



[MPD Manual Home](#)

7-401 NORMAL VEHICLE OPERATION

On This Page:

(A-B)

[7-401 NORMAL VEHICLE OPERATION](#)

Personnel will, under normal conditions, operate police vehicles in the same manner as required for the public. Violations of motor vehicle laws, when not authorized or the result of careless, or abusive use of police vehicular equipment, may result in disciplinary action.

[7-402 VEHICLES - EMERGENCY RESPONSE \(10/12/01\)](#)

[7-403 PURSUIT POLICY \(11/20/01\)](#)

Vehicles shall not be driven when they are in unsafe mechanical condition. Officers shall inspect their assigned vehicle before each tour of duty and immediately report any damage or mechanical failure to their supervisor.

[7-404 VEHICULAR PURSUIT DEFINITIONS \(11/20/01\)](#)

[7-405 INITIATING OR CONTINUING A PURSUIT \(11/20/01\)](#)

MSS 169.541 exempts peace officers from statutes relating to the lighting of vehicles and watercraft:

[7-406 VEHICULAR PURSUIT PROCEDURES](#)

- 1 while operating a motor vehicle or watercraft owned, leased, or otherwise the property of the State or a political subdivision;
- 1 in the performance of the officer's law enforcement duties;
- 1 when the officer reasonably believes that operating the vehicle without lights is necessary under the circumstances to investigate a criminal violation or suspected criminal violation of state laws, rules, or orders or local laws, ordinances or regulations, IF the officer's conduct is reasonable and is consistent with the standards adopted by the Minnesota POST Board. (12/31/90) (02/08/93)

[7-406.01 ROLE OF OFFICERS IN THE PRIMARY PURSUIT VEHICLE](#)

[7-406.02 ROLE OF OFFICERS IN THE SECONDARY PURSUIT VEHICLES](#)

[7-406.03 ROLE OF DISPATCHERS \(7/26/2003\)](#)

[7-406.04 ROLE OF THE PURSUIT SUPERVISOR](#)

[7-406.05 AUTHORITY TO TERMINATE](#)

The standards that have been adopted are: (12/31/91)
A peace officer may not operate without lights: (12/31/91)

[7-407 TACTICAL OPTIONS AND PROCEDURES](#)

[7-407.01 AIR SUPPORT](#)

[7-407.02 ROADBLOCKS](#)

[7-407.03 VEHICLE CONTACT](#)

[7-407.04 TIRE DEFLATING DEVICES](#)

[7-407.05 HOSTAGE-INVOLVED VEHICULAR PURSUIT](#)

- 1 On interstate highways.
- 1 At speeds greater than what is reasonable and prudent under existing weather, road, and traffic conditions.
- 1 In situations where the peace officer is an active participant in pursuing a motor vehicle being operated in violation of MSS 609.487 (fleeing a Peace Officer in a Motor Vehicle).
- 1 Contrary to the elements listed in MSS 169.541 (explained in the preceding paragraph).
- 1 Contrary to any written policies or procedures established by the Chief law enforcement officer of the agency that employs the peace officer.

[7-408 TERMINATION OF PURSUITS](#)

7-408.01 PURSUIT-RELATED
ACCIDENT INVESTIGATION7-402 VEHICLES - EMERGENCY RESPONSE
(10/12/01)7-409 VEHICLE PURSUITS INTO
MINNEAPOLIS BY OTHER
JURISDICTIONS

(B-D)

7-410 VEHICLE PURSUITS INTO
OTHER JURISDICTIONS BY MPD
SQUADS (11/20/01)

All MPD officers shall use red lights and sirens in a continuous manner for any emergency driving. Officers responding to a Code 3 emergency shall exercise caution and due consideration for the safety of the public. Although Minn. State Stat. 169.03 and 169.17 exempts officers from traffic statutes, the use of the red lights and siren does not exempt officers from the need for caution nor does it exempt them from criminal or civil liability.

7-411 REPORTING PROCEDURES7-412 REVIEW OF PURSUITS
(10/26/2000)7-413 EMERGENCY ESCORTS OR
TRANSPORTATION BY POLICE
VEHICLES

For emergency response, vehicles shall be equipped with "Minneapolis Police" markings affixed on both sides of the vehicle, red light bar, and siren. "Minneapolis Police" door markers may be temporarily affixed to front doors of the vehicle to comply with this order. (12/28/01)

The unmarked Emergency Response Unit's high-risk warrant van may respond to emergencies using visible front and rear emergency lights, siren and by affixing the "Minneapolis Police" door markings on the front driver door and front passenger door. The warrant van is prohibited from pursuit driving.

7-403 PURSUIT POLICY (11/20/01)

(A-D)

The MPD is committed to prevent crime, maintain order and protect the public from unreasonable danger wherever possible. Intrinsic to the nature of policing is the apprehension of criminals and the enforcement of law at every level. In order to enforce the laws of the city and state, officers are often called upon to pursue suspects who choose not to obey an officer's lawful command to submit to arrest and flee, either on foot or in a conveyance.

Motor vehicles are the primary conveyance with which offenders attempt to elude the police. Recognizing that every vehicle has the potential to cause serious bodily injury to innocent third parties, officers shall use reasonable professional judgment in deciding when, where, and to what extent they will initiate pursuit of suspects in motor vehicles. The initiation and continuation of any pursuit are predicated on factors known to the officer such as the seriousness of the violation, the consequences of not apprehending the suspect, the probability of apprehending the suspect without undue risk to the public at large, and the potential for continued criminal activity, if not apprehended.

Officers shall always be aware of the inherent danger to the public and to themselves in vehicle pursuits or emergency responses. They shall continuously weigh the need and

desirability for apprehension against the risk created for the officers and the general public. The officers must also take into account factors such as traffic volume, time of day, weather, circumstances of the emergency and the type of violation when becoming involved in pursuits.

7-404 VEHICULAR PURSUIT DEFINITIONS (11/20/01)

VEHICULAR PURSUIT - A vehicular pursuit occurs whenever an officer pursues a driver of a vehicle who has been given a signal to stop by the activation of red lights and siren, and the suspect or violator fails to comply and attempts to elude the officer by taking evasive actions.

GREAT BODILY HARM - Bodily injury, which creates a high probability of death, or which, causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of any bodily member or organ or other serious bodily harm.

IDENTIFICATION - The officer can establish the identification of the offender so that an apprehension can be made at another time.

OFFENDER - The operator of a vehicle being pursued who has been signaled to stop.

PARALLEL THE PURSUIT ROUTE - To operate a police vehicle in a manner than indicates pursuit participation by traveling in the same direction as the pursuit route on an adjacent or parallel roadway.

PURSUIT SUPERVISOR - The immediate supervisor of the pursuing officer, the precinct supervisor where the pursuit began, an adjacent precinct supervisor, or the Watch Commander.

TERMINATE - A pursuit is considered to be terminated when the officer discontinues the use of all emergency equipment and slows the marked squad car to the posted speed limit and turns off the pursuit route at the next available intersection.

MARKED SQUAD CAR - Any vehicle used by the MPD that has clearly identifying police markings, a roof-mounted red light bar, siren, and a manufacturer's rating to make it suitable for pursuits. Currently, the Ford Crown Victoria is the only vehicle in the MPD Fleet with such a rating.
(05/03/02)

UNMARKED SQUAD CAR - Any vehicle used by the MPD that does not have any marks clearly identifying the vehicle as an MPD vehicle such as a shields, logos or department name.

PRIMARY SQUAD - The initial marked squad car in a vehicular pursuit.

SECONDARY SQUADS - Police marked squad cars that provide direct support to the primary squad and follow the primary squad at a safe distance. When secondary marked squads engage in the pursuit, the officers will advise the dispatcher of their involvement. Vehicle pursuits will be limited to the primary marked squad and no more than two secondary marked squads unless otherwise authorized by the pursuit supervisor.

VEHICLE CONTACT - The intentional striking by a police vehicle of a vehicle being pursued.

ROADBLOCK - Placing a marked squad, either moving or stationary, in the roadway to narrow or block the escape route of the vehicle being pursued.

AIR SUPPORT - For the purpose of this policy shall mean a Minnesota State Patrol Helicopter. (See Volume 7, section on Minnesota State Patrol Helicopter)

7-405 INITIATING OR CONTINUING A PURSUIT
(11/20/01)

(B-D)

Officers involved in a vehicular pursuit shall exercise caution and due consideration for the safety of the public. Only marked squads shall be used in a pursuit. Officers shall use red lights and siren in a continuous manner for any emergency driving or vehicular pursuit. The use of red light and siren does not exempt officers from the need for caution.

Officers will not engage in pursuits outside the corporate city limits of Minneapolis, unless authorized. During a pursuit, officers shall not drive their vehicle the wrong way on freeways. They may, however, go down the wrong way of a freeway ramp to make a traffic stop on a vehicle going the wrong way to prevent it from entering the main portion of the freeway. Officers may not pursue the wrong direction on one-way streets without due consideration for existing conditions as listed below.

A pursuit is justified after an offender has engaged in evasive tactics only when an officer knows or has reasonable grounds to believe that the fleeing offender committed an offense and there is a reasonable expectation of a successful apprehension of the offender.

Officers shall not initiate a pursuit or shall discontinue a pursuit in progress whenever any of the following conditions exists:

1. The pursuit poses an unreasonable risk to the officers, and/or the general public, or the seriousness of the offense (s) is such that continued pursuit creates an unreasonable risk to the officers and/or the public.
2. The officer can establish the identification of the offender so that an apprehension can be made at another time unless the crime is for:
 - l Homicide
 - l 1st and 2nd degree assault
 - l Aggravated robbery
 - l Sexual assault involving the use or threatened use of a dangerous weapon.
 - l Kidnapping
3. Risks due to weather, road conditions, vehicle and/or pedestrian traffic outweigh the necessity to immediately arrest the suspect
4. Immediate medical assistance is needed by anyone injured as a result of the pursuit and there is not a secondary pursuit vehicle to provide assistance.
5. Whenever prisoners are in the squad.
6. Whenever there is malfunction of police emergency equipment or radio communication.
7. Whenever the distance between the primary pursuit squad and the offender is so great that further pursuit is futile.
8. Situations in which the primary pursuit marked squad loses visual contact of the offender for a significant period of time (approximately 10-15 seconds).

Whenever any non-MPD employees are in the marked squad, officers may only initiate a pursuit under the following conditions: (05/03/02)

- l Homicide
- l 1st and 2nd degree assault
- l Aggravated robbery
- l Sexual assault involving the use or threatened use of a dangerous weapon.
- l Kidnapping

However, the officers must terminate their participation in the pursuit upon the involvement of a squad that is able to take over as the primary pursuit vehicle.

Any officers involved in a pursuit have the right to decide whether or not to terminate their participation in a pursuit, or to transfer their responsibility to another squad. Officers

will immediately take and acknowledge direction from the assigned pursuit supervisor.

7-406 VEHICULAR PURSUIT PROCEDURES

(A-D)

All department employees involved in a vehicular pursuit shall follow the procedures listed in this section.

7-406.01 ROLE OF OFFICERS IN THE PRIMARY PURSUIT VEHICLE

Officers in the primary pursuit marked squad shall:

1. Activate red lights and siren.
2. Turn up the radio and roll up the windows.
3. Notify dispatcher by radio of the location, speed, direction of travel, and reason for the pursuit. (10/26/2000) (11/20//01)
4. Identify the vehicle and its occupants as completely as possible.
5. Call out the location and direction of the pursued vehicle as frequently as possible.
6. Immediately terminate the pursuit if an accident occurs with the possibility of injury and there is no secondary pursuit vehicle. The primary vehicle shall then check for possible injuries and render medical assistance.
7. Notify or acknowledge via radio whenever the pursuit has been terminated.
8. Complete an offense/incident report entitled "FLEE" and all other necessary reports.
9. Whenever possible, officers in the primary pursuit vehicle will not physically remove the offender or passengers from the vehicle, but should wait for the officers in the secondary pursuit vehicle to arrive and remove the offender or passengers.
10. Primary pursuit officers will not transport the arrested suspect unless authorized by the pursuit supervisor. (11/20/01)

Officers shall terminate a pursuit if they believe the risk created for the officers and the general public outweighs the need and desirability for apprehension.

7-406.02 ROLE OF OFFICERS IN THE SECONDARY PURSUIT VEHICLES

Officers in the secondary pursuit vehicles shall:

1. Activate red lights and siren.
2. Turn up the radio and roll up the windows.
3. Notify the dispatcher by radio of their involvement in the pursuit. (11/20/01)
4. Maintain a safe distance from the initiating squad, but remain close enough to provide back-up assistance when needed. At no time shall the secondary squad pass the primary squad unless requested by the primary squad. Officers should be alert to the fact that citizens will see the primary squad proceed, and may assume that it is the only emergency vehicle in the area and may be unaware or inattentive to the second emergency vehicle, especially if it is far behind the pursuing vehicle. (11/20/01)
5. Be prepared to take over as the primary vehicle if the existing primary squad becomes disabled or is unable to continue the pursuit.
6. Give the location and status of the pursuit when the pursued vehicle is stopped if the primary squad has not done so.
7. Immediately stop and check for possible injuries and render medical assistance if an accident occurs.
8. Notify or acknowledge via radio whenever the pursuit has been terminated.
9. Remove offenders and passengers from vehicle when pursuit results in an apprehension, then transport. (11/20/01)
10. Make a statement in CAPRS regarding their involvement in the pursuit.

Officers in the secondary pursuit vehicles shall discontinue their involvement in the pursuit if they believe the risk created for the officers and the general public outweighs the need and desirability for apprehension.

7-406.03 ROLE OF DISPATCHERS (7/26/2003)

Dispatchers involved in a police pursuit shall:

1. Repeat the initial information and the speed and direction of travel of the vehicular pursuit if the squad calling the pursuit is difficult to understand.

2. Keep the radio channel being used for the pursuit clear of unnecessary traffic.
3. Broadcast the pursuit information on channels used by adjacent precincts and again when the pursuits have entered adjacent precincts. However, the pursuit will remain on the channel which initiated the pursuit. Dispatchers will advise squads responding to assist from other precincts to notify their dispatcher and switch to the pursuit channel.
4. Designate a pursuit supervisor if one has not immediately acknowledged the responsibility.
5. Patch radio communication whenever a pursuit enters another jurisdiction.
6. Respond to directions from the pursuit supervisor or from any of the following if they have taken over the pursuit responsibility:
 - I Any supervisor in the Field Services Bureau above the rank of sergeant
 - I Watch Commander
 - I Deputy Chief
 - I Chief
7. Continue monitoring the pursuit until it has been terminated.
8. Transmit a "tone" signal when the pursuit is terminated.
9. Complete MECC Supplementary Police Pursuit Reporting Form (MP-3806) and forward it to Accident Investigation personnel in the Traffic Unit. (10/26/2000).

7-406.04 ROLE OF THE PURSUIT SUPERVISOR

The pursuit supervisor shall:

1. Acknowledge responsibility of the pursuit.
2. Monitor the pursuit.
3. Request air support when deemed necessary.
4. Exercise their authority and responsibility to decide whether to commit additional squads or to terminate the pursuit if they believe that the risk to the general public and officers outweighs the necessity to immediately arrest the

suspect, utilizing the listed guidelines.

5. Respond as soon as possible to the scene when the pursuit is terminated.

6. Wherever practical, supervisors shall not allow the offender or passengers to be removed from the vehicle by the primary pursuit officers. The arrested suspect(s) shall not be transported by the primary pursuit vehicle unless specifically authorized by the pursuit supervisor. (11/20/01)

7. Make a statement in CAPRS regarding their involvement in the pursuit.

8. Immediately review the pursuit for compliance with department policies and procedures. A cassette recording of the pursuit may be obtained from MECC by the pursuit supervisor. The tape may be requested at any time following a pursuit. MECC will notify the requester when the tape is ready for pickup. This cassette tape, if obtained, shall be property inventoried under the CCN of the "FLEE" report. (11/20/01)

9. Forward a copy of the CAPRS report and a pursuit summary to the appropriate commander. A copy of the pursuit summary shall also be forwarded to the appropriate Bureau Head. (10/26/2000)

7-406.05 AUTHORITY TO TERMINATE

In addition to the responsibilities and authorities given to the officers listed above, the following individuals have the authority to terminate or take control of a pursuit and will make a statement in CAPRS regarding their involvement in the pursuit: (11/20/01)

- | Any supervisor in the Field Services Bureau above the rank of sergeant
- | Watch Commander
- | Deputy Chief
- | Chief

7-407 TACTICAL OPTIONS AND PROCEDURES

(C-D)

When engaged in a vehicular pursuit, the tactical options listed in the following subsections should be considered.

7-407.01 AIR SUPPORT

Once contact is made with air support and air support has the suspect vehicle in sight, the primary squad may reduce the level of pursuit to that of a secondary squad.

7-407.02 ROADBLOCKS

Roadblocks may be used only when deadly force is justified. (Section 5-303). Procedures for setting up roadblocks are as follows:

1. The pursuit supervisor's approval shall be obtained to set up a roadblock. The pursuit supervisor may cancel a roadblock at any time. (11/20/01)
2. Only marked squads will be used.
3. The marked squads used to set up the roadblock will be unoccupied. Officers from those vehicles shall be a safe distance away from the roadblock in case the pursued vehicle strikes a police vehicle. (11/20/01)
4. Marked squad used in the roadblock will have all emergency lighting activated. When possible, there shall also be a reasonable distance to allow the driver of the pursued vehicle to stop before striking a police vehicle.
5. The number of police vehicles used in a roadblock shall be limited to only those necessary to cause the offender to stop.

This policy is not intended to prohibit the strategic placement of squads on side streets, driveways, parking lots and alleys to eliminate potential escape routes and assist in controlling a pursuit.

7-407.03 VEHICLE CONTACT

Vehicle contact, rolling roadblocks and roadblocks may only be used when state law permits use of deadly force. (See Volume 5, section on Justified Use of Force) (11/20/01)

7-407.04 TIRE DEFLATING DEVICES

The use of tire deflating devices will be governed by the procedures stipulated in this guideline. Only officers trained in accordance with the manufacturer's recommendations shall use spikes. When these conditions are met, the spike system deployment shall be as follows: (11/20/01)

1. Officers not actively involved in the pursuit, who have the spikes, shall position themselves on likely routes the pursuit may follow.
2. Once in position, officers shall monitor the pursuit and when the pursuit approaches their position, they shall

advise other units of their location and intent to deploy the spikes.

3. The spikes will be deployed in accordance with the manufacturer's recommendations.
4. Officers at the scene shall immediately seek cover after the spikes have been deployed.
5. Officers deploying the spikes are responsible for securing them immediately after their use. This includes searching the immediate area where the spikes were used and collecting any spikes that may have become detached.
6. Whenever the spikes are deployed, the deploying officer shall make a CAPRS supplement regarding the circumstances surrounding their deployment, the effects of the spikes on the pursued vehicle, and any other observation or effects of deployment.

The deployment of spikes may not be used when the pursued vehicle is:

- 1 Any two or three-wheeled vehicle.
2. Any bus transporting passengers. (11/20/01)
3. Any vehicle that is placarded to be transporting hazardous materials.

7-407.05 HOSTAGE-INVOLVED VEHICULAR PURSUIT

If a vehicular pursuit involves a hostage, the safety of the hostage must be the primary

consideration in determining the tactics that will be used during the pursuit. As soon as the existence of a hostage is known that information shall be communicated to the pursuit supervisor.

7-408 TERMINATION OF PURSUITS

When a pursuit has been terminated, the pursuing officers shall notify dispatch and:

1. Reduce speed to the posted speed limits. (11/20/01)
2. Turn off emergency lights and sirens.
3. Turn off the pursuit route at the next available intersection.

If an offender is apprehended:

1. Offer a breath/blood test if probable cause exists for DUI.
2. Obtain statements from passengers and witnesses.
3. Complete arrest report and all other necessary reports.

7-408.01 PURSUIT-RELATED ACCIDENT INVESTIGATION

When available, Traffic Unit officers are responsible for investigating and completing an accident report resulting from a pursuit. If great bodily harm or death results to the offender or another, as a result of a Minneapolis-initiated pursuit, the pursuit supervisor shall request outside investigation from the Minnesota State Patrol or Hennepin County Sheriff whenever possible. If the requested agency is unable to conduct the accident investigation, uninvolved MPD traffic officers will conduct the investigation.

7-409 VEHICLE PURSUITS INTO MINNEAPOLIS BY OTHER JURISDICTIONS

(B-D)

In any pursuit, regardless of the initiating agency or jurisdiction, MPD vehicles shall observe existing MPD policies regarding pursuits.

If another agency involved in a pursuit enters the city limits, MPD officers shall not assist in the pursuit unless authorized by a supervisor. Assistance shall not be given unless it is specifically requested by the pursuing agency, or unless it is clearly demonstrated that assistance is necessary and justified. Notification by another agency of a pursuit in progress shall not be considered a request to assist in the pursuit.

Dispatchers will advise affected precinct channels of a pursuit entering Minneapolis from another jurisdiction and advise on which radio channel the pursuit is occurring. Dispatch will also try to ascertain the following information: (11/20/01) (7/26/03)

1. The need for assistance by the pursuing agency.
2. The reason for the pursuit. (11/20/01)
3. Description of the vehicle and the direction of travel.

If more than two squads from other agencies are involved in the pursuit, only one authorized MPD marked squad shall assist in the pursuit.

The initiating agency will be in charge of the arrest scene when they arrive.

The initiating agency retains the authority to terminate pursuit.

In the event vehicles from the initiating agency cannot continue, the pursuit supervisor may authorize MPD police officers to take responsibility for the pursuit if:

1. They are in position to do so. (11/20/01)
2. The offender being pursued fits the MPD's pursuit policy.

Officers involved in another agency's pursuit shall not leave the Minneapolis city limits unless authorized by the pursuit supervisor.

7-410 VEHICLE PURSUITS INTO OTHER JURISDICTIONS BY MPD SQUADS (11/20/01)

A pursuit initiated by an MPD officer shall not leave the City limits without authorization of the pursuit supervisor.

A pursuit supervisor shall continue to monitor any out-of-city pursuit and respond to the scene when the pursuit is terminated.

The pursuit will be patched to an inter-op channel and all squads must precede their squad number with the word "Minneapolis". (07/26/03)

MPD officers have the authority to terminate pursuits out of the city of Minneapolis whenever an MPD marked squad is the primary pursuit vehicle.

If a vehicular pursuit ends with an accident, the jurisdiction in which the accident occurs shall be responsible for the accident scene and the subsequent accident investigation.

Dispatchers will inform other agencies when a pursuit initiated by the MPD is entering their jurisdiction.

7-411 REPORTING PROCEDURES

(A-B)

The primary officer who initiates a pursuit is responsible for completing a CAPRS offense report entitled "FLEE." The report shall contain:

- l the initial reason for the stop;
- l when red lights and siren were activated;
- l evasive actions taken by the offender;

- | any injuries or property damage as a result of the pursuit;
- | the offenses for which the offender was arrested as a result of the pursuit;
- | the length of the pursuit in distance and time;
- | the outcome of the pursuit;
- | any tactical options utilized;
- | if the pursuit was terminated without an arrest, the reason the pursuit was terminated;
- | all officers involved in the pursuit will make a supplemental report; (11/20/01)
- | the pursuit supervisor shall file a supplemental report and insure the information required in the offense/incident is documented;
- | whenever a pursuit vehicle is recovered/located, it shall be towed to the Minneapolis Impound Lot and marked "Hold for Traffic - FLEE." (11/20/01)

To ensure compliance with MN Statute 626.5531, Accident Investigation personnel in the Traffic Unit shall complete the state pursuit report form and forward it to the Bureau of Criminal Apprehension (BCA) within 30 days following the incident. (10/26/2000)

NOTE: Passengers of a vehicle cannot be arrested for fleeing. (11/20/01)

7-412 REVIEW OF PURSUITS (10/26/2000)

Vehicular pursuits that result in personal injury require a review by the pursuit supervisor. The pursuit supervisor shall obtain and review necessary reports, and MECC tapes if obtained, within five days of a subordinate's involvement in a pursuit to ascertain whether there was compliance with MPD policies and procedures. Involved officers and their commanders shall be notified within ten days by the pursuit supervisor of the status of the investigation. In incidents where a pursuit has been found not to be in compliance with MPD policies and procedures, the pursuit supervisor shall forward a memo with copies of reports to the appropriate commander. The commander shall review the case and forward it with any recommendations to the appropriate Bureau Head.

7-413 EMERGENCY ESCORTS OR TRANSPORTATION

BY POLICE VEHICLES

(A-B)

Officers will not provide emergency escorts for private vehicles except under extreme or exigent circumstances. Officers may provide emergency escort for other emergency vehicles equipped with red lights and sirens, when requested to do so.

Police vehicles should not be used to transport persons in need of physical medical attention except when ambulances are not available. Persons in need of medical attention shall normally be transported by ambulance and/or other medical equipment. (03/19/97)

Employees shall not transport persons in police vehicles except for a proper police purpose or on official department business.

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