

5-09/210.05 - Termination of a Pursuit

The decision to pursue is reversible and it takes a prudent deputy to know when to terminate the pursuit. Deputies must constantly evaluate whether the seriousness of the crime justifies continuing the pursuit. Consideration must also be given to the extent of danger the suspect poses to the public beyond the act of evasion itself.

A pursuit shall be terminated:

- When there is an unreasonable danger to the deputy or other users of the highway. An unreasonable danger exists (but is not limited to) when a deputy's and/or suspect's speed dangerously exceeds the normal flow of traffic;
- When weather conditions, visibility, road conditions, traffic conditions, including the volume of pedestrian and vehicular traffic or other factors, such as the availability of air support and the quality of radio communications, indicate unwarranted risk to uninvolved bystanders, other motorists or personnel engaged in the pursuit;
- When the violator can be identified to the point where apprehension may be more safely made at a later time;
- When the primary unit has lost sight of the pursued vehicle and visual contact is not immediately regained. This does not include the momentary loss of visual contact caused by the pursued vehicle turning a corner;
- When action is taken by another police department traversing our jurisdiction and our assistance is no longer needed;
- After a reasonably short period of time when it has been determined that the only reason for the pursuit is a known reported stolen vehicle. The term "reasonably short period of time" applies only to those pursuits wherein the driver is not driving dangerously. If the suspect is driving recklessly or at excessive speeds the pursuit shall be terminated immediately; or
- When there is insufficient objective information to indicate that the suspect(s) is wanted for any crime inclusive of the approved felonies and misdemeanors described in MPP section 5-09/210.02.

An evaluation of the risks posed to uninvolved bystanders and motorists, suspects, and those deputies engaged in the pursuit shall be ongoing by all participants, particularly supervisors, throughout the duration of the pursuit.

When a pursuit is terminated, all units shall discontinue their Code 3 operation and obey all rules of the road. Unless otherwise directed by the watch commander, deputies are to immediately return to normal activities in their assigned area(s) and cease attempts to pursue or follow the vehicle; except as provided in this policy.

All personnel involved in any aspect of a vehicular pursuit will be held accountable for their role in the continuation of the pursuit when circumstances indicate that it should have been terminated.

Any doubt concerning the duration of a pursuit should be resolved in favor of the safety of the public, Department members, and other users of the highway.

Speeds

Due to wide variations in roadways and conditions, speed limits cannot be established that will apply to all

pursuits. Consideration should be given to terminating a pursuit or initiating “surveillance mode” as described in MPP section 5-09/210.15, when the deputy's and/or suspect's speed becomes unreasonable. On urban or suburban surface streets, speeds in excess of 20 miles per hour over the posted or prima facie speed limit would normally be considered unreasonable and shall require termination of the pursuit absent a violent felony or an articulable need to continue the pursuit. An exception to this criteria may include rural, unpopulated areas devoid of vehicular and pedestrian traffic.

Additional factors to be considered by pursuing deputies and supervisors to determine reasonable speeds should include:

- Public safety, including uninvolved bystanders, other motorists and persons in the pursued vehicle;
 - Officer safety;
 - Need for immediate apprehension versus risks to the public, officers, and suspect(s);
 - Seriousness of the known offense;
 - Duration of the pursuit;
 - Location of pursuit (i.e., rural, residential, commercial, freeway, open highway, etc.);
 - Familiarity with area of pursuit;
 - Quality of radio communications;
 - Availability of air support;
 - Weather conditions and visibility; and
 - Type of vehicles involved in pursuit.
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