

Pursuit Policy

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Overview

- The Problem in Minnesota – Pursuit Statistics
- Existing POST Board Policy and Proposed Changes

The Problem in Minnesota

2013 – 2020: 40 reported fatal injuries
for people involved in, or affected by, pursuits.

Pursuit-related fatalities in 2020:

FOUR drivers	THREE passengers
TWO other/uninvolved persons	ONE officer

2020: 3,109 reported pursuit incidents

7.88% of those reported pursuit incidents were
initiated because of a felony offense.

50.43% of those reported pursuit incidents were
initiated for a traffic offense.

Existing POST Board Model Policy & Suggested Changes

Suggested Changes – Taken from Burnsville, MN Policy

(a) 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;

(b) To protect the peace officer or another from apparent death or great bodily harm:

1. by effecting the arrest or capture, or preventing the escape, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony involving the use or threatened use of deadly force; or
2. by effecting the arrest or capture, or preventing the escape, of a person whom the officer knows or has reasonable grounds to believe has committed or attempted to commit a felony if the officer reasonably believes that the person will cause death or great bodily harm if the person's apprehension is delayed; and

(c) There is a reasonable expectation of a successful apprehension of the suspect.

Existing POST Board Model Policy & Suggested Changes

Suggested Changes – Taken from Burnsville, MN Policy

(c) 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 crime for which the suspect is wanted
 - Existence of vehicular and pedestrian traffic
 - Known information on the suspect
 - Road configuration (e.g., interstate, divided highway, work zone)
 - Physical location and population density (e.g., residential area, school zone, business district)
 - Lighting and visibility
 - Weather and environmental conditions
 - Performance capabilities of the pursuit vehicle and the vehicle being pursued
 - Officer training and experience
 - Availability, both in time and distance, of support units, both ground and air, and tagging and/or tracking capability
 - Speed and evasive tactics employed by the suspect
 - Presence of minors and/or other persons in the police and suspect vehicles
 - Existence of any other condition or situation that would create an unreasonable risk
- 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 supervisor at any time.

Existing POST Board Model Policy & Suggested Changes

Suggested Changes -

Taken from Illinois Law Enforcement Training and Standards Board

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 conditions of the pursuit becomes too risky for the safe continuation of the pursuit.~~
2. The danger to the public or the pursuing peace officer outweighs the necessity for immediate apprehension of the suspect. Consideration should be given to the following conditions: speed of the pursuit, area of the pursuit, weather and road conditions, the presence of pedestrians and other traffic, the presence or absence of audible or visual warnings, and the reason for the pursuit of the fleeing vehicle.
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.

Suggested Additions

Speed Limits – From Brooklyn Center, MN Policy

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and the supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

Intersection Approach – From Illinois Law Enforcement Training and Standards Board

Upon approaching an intersection controlled by traffic signals or signs, or any other location at which there is an increased likelihood of a collision, the driver of any pursuit vehicle shall, prior to entering the intersection, or upon the approach to any other such location where there is an increased likelihood of a collision, reduce the vehicle's speed so as to avoid a collision with another vehicle or pedestrian. Peace officers shall ensure that the way is clear before proceeding through an intersection or otherwise increasing speed. Pursuing peace officers are expected to maintain complete control of their vehicles at all times.

