



Minneapolis Police Department Policy and Procedure Manual

Number:
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Volume Seven – Field Operations

Tactical Response

7-811 Foot Pursuits

(xx/xx/23)

I. Purpose

The safety of employees, members of the public, and any person being pursued is the primary consideration when determining whether a foot pursuit should be initiated or continued.

The purpose of this policy is to uphold the sanctity of life and the rights and safety of all involved in a foot pursuit.

This policy describes the conditions and prohibitions associated with foot pursuits, and details the responsibilities for pursuing employees, assisting employees, and supervisors, when involved in a foot pursuit.

II. Definitions

Foot Pursuit: When an employee pursues (on foot or bicycle) a person who is attempting to evade law enforcement.

Partner Splitting: When loss of visual contact, distance, or obstacles, separates partners to a degree that they cannot immediately assist each other should a confrontation take place.

Reasonable Suspicion: A well founded suspicion based on specific, objective, articulable facts, taken together with the employee's training and experience, that a subject has committed, is committing, or is about to commit a crime.

III. Policy

A. Employee, Community, and Suspect Safety

1. Foot pursuits are inherently dangerous police actions. The safety of employees, the suspect, and the public should be the primary consideration when determining whether a Foot Pursuit should be initiated or continued. Employees must be mindful that immediate apprehension of a suspect is rarely more important than the safety of other members of the public or employees.
2. When deciding to initiate or continue a Foot Pursuit, employees must continuously balance the objective of apprehending the suspect(s) with the risk and potential for injury to employees, bystanders, and the suspects. Employees must act reasonably, based on all of the circumstances.

B. Reasonable Suspicion Required

1. Employees may only engage in Foot Pursuits with suspects when there is Reasonable Suspicion to believe that the suspect has committed, is committing, or is about to commit a crime (with the exception of those instances identified below under prohibited actions) and when employees reasonably believe that there is a valid law enforcement need to detain the suspect that outweighs the threat to safety posed by pursuit.
2. An employee shall **not** conduct a Foot Pursuit based solely on a person's response to the presence of police, including a person's attempt to avoid contact with an employee (e.g., walking away, declining to talk, running away, or crossing the street to avoid contact). People may avoid contact with an employee for many reasons other than involvement in criminal activity.
 - a. The mere act of flight alone by a person shall not serve as justification for engaging in a Foot Pursuit. Employees are prohibited from basing an investigative stop only on a person's response to the presence of police, such as a person's attempt to avoid contact with an employee or flight (P&P 9-200).
 - b. If otherwise consistent with this policy, an employee may conduct a Foot Pursuit when a person in a location known for certain criminal activity runs, unprovoked, from the police and the officer can articulate reasonable suspicion to believe the person is running because they are involved in the type of criminal activity prevalent in that location.
 - i. In this situation, the employee must be able to articulate the specific facts establishing Reasonable Suspicion, including how the individual's unprovoked flight is linked to their suspected participation in the type of criminal activity prevalent in that location.

Examples of facts that may establish a link between a person's unprovoked flight and the type of criminal activity prevalent in a location include:

- The employee observes the person taking actions that are consistent with the commission of the particular crime prevalent at that location.
 - The employee has personal knowledge that the person has committed the crime previously.
 - The employee has personal knowledge that there was a recent call for service about that particular crime being committed at that location.
- ii. Employees shall avoid broad, boilerplate phrases such as "high crime area" when articulating justifications for Foot Pursuits and Investigative Stops (P&P 9-200).
 - iii. Employees are prohibited from intentionally provoking or attempting to provoke flight in an effort to justify an Investigative Stop or a Foot Pursuit. For example, an employee may not drive at a high rate of speed toward a group congregated on

a corner, perform a threshold brake, and exit quickly with the intention of stopping anyone in the group who flees.

C. Supervision and Termination of a Foot Pursuit

When directed by a supervisor to terminate a Foot Pursuit, such an order shall be considered mandatory and the pursuit must be discontinued.

D. Use of Force

1. Employees must use the tactics described below to avoid the use of unnecessary or excessive force during or at the conclusion of a Foot Pursuit.
2. When a Foot Pursuit terminates with a suspect in custody, it is prohibited to use force to punish persons for fleeing, resisting arrest, or assaulting an employee (in accordance with P&P 5-301).

IV. Procedures/Regulations

A. Conditions for a Foot Pursuit

1. Offense seriousness
 - a. Although Foot Pursuits are permissible with Reasonable Suspicion as articulated above, employees are expected to weigh the seriousness of the offense against the immediate need to apprehend and the consideration of employee and public safety.

For example, the need to immediately apprehend a shoplifter may be minimal, while the need to bring an armed carjacking suspect to justice is more significant given the danger they pose to the public.

- b. Employees shall **not** engage in a Foot Pursuit for the following offenses:
 - Curfew violations
 - Citation-only violations
 - Non-arrestable violations
 2. Decision to pursue
 - a. Deciding to initiate or continue a Foot Pursuit is a decision that an employee must make quickly and under unpredictable and dynamic circumstances. It is recognized that Foot Pursuits may place employees and the public at significant risk.
 - i. Any doubt by participating employees or their supervisors regarding the overall safety of any Foot Pursuit shall be decided in favor of communication, coordination, surveillance, and containment.

- ii. No employee or supervisor shall be criticized or disciplined for deciding not to engage in a Foot Pursuit or ordering the termination of an ongoing pursuit based upon a reasonable assessment of the perceived risk to the employee and those they are entrusted to serve.
 - b. The decision to initiate or continue a Foot Pursuit must be continuously re-evaluated in light of the circumstances presented at the time, including whether Reasonable Suspicion is still established or has been dispelled.
3. Danger to the public or employees
 - a. An employee shall not initiate or continue a Foot Pursuit if the employee reasonably believes that the danger to the public or employees outweighs the objective of immediate apprehension.
 - b. An employee shall not continue a Foot Pursuit if the employee becomes aware of unanticipated circumstances that unreasonably increase the risk to employees or the public.

4. Known identity

An employee shall not initiate or continue a Foot Pursuit if the identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to employees or the public if the suspect is not immediately apprehended.

5. Lost equipment

An employee shall not initiate or continue a Foot Pursuit if the employee knowingly loses possession of their firearm, radio, or other essential equipment which may endanger the employee or the public if recovered by another person.

6. Loss of communication

An employee shall not initiate or continue a Foot Pursuit if the employee is unable to or loses the ability to promptly and effectively communicate with dispatch or other employees.

7. Injuries

- a. An employee shall not continue a Foot Pursuit if they become injured and are unable to safely continue the Foot Pursuit.
- b. An employee shall not continue a Foot Pursuit if a third party is injured and requires immediate medical aid that cannot be provided by other on-scene employees or emergency medical personnel.

8. Unknown location

An employee shall not initiate or continue a Foot Pursuit if the employee is unaware of their current location or is unable to provide a location for support units to respond.

9. Multiple suspects

- a. An employee shall not initiate or continue a Foot Pursuit if acting alone and the pursuit results or would result in an employee chasing two or more suspects simultaneously.
- b. If two employees engage two or more suspects and the suspects flee in different directions, the two employees should not separate and should instead pursue a single suspect.
- c. If two or more employees have multiple suspects detained and one suspect flees, an employee should not pursue the fleeing suspect if the number of detained suspects exceeds or would exceed the number of employees staying with them.

10. Suspect enters a confined or isolated structure or area

- a. In the event that the suspect enters a building, structure, confined space, wooded or otherwise isolated area, or dense or difficult terrain, the pursuing employee should consider discontinuing the Foot Pursuit and coordinating containment pending the arrival of sufficient resources.
- b. If the Foot Pursuit will continue, the employee shall assess the situation, notify police dispatch of their location and determine whether to wait for the arrival of responding members and a supervisor so a perimeter around the area can be established.
- c. SWAT shall always be requested in cases where the suspect is believed to be armed and has taken a defensive posture which would meet the definition of a barricaded person.

11. Higher risk situations

Employees should consider alternatives to engaging in or continuing a Foot Pursuit in the following circumstances, which create particularly high risk for the employees and the public:

- a. The employee is acting alone.
- b. Two or more employees become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single employee keep the suspect in sight from a safe distance and coordinate the containment effort.

- c. The physical condition or size of the employee relative to the suspect renders them incapable of controlling the suspect if apprehended.
- d. The person being pursued is visibly armed with a firearm.
- e. The suspect's location is no longer known.
- f. The employee's ability to safely continue the Foot Pursuit is impaired by inclement weather, darkness, or other environmental conditions, such as steep terrain, worn-out structures, piles of debris, etc.
- g. The presence of vehicular traffic in the area of the pursuit and risk of emergency vehicle response by additional employees create safety concerns.
- h. When the employees involved are not readily identifiable as MPD officers.

B. Alternatives to a Foot Pursuit

Surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a Foot Pursuit, employees should continuously consider reasonable alternatives based upon the circumstances and resources available, such as:

1. Containment of the area.
2. Saturation of the area with law enforcement personnel, including assistance from other agencies.
3. A canine search (P&P 7-807).
4. Thermal imaging or other sensing technology.
5. Air support.
6. Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the Foot Pursuit.

C. Procedures for Pursuing Employees

1. Activate BWC

Employees initiating or joining a Foot Pursuit shall ensure their Body Worn Camera (BWC) is activated in accordance with P&P 4-213 and remains activated throughout the duration of the Foot Pursuit.

2. Responsibility for coordination

Unless relieved by another employee or a supervisor, the initiating employee shall be responsible for coordinating the progress of the pursuit and containment.

3. Avoid overtaking the suspect when alone

When acting alone and when practicable, the initiating employee should not attempt to overtake and confront the suspect, but should attempt to keep the suspect in sight until a sufficient number of employees are present to safely apprehend the suspect.

4. Communication

Early communication of available information is essential.

- a. Employees engaging in a Foot Pursuit must initiate a radio broadcast within the first few seconds to ensure that adequate resources are coordinated and deployed to assist and manage the pursuit to a safe conclusion.
 - i. The broadcast shall contain the following information, at minimum:
 - aa. Location and direction of travel.
 - ab. Unit identifier/call sign.
 - ac. Reason for the Foot Pursuit, such as the crime incident type.
 - ad. Number of suspects and physical descriptions, to include name if known.
 - ae. Whether the suspect is known or believed to be armed with a dangerous weapon.
 - ii. Absent exigent circumstances, any employee unable to promptly and effectively broadcast this information should terminate the Foot Pursuit.
- b. Employees should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.
- c. Whenever any employee announces that they are engaged in a Foot Pursuit, all other employees should minimize non-essential radio traffic to provide the involved employees with maximum access to radio communications.

5. Partner splitting

- a. Partners should try not to separate and should remain in sight of each other and maintain communications.

- b. Partner Splitting should be used only when absolutely necessary to protect the public or employees from imminent harm, because it is dangerous to employees and the public.
 - i. Partner splitting can compromise the safety of employees who lose their ability to assist or effectively communicate with each other.
 - ii. It also increases the risk that the employees or innocent civilians will be caught in cross-fire.
- 6. Assisting employees
 - a. Assisting employees shall respond in a safe manner, and take an active role in the apprehension of the suspect by assisting the initiating employee.
 - b. Assisting employees should allow the primary employee to concentrate on the suspect's actions while the second employee provides back up and maintains contact with police radio and other responding employees.

7. Discontinued Foot Pursuit

If the Foot Pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

8. Terminating a Foot Pursuit

- a. When a Foot Pursuit terminates, employees shall not use more force than is necessary to arrest the suspect.
- b. When a Foot Pursuit terminates, the employee shall notify the dispatcher of their location and the disposition of the Foot Pursuit termination (e.g., suspect in custody, lost sight of suspect).
- c. The employee shall direct further actions as reasonably appear necessary, to include requesting needed medical aid for employees, suspects, or other persons.

D. Supervisor Responsibilities

1. Assume command

- a. Upon becoming aware of a Foot Pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control, and coordination of the Foot Pursuit.
- b. Foot Pursuits are often difficult to supervise due to their short duration and the difficulty employees may have speaking to the supervisor on the radio while running.

Supervisors shall make a good faith effort to supervise under these challenging circumstances.

2. Respond to the area during the pursuit
 - a. Supervisors shall respond to the area whenever possible.
 - b. The supervisor does not, however, need to be physically present to exercise control over the Foot Pursuit. The supervisor shall continuously assess the situation to ensure the Foot Pursuit is conducted within established Department guidelines.

3. Terminate the Foot Pursuit

Supervisors shall terminate the Foot Pursuit when:

- a. It reasonably appears either that the pursuit lacks a lawful purpose or is unsupported by Reasonable Suspicion (e.g., cases of mistaken identity where actual suspect has been apprehended elsewhere).
 - b. The danger to pursuing employees or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.
 - c. The pursuit is otherwise not in compliance with this policy.
4. Respond after suspect apprehension
 - a. Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination location to direct the post-Foot Pursuit activity.
 - b. Upon arriving at the scene, the supervisor shall check for any injuries to victims, bystanders, employees, and suspects. All injuries shall be documented.
 - c. If force was used requiring notification (P&P 5-303), or misconduct is apparent or alleged (P&P 2-101), the supervisor shall initiate the required investigation.
 - d. The supervisor shall review the incident with responding employees for any issues regarding tactics or performance improvement. The supervisor shall review:
 - i. BWC footage of the incident from the initiating employee and other responding employees.
 - ii. Any written reports that were generated from the event.
 - iii. Any other information available regarding the incident.
 - e. The supervisor shall evaluate whether the Foot Pursuit was in compliance with this policy. The supervisor shall assess:

- i. Whether opportunities for de-escalation or prevention of flight were missed and what tactics may have been useful.
- ii. Whether, during the pursuit, any tactics used could have been improved.
- iii. Whether any missteps were made, and if so, how those can be addressed or avoided in the future (e.g., through further training, mentorship, or shadowing).

E. Dispatch Communication

Upon notification or becoming aware that a Foot Pursuit is in progress, the dispatcher will:

1. Clear the radio channel of non-emergency traffic.
2. Coordinate pursuit communications of the involved employees.
3. Request air support.
4. Broadcast pursuit updates as well as other pertinent information as necessary.
5. Ensure that a precinct supervisor is notified of the Foot Pursuit.
6. Notify and coordinate with other involved or affected agencies as necessary and practicable.
7. Notify the precinct Lieutenant as soon as practicable.

F. Reporting Requirements

Employees shall document in the Police Report the following details surrounding the Foot Pursuit:

1. Reasonable Suspicion or Probable Cause for any offenses.
2. Reasonable Suspicion for initiating the Foot Pursuit and any other circumstances surrounding the Foot Pursuit.
3. The course and approximate distance of the Foot Pursuit.
4. Any involved vehicles and employees.
5. Any use of force.
6. Any injuries or medical treatment given or requested by any employee, bystander or suspect related to the pursuit.
7. Any property or equipment damage related to the pursuit.