect vehicle description, including license number if reasonably possible.
 4. Location, direction, and speed.
 5. Description of occupant(s) and if suspect is known to officer.
 6. Any other information about the suspect vehicle or environment (for example: Suspect is traveling without lights; officer loses sight of vehicle, etc).
- B. Based on the known information, the supervisor shall make the decision to either take further appropriate action or terminate the pursuit.
- C. **Caution: Only officers who are department trained in Pursuit Intervention Tactics (PIT) may use it.**
Because our primary concern in all pursuits is safety of the public, it is essential that all pursuits be terminated quickly. Once an officer is certain that a subject is starting to flee, the officer should immediately seek and use opportunities to end the pursuit with the PIT maneuver. Early proper use of this technique will accomplish the twin goals of safety to the public and arrest of the subject. 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. Only police vehicle with emergency lights and siren will be used as pursuit vehicles.

Section SMP-C.15 Roadblocks

- A. Roadblocks shall only be used where the seriousness of the offense or impending danger to the public outweighs the risks of injury to the officers,

subject or others, and damages to police vehicles in a roadblock. Roadblocks may be considered an application of deadly force under some circumstances.

B. Tactical Considerations

1. Roadblocks shall be set up to allow the subject sufficient time and space to stop their vehicle safely. Roadblocks shall not be set where the requirement is not met.
2. Since roadblocks are used only under certain circumstances, ie when an officer believes that allowing this person to pass could result in others being injured or killed, they should be set to prevent any travel by the subject beyond the roadblock. Giving the subject an escape route undermines the intention and effectiveness of the roadblock.
3. Officers should try to use natural terrain and other features such as bridges, rivers, steep ditches and guardrails in setting a roadblock with police vehicles.
4. Roadblocks areas shall be lit by the police vehicle's red lights, headlights and spotlights if available.
5. All pursuing officers shall be advised of the roadblock location.
5. Roadblocks shall be set to avoid concentrations of vehicular and pedestrian traffic.
6. Roadblocks should be set when there are enough police vehicles to contain or prevent the suspect vehicle proceeding through the roadblock.

Section SMP-C.16

Tire Disablers

A. Policy

1. The tire-deflating device may be used to assist in concluding pursuits. officers should use the device to stop a pursuit, which is creating unnecessary risks, or stop a dangerous felon. Care should be given in determining when and where to place the device.
2. Officers shall be trained in the use of the tire disabler.
 1. Tire disabling device shall be installed in the patrol cars. Issues to be considered in utilizing the devices are:
 2. Road conditions (leading to and after the deployment site.

3. Traffic conditions
4. Ability to communicate with other agencies.
5. Possibility of apprehension at a later date
6. Consideration that the need is offset by the person continuing to flee.
7. Ability of the officer to obtain protective shelter from the violator.

Officers do not need supervisory permission prior to implementation.

IN NO CIRCUMSTANCES WILL THE DEVICE BE USED TO DISABLE MOTORCYCLES.

C. Placement

1. The device should be placed on the opposite side of the appropriate roadway, with the towrope across the roadway.
2. All agencies involved in the pursuit shall be advised on appropriate operations channel that the device be in place. Officers shall continue the pursuit to a point where they can safely avoid striking the device and stop other traffic.
3. As the vehicle approaches, the disabling device should be pulled onto the roadway directly into the vehicle path. The tire disabling device may be tossed into the vehicles path if time does not allow placement and use of the towrope. Officers are **NOT** to hold the towrope.
4. The device shall be removed from the road immediately after the suspect vehicle passes the site.

D. Review

After utilizing the device, the officer must submit a report containing the following information to the Chief/Sgt:

1. Reason for use
2. Location
3. Method of deployment
4. Length of pursuit

5. Estimated speed of the violator
6. Distance from the device to the termination of the pursuit.

After use, the device should be examined for damage. The Chief/Sgt shall be notified of any required repairs.

Section SMP-C.17 Supervisor's Responsibilities

- A. The supervisor when available shall have control over the activities of the pursuit.
- B. Once notified that a unit had become involved in a pursuit, the supervisor when available shall acknowledge his/her presence immediately, monitor the pursuit activities and provide the driver of the primary unit with appropriate direction.
- C. The supervisor when available shall request critical information necessary to evaluate the continuation of the pursuit.
- D. The supervisor when available has the authority to terminate any pursuit.
- E. Options for the supervisor to keep in mind include, but are not limited to the following:
 1. In cases involving wrong-way drivers, parallel pursuits may be used. If the officer is paralleling the wrong way driver he/she should turn off their emergency lights and siren. This is to keep from distracting the on coming traffic. Officers should travel at the posted speed. Officers at the first available time and if the vehicle is still traveling the wrong way shall PIT the vehicle to stop its travel.
 2. Notification of the next jurisdiction is encouraged.
 3. Channeling techniques or roadblocks may be used.
 4. Creating a compelling path.
- F. Post-pursuit chain of command notifications are required.

Section SMP-C.18 Dispatch Responsibilities

Dispatch shall coordinate critical information, both as timely and accurately as possible.

Section SMP-C.19

Factors Influencing the Termination of a Pursuit.

- A. The driver of the primary unit and the supervisor shall continually evaluate the risks and likelihood of a successful apprehension of the suspect.
- B. The conditions of the pursuit become too risky for the safe continuation of the pursuit i.e., it is futile to continue.
- C. A supervisor orders it terminated.
- D. If information is communicated that indicates the pursuit is out of compliance with Policy.
- E. When normal communication is broken.
- F. When visual contact is lost for a reasonable period of time and/or the direction of travel cannot be determined.
- G. When the suspect is known and could be apprehended later, and to delay apprehension does not create a substantial known risk of injury or death to another.

Section SMP-C.20

Inter-jurisdictional Pursuit

- A. The primary unit, before leaving it's jurisdiction, shall update critical information to the dispatcher.
- B. The primary police vehicle shall remain the primary vehicle in the other jurisdiction.
- C. Upon receiving notification that the pursuit is entering another agency's jurisdiction, the dispatcher shall forward all critical information possessed by the dispatcher to that agency.
- D. When a pursuit enters this department's jurisdiction:
 - 1. The dispatcher shall update the critical information to the shift supervisor.
 - 2. The supervisor shall determine if the pursuit is in conformance with policy.
 - 3. The supervisor shall provide the appropriate direction to units.

Section SMP-C.21 Air Support

Once the 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 other backup unit.

Section SMP-C.22 Care and Consideration of Victims

- A. If during a pursuit an officer observes or is made aware of any injury to an individual, the officer shall immediately notify the peace officer's dispatcher to have the appropriate emergency units respond.
- B. The primary pursuit unit will be responsible for ensuring that assistance is provided to people who may have been injured during the course of the pursuit. The primary pursuit unit may delegate the responsibility to render the assistance to specific support or backup unit when they are immediately available to render assistance.

Section SMP-C.23 Pursuit Summary Report

- A. The primary officer and the supervisor shall file a pursuit summary report.
- B. To ensure compliance with MN Statute 626.5531, the chief law enforcement officer shall insure the completion of the state pursuit report form and forward it to the Commissioner of Public Safety within 30 days following the incident.
- C. Upon completion of the pursuit summary report and any and all other reports, the officer or officers shall meet with the Chief/Sgt to evaluate and critique the pursuit.