

# HIBBING POLICE DEPARTMENT

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## I. POLICY

It is the policy of the Hibbing 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.

## II. DEFINITIONS

- A. **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.
- B. **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.
- 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. **Training:** All officers not declared exempt on the Police Pursuit Training Exemption Form must complete an 8-hour course in emergency vehicle operations and in the conduct of police pursuits every five years. Training is to be based on the agency's policy

and on learning objectives developed by POST. In-Service Police Pursuit & Emergency Vehicle Operation

### **III. PROCEDURE**

#### **A. Pursuit Considerations**

1. 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:
  - 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.
  - 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).
  - the officer must continually consider the risks created by the pursuit, as those risks may change during a pursuit.
  - terminating a pursuit shall be considered a decision made in the interest of public safety.
  - the officer's decision to continue a pursuit may be overridden by a Captain or Commander at any time.
3. Standards applied to the evaluation of a pursuit, as well as the decision to continue a pursuit shall include the following considerations:
  - is the need to immediately apprehend the suspect more important than the risk created by the pursuit?
  - do the dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape?

#### **B. Procedures & Tactics for an Officer Engaging in a Pursuit**

1. Emergency vehicles shall be driven in a safe manner and with due regard for public safety. The squad's emergency lights and siren will be activated at all times during the pursuit.
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. 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.

### **C. Responsibilities of the Primary Unit**

1. 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).
2. Based on the known information the Captain or Commander shall make the decision to either take further appropriate action or terminate the pursuit.
3. No officer will intentionally make vehicle-to-vehicle contact unless this action is in conformance with agency policy on use of force. (See ramming of vehicles).
4. Only law enforcement vehicles with emergency lights and siren will be used as pursuit vehicles. If an unmarked squad initiates a pursuit or is otherwise involved, it should be replaced by a marked squad as quickly as possible.
5. The secondary unit in the pursuit will take over radio communications from the primary unit as soon as possible.

### **D. Supervision of Pursuit Activities**

#### **1. Policy Compliance**

Subsequent to being notified of the pursuit, the Captain or Commander is to verify that:

- no more than the required number of units are involved;
- the proper radio frequency is being used;
- other agencies are notified as necessary; and
- the Minnesota Bureau of Criminal Apprehension "Pursuit Reporting Form" is completed by officers in the primary unit prior to the completion of their shift.

#### **2. Termination of the Pursuit**

The Captain or Commander shall continue to monitor the progress of the pursuit and may order it to be terminated at any time.

#### **E. Dispatch Responsibilities**

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

#### **F. Offensive Pursuit Tactics**

- A. Use of Firearms: Officers shall not fire at or from a moving vehicle unless the use of deadly force is authorized and articulable circumstances exist which necessitates a deviation from this standard.
  - B. Ramming of Vehicles: Ramming a vehicle is only allowed in a situation which would allow the use of deadly force. Ramming is strongly discouraged due to the risk to the officer.
  - C. Boxing or Blocking Vehicle In: Boxing the vehicle in is not permitted as it exposes the officer involved to a high degree of danger. The officer exposes himself to the danger of being rammed or fired upon from close range.
  - D. (Pursuit/Precision Immobilization Technique) P.I.T.: If in the judgement of a law enforcement officer in a pursuit, the fleeing vehicle must be stopped as soon as possible to safeguard life and preserve public safety PIT may be used. Only those officers who have successfully completed PIT training shall utilize it. The decision to use PIT may be made by the pursuing officer if no Captain is available, but a reasonable effort shall be made to obtain authorization from a Captain in every case. The decision to use PIT must take into account the safety of bystanders, the risk of physical injury to the occupants of the fleeing vehicle and to the law enforcement officer. If the danger of PIT is greater than the threat of danger presented by the violator do not use PIT. PIT shall be considered non-lethal use of force when performed within the limitations of this policy.
1. Officers may employ the PIT against a pursued vehicle in order to terminate a pursuit or prevent a pursued vehicle from continued conditions under the following circumstances.
    - a) When all other means of apprehension have been considered and rejected as impractical
    - b) Only at speeds of 40 MPH or less on straight roadways or 30 MPH or less in cornering situations unless deadly force is authorized.
    - c) When the risk of harm to people of a continued pursuit outweighs the risk of harm to people from the execution of the PIT maneuver.

## **E. Pursuit Intervention Device (Road Spikes)**

1. The decision to activate the road spikes should be based on the following:

- Seriousness of the crime
- Sufficient information and description of wanted person(s) and vehicle
- Road spikes may be activated for all felony crimes and any misdemeanor when continued operation would obviously endanger the safety of the public.

2. Training

Officers who are assigned the device shall be trained in its use. The training shall address the following issues:

- Hibbing Police Dept. policy regarding pursuits
- Policy and use of the device

3. Procedure:

Considerations in utilizing the device are:

- road conditions (leading to and after the deployment site);
- Traffic conditions;
- ability to communicate with other agencies;
- possibility of apprehension at a later date;
- consideration that the need is offset by the person continuing to flee; and
- ability of the officer to obtain protective shelter from the violator.

Officers need permission from a Captain or Commander prior in implementation

In no circumstances will the device be used to disable motorcycles.

4. Placement

- the device should be placed on the roadway with the control cable extended fully;
- all agencies involved in the pursuit shall be advised that the device is in place; and
- as the vehicle approaches, the disabling device should be activated.
- officers may also place the non-corded disabling device behind a stationary vehicles tire in the event there is a high likelihood that the suspect will attempt to flee in the vehicle. (Revised 1/25/22)

After use, the device should be examined for damage. The Captain or Commander should be notified of any required repairs.

**F. Factors Influencing the Termination of a Pursuit:**

The driver of the primary unit and the Captain or Commander 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 conditions of the pursuit become too risky for the safe continuation of the pursuit.
2. A Captain or Commander 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.

**G. 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 Captain or Commander or other authorized individual identified by the law enforcement agency.
  - the Captain or Commander will ask the entering agency if they would like assistance with the pursuit. If the entering agency requests assistance the Captain or Commander will determine if our agency will assist with the pursuit at the time and how many units will assist.

**a. 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.

**H. 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.

**I. Pursuit Summary Report**

1. The primary officer and the Captain or Commander 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.

**J. Evaluation and Critique**

After each pursuit the Captain or Commander 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.