

## **443.00 Vehicle Pursuit Policy**

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### **SECTION 1. INTRODUCTION & OVERVIEW**

Vehicle pursuits can pose a significant risk to officers, the general public and the occupants of the pursued vehicle. However, pursuing dangerous offenders is sometimes a necessary function of law enforcement that serves to protect victims and the community.

It is the intent of this policy to:

- Provide guidance, rules and procedures to aid in an officer's decision to initiate or continue a pursuit

- Support any officer who decides to not initiate a pursuit
- Support any officer or supervisor who terminates a pursuit
- Protect officers and the public from unnecessary risks and danger, while still allowing the apprehension of dangerous subjects within the community
- Provide supervisors with guidance on pursuits, reporting and documentation

Saint Paul police officers will always follow Saint Paul pursuit policies, regardless of:

- The agency or officer who initiated the pursuit (Saint Paul Police Department or another law enforcement agency)
- Location of the pursuit – in the City of Saint Paul or in an adjoining city or county

## **SECTION 2. DEFINITIONS**

- A. **Emergency Driving** - Operation of a police vehicle using red lights and siren (“emergency equipment”). *Ref. Minnesota State Statute 169.17 and SPPD Policy 444.01*
- B. **Flagrantly Reckless Driving** - Operation of a vehicle that is extremely reckless, dangerous, life-threatening or risky to the driver and public. Examples include, but are not limited to:
- Collisions with other vehicles or objects
  - Forcing other vehicles to take evasive action to avoid collision
  - Failure to stop or use caution at controlled intersections.
- C. **Fully Marked Squad** - Any pursuit-rated vehicle that has permanent, clearly identifying police markings, emergency lights visible from the front, sides and rear and a roof-mounted light bar and siren.
- D. **Initiation** - An officer’s decision to activate red lights and siren (“emergency equipment”) and pursue a fleeing vehicle.
- E. **Inter-Jurisdictional** - A vehicle pursuit initiated by a law enforcement agency other than the Saint Paul Police Department, including pursuits that enter Saint Paul, are in close proximity to the city border, or those that are projected to enter city limits.
- F. **Low-Profile Squad** - Any pursuit-rated vehicle that has a permanent or temporary door markings, siren, emergency lights visible from the front, sides and rear, but absent a roof-mounted light bar, and having a manufacturer's rating to make it suitable for pursuits (i.e. traffic car).

- G. **Moving-Roadblock** - The intentional act of a squad or multiple squads surrounding a pursued vehicle from multiple sides, including the front, in an attempt to stop the vehicle's movement, slow the vehicle, or prevent the vehicle from further action. *Ref. Minnesota State Statute 609.066*
- H. **Parallel Driving** - The practice of non-pursuing squads driving on streets or routes nearby to the active pursuit, in a manner parallel to the pursuit route. Parallel driving is not emergency driving and is not defined by the use of emergency equipment (lights and siren). Parallel driving does not exempt officers from obeying traffic laws. *Ref. Minnesota State Statute 169.14(1).*
- I. **Police Vehicles** - Pursuit rated vehicle, as rated by the vehicle manufacturer.
- J. **Primary Squad** - The first squad behind the pursued vehicle.
- K. **Pursuing Squads** - Any officer/squad that is active and participating in a vehicle pursuit. Pursuing squads includes the primary squad, secondary squad, canine officer or any other authorized participants.
- L. **Pursuit** - A vehicle pursuit is an active attempt by a law enforcement officer to apprehend the occupant of a moving motor vehicle where the officer has reason to believe the driver of such vehicle is aware of the attempt and is resisting the officer's attempt to stop them.
- M. **Pursuit-Rated Vehicle** - Vehicles delivered with a "police package" and so rated by the manufacturer. The fleet manager will maintain a list of pursuit-rated vehicles.
- N. **Pursuit Supervisor** - The sergeant or commander-ranked supervisor that acknowledges a pursuit, gathers details and determines if the pursuit should continue or terminate.
- O. **Ride-Along** - A person who is not a Saint Paul sworn officer who has approval to ride-along with a Saint Paul officer in a police vehicle.
- P. **Secondary Squad** - The second squad in the pursuit, in a position behind the primary squad.
- Q. **Stationary Roadblock** - The intentional act of parking squad cars or other vehicles on a roadway, in the travel lanes, with the intent of stopping a pursued vehicle, thereby slowing the vehicle or preventing the vehicle from passing the barrier. *Ref. Minnesota State Statute 609.066*
- R. **Talk-Group** - The radio channel designated by the Ramsey County Emergency Communications Center designated to exclusively support a pursuit.

- S. **Termination** - The cancellation or stoppage of a pursuit, requiring officers to cease pursuing actions stop using emergency equipment.
- T. **Tire-deflation devices** - Commercially manufactured law enforcement products, such as “Stop Sticks,” which contain puncture devices to deflate vehicle tires.
- U. **Unmarked Squad** - Any vehicle lacking a permanent or temporary door marking but being equipped with emergency equipment. Emergency lights must be visible from the front, sides and rear.
- V. **Violent Felony Offense** - Criminal offenses and suspected offenses, as believed and known by the officer(s) at the time of incident.

Violent felonies applicable to this policy are limited to:

- a. Homicide or attempted homicide
- b. Aggravated Robbery, including “Carjacking,” involving serious injury, firearm, or weapon capable of causing great bodily harm or death
- c. Kidnapping /Abduction
- d. Criminal Sexual Conduct involving acts of violence
- e. Aggravated Assault with a firearm or weapon capable of causing great bodily harm or death
- f. Terrorist acts or actions that may cause mass casualties, including but not limited to ramming attacks involving a vehicle, active shooter threats or actions or possession of suspected explosives.

### **SECTION 3. INITIATION OF VEHICLE PURSUITS**

To reduce the driver’s temptation to flee, an officer intending to stop a vehicle will attempt to be as close as safety allows to the vehicle prior to initiating the stop. Emergency lights and siren are both required whenever a Saint Paul Police Department vehicle is involved in a pursuit.

Any Saint Paul officer’s decision to initiate, continue, or become involved in a pursuit must be based upon the facts known or reasonably believed by the officer at the time of the decision.

#### **Considerations:**

Due to the risks involved with vehicle pursuits, officers and supervisors must consider multiple factors as they make decisions to pursue a vehicle. These factors can change rapidly and require constant reevaluation. Prior to a decision to pursue, an officer must consider if the pursuit itself would create a more hazardous condition than if no pursuit occurred. In applying this line of

thought, the individual officer must exercise sound judgment with careful consideration of the following:

- Type, nature and seriousness of the offense observed or reported to the officer
- Driving behavior exhibited by the pursued driver prior to initiation of the pursuit
- Density of vehicular and pedestrian traffic
- Time of day and day of the week
- Driving ability of the police officer
- Type and condition of the police vehicle
- Officer's familiarity with the area
- Special hazards such as stadiums, parades, large gatherings, sports events, road construction, school zones, etc.
- The apparent age of the pursued driver (or passengers)
- Type and condition of the subject vehicle
- The apparent driving ability of the pursued driver
- Road and weather conditions
- The length (time, distance) of the pursuit
- The amount and type of assistance available, including air support from the Minnesota State Patrol
- The presence of a ride-along, and the individual who is present as a ride-along in the police vehicle

#### **Authorized Pursuits:**

1. An officer may initiate a pursuit when they have articulable information to know or reasonably believe one of the following:
  - The subject has committed a violent felony offense (as defined in Section 2.(subd. V.); *or*
  - The subject is about to commit a violent felony offense (as defined in Section 2.(subd. V.); *or*
  - The subject's driving conduct, prior to the attempted stop, is so flagrantly reckless (as defined in Section 2. (subd. B.) that they would pose an imminent and life-threatening danger to the public if not immediately apprehended.

Officers and supervisors must consider termination of a pursuit for flagrant reckless driving if the pursuit increases the danger to the public or officers.

2. A pursuit shall not be initiated if the driver is refusing or failing to stop and the only known reason for the attempted stop is a petty misdemeanor, misdemeanor, gross misdemeanor, or felony not outlined as a violent felony offense (as defined in Section 2.(subd. V.).
3. If officers attempt to stop a vehicle based on misdemeanor or traffic offenses, or for any reasons not listed in Section 3. (subd. 1.), and the vehicle does not stop, a pursuit would not be authorized. However, officers may continue following the vehicle but only when the

fleeing vehicle is observing traffic laws. This would permit the continued use of emergency equipment (red lights/siren) to make a traffic stop while the vehicle is observing traffic laws.

**Identity Known or Reasonably Found Out Later:**

If officers know the identity of the suspect, or learn the suspect's identity during the pursuit, they will terminate the pursuit so that an apprehension can be made at a later time. This would include pursuits of parties wanted on warrants, detention holds, probation revocations or other court orders. Supervisors may authorize the continuation of a pursuit of a known person only if delayed apprehension would create a known or reasonably believed risk of great bodily injury or death to another. When a supervisor authorizes a pursuit of a known person under this criteria, supervisors and officers must evaluate other pursuit conditions and follow all other requirements of this General Order.

Exceptional authorization.

The chief of police, assistant chief of police or deputy chief may grant preauthorization for pursuit of a known wanted person in exceptional circumstances. To obtain preauthorization for pursuit of a known wanted person, a unit commander must obtain exceptional authorization from a department chief. This authorization, including date and authorizing chief, must be cited on the pickup and hold form. Pursuit of a known wanted person is generally not authorized unless exceptional authorization has been granted. Even in cases of exceptional authorization, supervisors and officers must evaluate other pursuit conditions and follow all other requirements of this General Order.

**SECTION 4. ROLES & RESPONSIBILITIES**

Officers performing emergency driving during a pursuit shall exercise caution and due consideration for the safety of the public. Emergency lights and siren are required during an active pursuit for all pursuing vehicles.

The use of red lights and siren, while engaged in a pursuit, does not exempt officers of the duty to drive with due regard for public safety. Officers shall exercise due caution at all times, including when approaching both controlled and uncontrolled intersections. *Ref. Minnesota State Statute 169.03 and 169.17*

**Primary Squad:**

The decision to initiate a pursuit is the responsibility of the officer(s) who first encounters a vehicle. The command responsibility for the conduct and control of the pursuit begins with the initiating officer.

The primary squad officer will immediately clear the radio on the appropriate talk group(s) by declaring a 10-1, 10-2 or 10-3 as appropriate. The following information must be provided to the Ramsey County Emergency Communication Center (RCECC):

- Location and direction of fleeing vehicle
- Reason for the pursuit, to include suspected offense
- Estimated speed of fleeing vehicle
- Vehicle description, including license plate, if known
- Total number of suspects, occupants, description, and name(s), if known. Include details on any children, if known

As soon as it is reasonably safe to do so, the primary squad must allow radio time for a supervisor to take command of the pursuit and decide whether the pursuit should continue or be terminated. Once a supervisor authorizes the pursuit, he/she will be the pursuit supervisor for the duration of the pursuit. However, any officer or supervisor has the ability to terminate the pursuit.

The officer in the primary squad role will request the secondary squad take over radio/talk-group communications and updates with the RCECC if safe to do so.

### **Secondary Squad:**

The officer(s) shall notify dispatch upon assuming the role of secondary squad and maintain a safe distance behind but be close enough to the primary squad to be able to take over as primary (if needed) and provide immediate assistance if and when the pursuit ends. The secondary squad is responsible for:

- Assuming the role as the primary squad at the first reasonable opportunity if the primary squad is:
  - A low profile or unmarked squad and the secondary squad is fully marked. (See definitions on police vehicles - Section 2.)
  - Any ranking officer (sergeant rank or higher) to include the patrol supervisor
  - Occupied by one officer and the secondary squad is occupied by two officers
- Taking over broadcasting pursuit information, as described above, to allow the primary squad to concentrate on driving, especially if the primary squad is a one-officer unit.
- Responding to any emergency situation that arises during or at the conclusion of the pursuit.
- Assisting with the apprehension of suspect(s) at the conclusion of the pursuit.

Officers must not pass or drive parallel to any other squad unless requested to do so and the officer has reason to believe it is safe to do so (and can justify the action).

### **Pursuing Squads:**

The active pursuit will normally involve two squads (primary and secondary) and a canine officer squad. If more assistance is specifically requested, and under appropriate circumstances, a supervisor may allow more squads to join the pursuit. However, a supervisor may not authorize more than four squads in a pursuit. Allowing additional squads will be determined by the:

- Nature of the offense
- Number of suspects/occupants in the vehicle
- Knowledge of the presence of weapons in the pursued vehicle
- Number of officers in pursuing squads.
- Other clear and articulated facts that would warrant the increased hazard of additional squads in the pursuit

The primary or secondary squad will provide frequent updates on location, direction, speeds and any other information that may be pertinent to officer and public safety and the apprehension of the suspect. The pursuing officer(s) must maintain composure and adhere to recommended radio procedures in the interest of effective and fluid communication throughout the pursuit.

The dynamics, facts and conditions that led to a decision to initiate a pursuit will likely change during a pursuit. Therefore, officers and supervisors must continually reevaluate the situation as it progresses, to determine if the original intent of the pursuit remains valid (considering new information or a lack thereof). The decision to terminate a pursuit may be the most prudent course of action.

If a crash occurs during the course of the pursuit, the primary or secondary squad will immediately notify the dispatcher and give the location. When practical, the secondary squad must leave the pursuit and respond to the crash scene. If this is not practical, a non-pursuing district squad must immediately be dispatched to the location. The district supervisor will ensure the dispatcher identifies a squad to respond to the scene of the crash and immediately check for injured persons.

### **Pursuit Supervisor:**

At the first opportunity, a supervisor will inform the dispatcher that they are assuming command of the pursuit. If a supervisor of the officer initiating the pursuit is not available, the dispatcher will immediately identify another ranking officer to assume command. The RCECC (Ramsey County Emergency Communications Center) and the pursuing squads will immediately terminate a pursuit if no supervisor is identified.

After acknowledging the pursuit on the radio, the supervisor will determine if the pursuit is within policy or if it should be terminated. The supervisor will proceed in the direction of the pursuit and monitor all radio broadcasts while evaluating the conditions of the pursuit based on available information. It is not necessary that the pursuit supervisor be physically present or



actively involved in the pursuit in order to begin coordination or to assert command and control.

The pursuit supervisor will approve requests and make decisions regarding the tactics to be used during the pursuit, such as the use of more than two squads, tire deflation devices, moving roadblocks, acquiring air support from the Minnesota State Patrol, etc.

The supervisor should be familiar with the geographic area, traffic patterns and the driving ability of their officers in order to plan regarding the continuation or termination of the pursuit.

If the pursuit lacks sufficient information, or if conditions exist that dictate terminating the pursuit, the supervisor shall inform all squads involved to immediately terminate the pursuit and return to normal driving conditions.

If a ranking officer (sergeant rank or higher) initiates a pursuit and is the primary or secondary squad, they will relegate their active pursuit role to assigned squads as soon as reasonably possible.

Should two pursuits develop at approximately the same time on the same talk group, the district supervisor shall determine if one or both pursuits should continue. If both continue, one of the pursuits must be moved to a separate talk group as soon as safety permits.

If two pursuits are authorized and on separate talk groups, there must be a dedicated supervisor for each pursuit. A pursuit without an identified and dedicated supervisor must be terminated.

#### **All Other Squads:**

Officers not actively involved in the pursuit will remain in their assigned district area. Officers not actively involved in the pursuit are not authorized to engage in emergency driving on the basis of the pursuit. If the pursuit enters their district, officers must not engage the pursuit or become involved unless directed to do so by a supervisor. All other squads will avoid intersecting the path of an oncoming pursued vehicle or pursuing squad(s). Parallel driving with red lights/siren is not authorized.

#### **Ride-Along:**

If a Saint Paul officer is hosting a ride-along, the officer must carefully consider and exercise sound judgment before pursuing a vehicle. If the officer decides to pursue, the officer must allow another squad to become primary or secondary as soon as reasonably possible.

If the ride-along is not a sworn law enforcement officer or an employee of the city, the officer will not initiate or participate in a pursuit.

This does not, however, preclude officers from assisting with other aspects of the incident.

## **SECTION 5. TERMINATION OF A PURSUIT**

A pursuit may be terminated by any officer, the pursuit supervisor, the watch commander or any ranking officer. Termination of the pursuit is warranted if there is any information learned that would indicate the pursuit is too hazardous or no longer within policy.

Any change of the factors listed in Section 3 – Initiation of Vehicle Pursuits (Considerations) may be cause to terminate the pursuit. A pursuit must be terminated when:

- Conditions exist that create a hazard to officers, the fleeing driver or others that outweigh the necessity for immediate apprehension.
- The distance between the officer and the pursued vehicle becomes such that in order to continue the pursuit it would require exceptional speeds and/or other hazards that would place the officer and public in serious danger.
- The officer loses visual contact with the pursued vehicle for an extended period of time.
- The pursued vehicle circumvents any activated rail crossing arms at an intersection. Saint Paul officers are prohibited from circumventing activated rail crossing arms (*Ref. Minnesota State Statute 169.26*).
- The pursued vehicle proceeds the wrong way on any freeway, freeway frontage road, divided highway or one-way street.
- The officer is unfamiliar with the area and is unable to accurately notify others of their location and the direction of the pursuit.
- The pursuing squads fail to accurately provide the pertinent information called for in Section 4 – Roles and Responsibilities – Primary Squad.

If a pursuit is terminated, the involved officer(s) must acknowledge over the air that they have terminated the pursuit. The pursuit supervisor will ensure all squads involved have acknowledged the directive. Officers must turn off their emergency equipment (lights/siren) and observe traffic laws.

The termination of a pursuit does not prohibit officers from devising an alternate plan for apprehension.

If a situation arises where a pursuit is terminated and the pursued vehicle is later located and mobile, officers shall not reengage in a pursuit without supervisor approval. Supervisors will consider reengagement only if conditions or information have changed that would alter their previous decision to terminate.

## **SECTION 6. COMMUNICATIONS**

The Ramsey County Emergency Communications Center (RCECC) is responsible for providing seamless radio communication.

At the time a talk-group is requested for emergency traffic by the primary squad, all non-pertinent broadcasting shall cease. This would not forbid an emergency transmission. Emergency transmissions could include those involving the personal safety of an officer, or felonious in-progress crimes that pose a safety risk to a citizen if there is an unnecessary delay in response.

Officers not involved in the incident may use another district's talk group for non-emergency communications and district call response.

### **Interoperability:**

Upon receiving notice that a pursuit is heading toward Saint Paul or the pursuit is located in Saint Paul, the officer or dispatcher will broadcast available information and advise which talk group (i.e. LTAC-1) the other agency is conducting the pursuit on, so officers and supervisors can directly monitor the situation. Saint Paul officers authorized to assist will advise the dispatcher they will no longer be on the main talk group and change their radios to the talk group designated for the pursuit.

The RCECC cannot affect a radio channel patch already being utilized by another agency.

When a Saint Paul officer initiates a pursuit, which extends beyond the patrol district or city boundaries, notifications to other agencies will be made by the RCECC as appropriate. Pursuing officers will be able to remain on their talk-group as the RCECC will patch the Saint Paul talk-group that the pursuit originated on to the available LTAC talk group (if outside the city limits). For incidents that extend beyond the county line, when it is safe to do so, involved officers may need to change their radios to the state talk group (i.e. METAC-1) to maintain communication during the pursuit. The officer may lose communication abilities with the Ramsey County subsystem on the local talk group (i.e. SPPD-1, SPPD-2, SPPD-3). See Training Bulletin 11-03 on the 800 Mhz radios.

Officers will be able to directly communicate, if necessary, once the patch is in place and the other district or law enforcement agency is monitoring.

Since other agencies may not know our call number assignments, officers broadcasting on LTAC or other regional or statewide talk group will preface their call number with "Saint Paul," "Saint Paul Canine," or "Saint Paul Supervisor."

## **SECTION 7. INTER-JURISDICTIONAL PURSUITS**

If an outside agency is pursuing a vehicle in or near Saint Paul, that agency may request assistance from our officers. If a request is made, the supervisor of the affected district shall respond to that request, based upon the information available. Saint Paul officers will not engage the pursuit unless authorized to do so by a supervisor. Before giving approval, the supervisor must first consider the reason for the pursuit and all other pertinent information. The supervisor must apply this General Order to determine whether to authorize Saint Paul officers to participate in an inter-jurisdictional pursuit.

Even if participation in the pursuit is denied, officers are permitted to monitor the pursuit. If the outside agency's pursuit ends in our city, officers are permitted to respond and to provide assistance. Upon arrival at the scene, officers shall communicate with the outside agency to ensure their safety. Officers shall determine if the individual(s) being sought is an immediate threat to our community and if so, provide assistance. The initiating agency will be responsible for the arrest scene. If the individual(s) being sought is not an immediate threat to our community, a supervisor shall determine if further assistance will be provided.

If an out-of-city agency cancels the pursuit or no longer participates, Saint Paul officers will terminate the pursuit unless otherwise directed by a supervisor.

If an outside agency pursuit ends in our city, the district supervisor will respond to the end location as described in Section 12 – Conclusion of Pursuits.

## **SECTION 8. PURSUITS THAT LEAVE SAINT PAUL**

Officers engaged in a pursuit that extends beyond city boundaries must have supervisor approval. Supervisors shall not allow officers to pursue a vehicle outside of the city limits unless the pursuit meets the criteria for an authorized pursuit under this General Order. If approved, only squads authorized to pursue by a supervisor may leave the city limits.

If officers are following a vehicle that refused to stop, as listed in Section 3 - Initiation of Vehicle Pursuits (Authorized Pursuits subd. 3), a supervisor must authorize the officers to continue following before leaving the city limits.

Officers may request assistance from another agency through the RCECC dispatcher or through direct radio communications (refer to Section 6 - Communications). As other agencies may not be available or out of position to assist, the primary, secondary, and canine squad may remain in active pursuit, unless otherwise directed by a supervisor. All other squads shall remain in the city unless otherwise directed by a supervisor.

Saint Paul officers, as the initiating agency, will be in charge of the arrest scene for pursuits ending outside the city limits.

If a pursuit results in a crash, the jurisdiction in which the crash occurs shall be responsible for the crash scene and the subsequent investigation.

## **SECTION 9. TIRE DEFLATION DEVICES / ROADBLOCKS**

Because of the risks involved with vehicle pursuits, officers and supervisors shall mitigate the likelihood or duration of a pursuit whenever possible. Tire deflation devices, such as “Stop Sticks” can prevent pursuits from initiating, thereby creating much less risk for the officers and the community. These devices can also aid in quickly resolving in-progress pursuits, reducing the likelihood of crashes, or avoiding other adverse situations.

### **Tire Deflation Devices:**

With supervisory approval, authorized officers may deploy department-issued tire deflation devices to prevent or intervene in a pursuit. Tire deflation devices will not be used on any vehicle that normally operates with fewer than four pneumatic tires.

#### **Tire Deflation Device Deployment Procedures:**

- Identification of a Location:
  - Deployment of the device must be made in an area of the roadway that is as straight as reasonably possible under the circumstances, clear of visual obstructions and allows adequate cover for the deploying officer(s).
  - Special care must be given to ensure that the device is not deployed within or near a sharp curve or turn in the roadway.
  - A location for deployment will be selected to reduce risk to the general public, including pedestrians, if the vehicle leaves the roadway when the tires deflate.
- Setup:
  - Squad cars driven by deploying officer(s) must be parked off the roadway and not used as a roadblock (unless authorized under the roadblock section). These squads must not be occupied and must have emergency lights activated.
  - Time and distance are to be considered by the deploying officer(s). If the deploying officer(s) feel that the risk factors are too great to safely deploy the device, they must abort the attempt.
  - The deploying officer(s) shall position the device and provide ample warning to dispatch and pursuing squads of the location and position of the device so pursuing officer(s) may avoid contact. Deploying officer(s) will move to a safe area providing protection.
  - Officer(s) must consider that a squad car may not provide adequate protection.

- Removal:
  - Once the pursued vehicle passes over the tire deflation device, the deploying officer shall remove the device from the roadway. No other officers shall exit their squads to remove the device.
  - The deploying officer shall then signal or radio pursuing squads that it is safe to continue the pursuit. The pursuit may then continue as department policy allows.

If tire deflation devices are to be used as a preventative measure in special tactical considerations, all involved officers will be briefed on their use as part of the operational plan.

### **Reporting:**

- After any tire deflation device deployment, or attempt to deploy, the deploying officer(s) shall document the information in a police report.
- The pursuit supervisor will make sure that if an uninvolved citizen's property is damaged by deployment of the stop sticks that a report is written under a separate case number ([General Order 438.02: Claims against the City](#)) and photographs of the damaged property are taken to document the damage.

### **Training:**

The Training Unit will maintain a file of officers authorized to deploy tire deflation devices and is responsible for providing ongoing training.

### **Administration:**

- The unit commander or unit designee is responsible to purchase and issue equipment and maintain a current inventory of tire deflation devices and keep a record of which vehicles and/or units that the devices are assigned.
- Tire deflation devices will be mounted and carried in accordance with the manufacturer's recommendations.
- Officers are responsible for ensuring that the device is in working order at the beginning of their shift.

### **Deployed tire deflation device (post-use):**

The county and city attorneys have advised that the tire deflation devices do not need to be retained as evidence, unless the use resulted in a crash involving great bodily harm or death. If the use of these devices results in this type of crash or critical incident, the device must be turned in as evidence and retained. Aside from this circumstance, the device will be inspected, re-loaded and then returned to service.

## **Roadblocks:**

**Roadblocks may only be used when deadly force is justified.** *Ref. Minnesota State Statute 609.066*

## **Moving Roadblocks:**

- SWAT approval for moving roadblock use must be done through the SWAT chain of command.

## **Stationary Roadblocks:**

Certain tactics, such as stationary roadblocks, are authorized only in very limited and severe situations. The following three criteria must all be met prior to implementation:

- Deadly force is authorized, according to department policy ([General Order 246.00: Response to Resistance and Aggression](#)), and the suspect constitutes an immediate and continuing major threat to the safety of the public or officers.
- All other methods of apprehension have failed or would be ineffective.
- Authorized at the discretion of a pursuit supervisor who is a commander or higher rank.

## **Stationary Roadblock Procedures:**

- All pursuing squads must be notified of the location prior to the implementation.
- The location to implement will:
  - Be an area where officers will be able to retreat to a position of safety.
  - Consider the lighting, road configuration, the speed and direction of travel, volume of traffic and potential risk to innocent citizens.
  - Be an area of straight roadway with sufficient sight distance allowing the driver of the pursued vehicle to see the roadblock and stop to avoid a collision.
- An avenue of escape for the pursued vehicle must be provided.
- Squad vehicles used as a stationary roadblock shall be unoccupied, with emergency lights activated.

## **SECTION 10. USE OF FIREARMS IN PURSUITS**

### **Use of Firearm at/or from a Moving Vehicle**

([General Order 246.02: Authorized Force Tools, Description, Training Requirements, Uses and Considerations](#)).

Officers should not shoot from a moving vehicle at a fleeing vehicle unless it is in response to a

threat of great bodily harm or death. It is best to attempt apprehension from a position of superior tactical advantage, if possible, by using police communications and cooperative police work rather than by firing at a moving vehicle.

Firearms must not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the officer or another person with great bodily harm or deadly force. The moving vehicle itself does not presumptively constitute a threat that justifies an officer's use of deadly force. An officer threatened by an oncoming vehicle should make every attempt to move out of the path of the oncoming vehicle unless such an attempt would unreasonably expose the officer or another to the risk of death or great bodily harm. The officer must consider the obvious danger of firing at a moving vehicle, since bullets may miss their target and/or the driver may lose control. Such risks, in most cases, weigh against firing at a moving vehicle.

### **SECTION 11. POLICE VEHICLES**

The following pursuit-rated vehicles are authorized to initiate or participate in an active pursuit:

1. Fully marked squad car
2. Low profile squad car
3. Unmarked squad car

Unmarked squads are discouraged from initiating a pursuit if possible.

Ideally, only fully marked squads shall participate in an active pursuit. Officers in an unmarked squad car or low-profile squad must allow a fully marked squad to assume the primary and/or secondary squad role as soon as reasonably possible.

Vehicles not defined above are not authorized to initiate or be involved in an active pursuit.

#### **Equipment Failure:**

When a police vehicle involved in the pursuit experiences any equipment failure (emergency lights, siren, radio, brakes, steering or other essential mechanical equipment) that officer must terminate participation.

### **SECTION 12. CONCLUSION OF THE PURSUIT**

The pursuit supervisor shall respond to the end of the pursuit.



All officers involved in the active pursuit or physical arrest of the suspect(s) will write a report.

**The pursuit supervisor will:**

- Observe and gather information regarding the officers at the scene, the arrested party, occupants and all persons who witnessed the arrest and are still at the scene. Supervisors will ensure that this information is documented within a report under the assigned case number. At a minimum, the information gathered will allow the supervisor to answer the questions required by [MN Statute 626.5532](#).
  - These include:
    - Reason for and circumstances surrounding pursuit
    - Alleged offense
    - Length of pursuit in distance and time
    - Outcome of pursuit
    - Injuries or property damage
    - Any other relevant information
- Complete the [Bureau of Criminal Apprehension \(BCA\) Pursuit reporting form](#). The BCA Pursuit report form is required any time a Saint Paul officer is actively involved in a pursuit, even if it is terminated or originated by another agency.
- Attempt to conduct a basic interview with the driver and occupants regarding injuries, behavior or other relevant information. This will be documented in the supervisor's police report, along with the actions of the officers.
- Direct, notify and/or ensure investigation of personal injury and/or property damage caused as a direct result of the pursuit by the agency with jurisdiction. If the incident is outside the City of Saint Paul and that agency does not have reconstruction capability or declined to contact one (such as the Minnesota State Patrol), a Saint Paul Police Department crash response specialist will be called to the scene.
- Ensure other policies applying to the incident are followed (See General Orders [230.30: Drug and Alcohol Screening](#), [246.09: Critical Incidents](#), [610.00: Traffic Crash Investigation and Reporting](#), etc.)
- As soon as practical, the supervisor will conduct a post-pursuit review with the involved personnel. This analysis will review positive and negative aspects of the incident.
- If in the course of critiquing a pursuit, the pursuit supervisor develops recommendations related to the pursuit policy, an after-action memo must be written documenting the recommendations. This memo shall be forwarded to the deputy

chief of operations and the internal affairs commander. If the pursuit critique exposes violations of this policy, the supervisor shall document the violation in memo form and forward the information to the Internal Affairs Unit.

- All reports and video of the pursuit will be reviewed by the commander or their designee for the district/unit where the Pursuit was authorized. This is done for educational and training purposes and policy adherence.

**Records Unit:**

The supervisor will submit a copy of the BCA form to the records unit, research and development unit and internal affairs unit. Within 30 days, the research and development unit will upload the form to the required BCA portal.

Dated: 4/23/20