

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

Court File No. 27-CR-24-1844

State of Minnesota,

Plaintiff,

vs.

**Major Christopher Erickson's Declaration
Pursuant to Minn. Stat. §358.116**

Ryan Patrick Londregan,

Defendant.

DECLARATION PURSUANT TO MINN. STAT. §358.116

Law Enforcement Experience and Educational Experience:

1. My name is Christopher Erickson. I am a licensed police officer currently employed as a Major with the Minnesota State Patrol (hereinafter MSP). I was promoted to the rank of Major in April of 2020.
2. I have been employed with the MSP since 1999 and held a variety of assignments within the agency including:
 - a. East Metro Night Shift Patrol Trooper (1999-2010),
 - b. East Metro Field Lieutenant (2010-2015),
 - c. East Metro Patrol District Captain (2015-2020),
 - d. Major (2020-present).
3. My current responsibilities include oversight of the following sections: Duluth Patrol District, Brainerd Patrol District, Detroit Lakes Patrol District, Virginia Patrol District, Thief River Falls Patrol District, the agency wide Training and Development Section, and the State Patrol Aviation Section. Additionally, I work with other command staff members to develop policies and procedures, review pursuit/use of force incidents, and serve as the state-wide on-call major as scheduled.
4. Prior to joining MSP, I was employed as a licensed police officer for the City of Eagan from 1992 through 1999. While employed as a police officer in Eagan, I was a SWAT team member from 1994-1999 and a narcotics investigator from 1998-1999.

5. Before becoming a licensed police officer, I served as both a civilian Dakota County Park Ranger and Eagan Police Explorer from 1987 until I was hired by the City of Eagan in 1992.
6. In total I have over 36 years of both sworn and non-sworn law enforcement experience.
7. My educational background includes an Associate in Science – Law Enforcement from Inver Hills Community College (1991), Bachelor of Science – Law Enforcement from Metropolitan State University (2015), and Master of Arts – Public Safety Leadership from St. Thomas University (2017).
8. I have attended numerous professional trainings throughout my career, received numerous awards and commendations, and instructed numerous disciplines within MSP including Emergency Vehicle Operations (EVOC), Standardized Field Sobriety Testing and Drug Recognition Evaluations. For approximately 12 years, I was the co-lead DWI Instructor at the State Patrol Academy.
9. I have attached a copy of my resume hereto as Exhibit A.

Relevant Experience Related to Use of Force and Pursuit Policies of MSP:

10. As an employee of the MSP, I am generally required to be informed of and comply with all written policies and directives of the MSP.
11. As a member of MSP command staff, I have extensive experience drafting, reviewing, interpreting, and enforcing MSP policy.
12. In the fall of 2018, while assigned as a Captain in the East Metro District, I was tasked by command staff to lead agency-wide discussions at every centralized in-service training regarding police pursuits, proper direction for the agency relevant to pursuits and other pertinent tactical considerations. Using feedback from those discussions, I was assigned to two different working groups: 1) Pursuit Policy Development; and 2) Pursuit Training Work Group. As a result of these efforts, MSP introduced and implemented a significantly redesigned pursuit policy that was adopted as MSP General Order 19-20-012 (since amended).
13. In 2020, I was tasked with oversight and assisted with development of adapting MSP policy and training to meet new mandated use of force and deadly force standards. I, along with others, worked with a nationally recognized Use of Force Expert, as well as worked with other command staff members, our agency attorney, risk management attorney and trainers to develop policy and curriculum to address the new mandates under the police reform bill that addressed the sanctity of life, duty to report, and duty to intervene among other considerations.

14. My duties as both a Captain and Major specifically include use of force and pursuit policy reviews. These responsibilities require me to be very familiar with all aspects of applicable MSP policies.
15. MSP requires every use of force incident and pursuit to go through a two-step policy review process to determine whether the incidents were within or outside of MSP policy and to determine whether corrective action or discipline is necessary.
16. MSP utilizes two forms to conduct these reviews. I have attached example copies of these forms as Exhibits B and C.
17. The use of force and pursuit policy reviews generally require both a captain and major to review the incident details including a detailed review of all information including body worn camera footage, motor vehicle recording data (i.e. squad video), written narrative reports and any other relevant evidence related to the incident. These are referred to as first and second level reviews.
18. I have conducted several hundred first and second level use of force and/or pursuit policy reviews since my promotion to Captain in 2015.
19. In 2018, MSP changed to a new reporting system called TraCS. As a result, I am currently unable to access statistical data from 2015 through 2017 (data prior to the implementation of the new system). During that time, however, I estimate that I completed approximately 200-300 First Level Reviews of pursuits and approximately, 100-150 use of force incidents.
20. Between 2018 and 2020, as a Captain, I conducted First Level Reviews of 177 pursuits and 99 use of force incidents.
21. Since my promotion to Major, I have conducted at least 314 Second Level Reviews of pursuits and at least 182 Use of Force incidents.
22. In critical incidents, MSP does not conduct Level 1 and Level 2 policy reviews until after potential criminal charges have either been declined or criminal charges have concluded. Accordingly, the actions of Ryan Londregan have not officially been reviewed by MSP Command Staff.
23. The opinions contained in this affidavit are my own opinions based upon my training and experience, familiarity of MSP policy and police tactical response.

Opinion as to MSP Pursuit Policy as Applied to Ryan Londregan:

24. On January 24, the Hennepin County Attorney held a press conference to announce her decision to prosecute Trooper Londregan. During her press conference, the County attorney stated: "They are not allowed to shoot at a car that is driving away. They are not allowed to shoot someone to prevent a car from driving away. They're only allowed to

use deadly force if it will prevent great bodily harm or death to their partner or somebody else...The training they received, very extensive training by the State Patrol was that shooting someone was not likely to stop the person to stop the person from driving. So, shooting someone was not an appropriate or necessary use of deadly force in this situation.”

25. From her statement, it appears that the Hennepin County Attorney is relying on certain provisions of MSP General Order 22-20-012 or the MSP Motor Vehicle Pursuit Policy. Attached here as Exhibit D.
26. In my opinion, this policy would not be applicable to the situation Troopers Seide and Londregan were confronted with on July 31, 2023.
27. In order for the Motor Vehicle Pursuit policy to apply, the circumstances would need to fall into the definition of “Motor Vehicle Pursuit” contained in Section III (A)(1). That section specifically defines a motor vehicle pursuit as “An active attempt by a sworn member **operating a patrol unit** to apprehend the driver of a motor vehicle...”
28. Because neither Trooper Seide nor Trooper Londregan were **operating a patrol unit** at the time of the incident, the MSP Motor Vehicle Pursuit policy would not be implicated, nor would a pursuit policy review be required by command staff.
29. Accordingly, for this primary reason, it is my opinion that the circumstances of this matter do not fall within the MSP Motor Vehicle Pursuit Policy. However, due to the public comments made by the Hennepin County Attorney relevant to this policy and MSP training, I will further address my opinion as to why these comments are misplaced and incorrect.
30. The provision of this policy that the Hennepin County Attorney is seemingly and publicly relying upon, is found in Section VIII (Shooting From Or At A Moving Vehicle). In its entirety, Section VIII (A) of the policy states: “Members shall not shoot from or at a moving vehicle, **except when deadly force is authorized pursuant to General Order 10-027 (Use of Force)**.”
31. The purpose of this clause of the policy is a recognition that the use of deadly force is analyzed under an entirely different standard than a motor vehicle pursuit. Even if the Motor Vehicle Pursuit Policy were to apply, and deadly force was used in contravention of MSP policy, the propriety of the use of force is analyzed under the *Graham v. Connor* standard, Minnesota Statutes §§609.06, 609.065 and 609.066 and MSP General Order 10-027. Accordingly, and as discussed below, the proper policy analysis for this incident falls under General Order 10-027 regarding the Authorized Use of Force and Authorized Use of Deadly Force.
32. Notwithstanding, the intended purpose of Section VIII (A) of the pursuit policy, is, for example, to discourage Troopers from shooting out tires of a suspect vehicle fleeing the scene of a traffic stop or shooting at or from a motor vehicle while in active pursuit of a

suspect vehicle. These actions can place the public at greater risk (ricochets or directly hitting persons or property) and are widely considered by law enforcement to be ineffective methods of stopping a fleeing motor vehicle.

33. Due to the Hennepin County Attorney's public comments, it appears necessary to address the remaining clauses of Section VIII. Section VIII(B) of the policy states, "Members should make every effort not to place themselves in a position that would increase the possibility that the vehicle they are approaching can be used as a deadly weapon against members or other users of the road."
34. The actions of Troopers Seide and Londregan do not fall into consideration of this provision of the policy.
35. The intent of Section VIII(B) is to discourage troopers from purposefully placing themselves in a situation that might later require deadly force as a means of justifying the use of deadly force. For example, it would be a policy violation for a trooper to purposefully run in front of a car, with their gun drawn, as the individual began to drive off/flee, shoot at the driver in an attempt to stop the car only to later justify the use of lethal force due to the car advancing toward them.
36. State Troopers are required by law and duty to enforce the laws of the state. Extraction of non-compliant and resisting drivers/suspects from a motor vehicle is a common occurrence. Pursuant to MSP General Order 03-10-058 (Standards for Full Duty Status of State Patrol Troopers, attached here as Exhibit E), Minnesota State Troopers **must be physically capable of "Us(ing) force to remove resisting subject(s) from vehicle, squad or cell."** (See General Order 03-10-058, Section H(15)).
37. Here, neither Trooper Seide nor Trooper Londregan placed themselves in a position envisioned by this policy. Rather, after verifying that Mr. Cobb was wanted by Ramsey County, Troopers Seide and Londregan repeatedly attempted to have Mr. Cobb voluntarily exit the vehicle. Due to Mr. Cobb's verbal and physical non-compliance, Troopers Seide and Londregan were fully justified in their attempt to physically extract Mr. Cobb from the vehicle.
38. Finally, Section VIII (C) states, "Firearms shall not be utilized when the circumstances do not provide a high probability of striking the intended target or when there is a substantial risk to the safety of other persons, including risks associated with vehicle crashes."
39. In this incident, it is my opinion that Trooper Londregan's actions complied with this provision of the policy. Trooper Londregan had a high probability of striking Mr. Cobb despite the danger it presented to Trooper Seide. Further, as will be discussed below, the use of a firearm afforded the Troopers the opportunity to prevent greater injury to themselves from being dragged into on-coming traffic, as well as to other vehicles in the area by potentially being able to redirect the vehicle away from traffic.

40. I believe the Hennepin County Attorney misunderstands MSP training on this point specifically. Her comment that, “very extensive training by the State Patrol was that shooting someone was not likely to stop the person to stop the person from driving” is simply wrong.
41. The MSP discusses, and the vast majority of Troopers are aware of, certain past incidents to illustrate and highlight the significant dangers presented by being dragged by a motor vehicle and using a firearm to slow or stop the vehicle. Specifically:
 - a. Incident 07601334 wherein a Trooper was dragged by a motor vehicle and shot the driver causing the vehicle to safely come to rest. The involved Trooper was found to be within policy, cleared and subsequently awarded the Medal of Valor.
 - b. Incident 11406877 wherein the involved Trooper was dragged by a vehicle, shot the driver of the vehicle again causing the vehicle to slow and come to rest just prior to striking a guardrail. Again, the Trooper was found to be within policy.
 - c. Contrasted by Incident 18203125 wherein the involved Trooper was physically unable to retrieve his firearm and was thrown from the moving vehicle resulting in traumatic brain injuries.
42. The risk of being dragged by a motor vehicle that can accelerate very rapidly to highway and higher speeds, can and does create situations where the Trooper is permitted to use their firearm to stop the driver.
43. For the reasons state above, in my opinion, MSP General Order 22-20-012 is not applicable to the incident involving Mr. Cobb on July 31, 2023 as this incident was not a motor vehicle pursuit as defined by policy. Notwithstanding, should the policy be deemed applicable, it is my further opinion that Trooper Londregan acted within this MSP Policy.

Opinion as to the MSP Use of Force Policy as Applied to Trooper Ryan Londregan

44. As indicated above, the proper analysis of Trooper Londregan’s Use of Force on July 31, 2023 falls under MSP General Order 21-10-027 – Force; Use Of – which sets forth the MSP guidelines for the general use of force as well as the use of deadly force. The policy in its entirety is attached hereto as Exhibit F.
45. MSP General Order 21-10-027 was amended and adopted on December 20, 2021 following the statutory amendments to Minnesota Statutes §609.06, §609.065 and §609.066.
46. As mentioned above, I was tasked with oversight and assisted with development of adapting MSP policy and training to meet new mandated use of force and deadly force standards. I along with the Training and Development Section worked with a nationally recognized use of force expert, as well as worked with other command staff members,

our agency attorney, risk management attorney and trainers to develop policy and curriculum to address the new legislative mandates under the police reform bill.

47. The applicable standard nationally, in Minnesota, as well as is incorporated within MSP Policy is the *Graham v. Connor* standard established by the United States Supreme Court. See *Exhibit F at Page 3 (Use of Deadly Force Defined)*. Generally, Troopers are authorized to use deadly force if an objectively reasonable officer would believe, based upon the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary to protect the Trooper or another from death or great bodily harm. Consistent with Minnesota Statute §609.066, subd. 2 the Trooper must be able to articulate the threat with specificity, the threat is reasonably likely to occur absent action by the Trooper, and the threat must be addressed through the use of deadly force without unreasonable delay.
48. This standard is specifically articulated in MSP General Order 21-10-027, Section II (Guiding Principles), within the definitions contained in the policy and throughout the policy.
49. The MSP training is extensive but cannot be described as exhaustive. Therefore, the agency trains cadets as well as incumbent Troopers in simulated high stress scenarios. Often, those scenarios involve de-escalation, pursuits, use of force, and deadly force situations. Because it is not exhaustive, we remind members that we cannot duplicate every scenario they may encounter. Troopers must therefore rely on policy, state statute, as well as individual judgement to make critical and often split-seconds decisions.
50. I have reviewed the body worn cameras and motor vehicle recordings (dash cameras) of the interaction between MSP Troopers and Mr. Cobb. I am extremely familiar with MSP policies and training. I have over 36 years of both sworn and non-sworn law enforcement experience. The past 24 years I have been employed by the MSP and held many positions within the agency. It is based upon all these factors, that I have formed my opinion as to the Use of Deadly Force by Trooper Ryan Londregan on July 31, 2023. It is my opinion that Trooper Londregan was justified in his use of deadly force and acted within MSP Policy.
51. The incident began with a traffic stop of Mr. Cobb on Highway 94. On the dash camera of Trooper Seide, Mr. Cobb's vehicle can be seen passing the location Trooper Seide was positioned. On the video, it can be clearly seen that the taillights of Mr. Cobb's vehicle were not illuminated. The initial stop of Mr. Cobb's vehicle was clearly based upon a violation of state statute and based upon a reasonable and articulable suspicion of a traffic violation.
52. Mr. Cobb stopped his vehicle in response to Trooper Seide's emergency lights being activated. Prior to the vehicle stopping, Trooper Seide was informed via computer of an alert that the involved vehicle could present a more significant issue to officers who encounter it. Trooper Seide was aware of this information and a reasonable officer would approach this traffic stop with greater caution as a result.

53. During the initial encounter, Mr. Cobb was generally compliant and provided his driver's license to Trooper Seide. During the conversation, Mr. Cobb appeared to be frustrated or agitated. Trooper Seide demonstrated both de-escalation techniques (active listening and offers of understanding) as well as investigative techniques (asking questions about where he was going, had he been drinking) throughout this encounter.
54. Trooper Seide returned to his vehicle, reviewed the computer aided dispatch (CAD) and learned that Mr. Cobb had a KOPS (Keeping Our People Safe) alert from Ramsey County. Although Trooper Seide would have been justified in detaining and/or arresting Mr. Cobb at that point, Trooper Seide contacted Ramsey County to verify the KOPS alert was still active and that Ramsey County was still requesting that Mr. Cobb be arrested in response to an investigation in their county. Trooper Seide learned that the KOPS alert was in connection with a felony level violation of an order for protection. Trooper Seide went above-and beyond the expectations of a Trooper by taking these efforts to verify information prior to potential use of force situation occurred.
55. Trooper Garrett Erickson arrived on scene and, at the request of Trooper Seide, spoke with Mr. Cobb to keep Mr. Cobb calm as Trooper Seide connected with Ramsey County officers. Trooper Londregan also arrived while Trooper Erickson was speaking with Mr. Cobb.
56. It is clear from the incident videos that Trooper Londregan had also read the KOPS alert. In the video at approximately 2:11:45 a brief conversation between Troopers Seide and Londregan occurs wherein they discuss Mr. Cobb's OFP KOPS alert and his "sketchy" and "amped" behavior.
57. Following Trooper Erickson's interaction with Mr. Cobb, the Troopers had a brief discussion and determined that Mr. Cobb would be arrested. Based upon all available information at the time, the decision to arrest Mr. Cobb was clearly lawful.
58. In general, when a driver is asked to step out of the vehicle, the driver's reaction cannot be predicted. Efforts to arrest an individual present a uniquely dangerous moment for law enforcement officers. It is not uncommon for individuals to resist law enforcement efforts to arrest both verbally and physically. Unique to State Troopers, whose primary job it is to conduct highway traffic stops, the risk of a driver fleeing in a motor vehicle is also an ever present. Such efforts of drivers to flee, places the Troopers as well as the public in greater danger.
59. MSP Policy dictates that Troopers "shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever reasonably possible and appropriate before resorting to force." (MSP General Order 21-10-027, Section IV(2)).
60. Troopers Seide and Londregan approached Mr. Cobb's vehicle. Trooper Seide approached from the driver's side and Trooper Londregan approached from the passenger

side. This is a common law enforcement tactic when the possibility of a forcible driver extraction exists.

61. Trooper Seide spoke with Mr. Cobb and asked him repeatedly to exit the vehicle. During this encounter, Trooper Seide demonstrated the clear application of de-escalation techniques. He did not yell at Mr. Cobb. He offered to explain what was happening *after* he stepped out of the car. He did not swear or using insulting language toward Mr. Cobb. Trooper Seide can be heard asking for the keys to the vehicle. Trooper Seide informed Mr. Cobb that he was giving him a lawful order. Mr. Cobb became increasingly agitated and was non-compliant with lawful commands. Mr. Cobb was evasive and deflective in his responses.
62. Watching the BWC of Trooper Londregan, it is clear that the possibility of non-lethal force via a vehicle extraction was going to occur. He can be seen checking the door to determine if it was locked, can be seen reaching into the vehicle to unlock the car, and ultimately opened the door. It should be noted that the passenger window was down and the conversation can be heard by Trooper Londregan as demonstrated by the audio captured on his body worn camera.
63. Instantaneously as Trooper Londregan opened the passenger door, Mr. Cobb can be seen putting the vehicle into gear and the car lurches forward and abruptly stops. This is also apparent from Trooper Londregan's squad camera – the vehicle brake lights illuminate. Trooper Seide is seen attempting to extract Mr. Cobb by leaning into the vehicle to unbuckle his seat belt while Trooper Londregan can be seen leaning into the vehicle with his side arm drawn, aimed toward Mr. Cobb and is yelling commands to “Get out of the car now.”
64. For a second time, Mr. Cobb began to accelerate his vehicle and both Troopers, who then were both partially within the interior of the vehicle, began to be dragged by the forward motion of the vehicle.
65. Trooper Londregan fired two shots striking Mr. Cobb.
66. Both Troopers were forcefully thrown from the vehicle and landed on the ground. Trooper Seide was thrown into a lane of traffic and Trooper Londregan was thrown into the shoulder of the highway.
67. To illustrate the amount of force they hit the ground with, Trooper Londregan's body work camera was dislodged from its mount. Patrol Troopers are required by policy to wear a BWC “wing-clipped” mount as opposed to a magnetic mount worn by most law enforcement officers. The wing-clipped BWC mount secures the camera to the person of the Trooper and takes considerably greater force to dislodge than the magnetic mount.
68. All three Troopers immediately ran towards Mr. Cobb's vehicle as it accelerated into the traffic lanes. As Mr. Cobb's vehicle continued to drive away, all three Troopers ran back to their squads to catch up to the vehicle. Troopers found the vehicle had come to rest

against the Jersey Barrier adjacent to the westbound left lane. Troopers participated in life-saving efforts.

69. The authority to use deadly force is analyzed under MSP policy in the same manner as the state statutes. Troopers are authorized to use deadly force if an objectively reasonable officer would believe, based upon the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary to protect the Trooper or another from death or great bodily harm.
70. In my opinion, the following circumstances rendered Trooper Londregan's use of deadly force justified:
 - a. The traffic stop was conducted on a major urban interstate. Available videos demonstrate that traffic was flowing continuously and at speeds consistent with freeway speeds.
 - b. The stop was conducted in an area near downtown, around the bar closing hours in an area with higher likelihood of intoxicated drivers and in an area where drivers often exceed the posted speed limits.
 - c. Prior to the initial interaction with Mr. Cobb, Troopers were aware of a KOPS Alert from computer aided dispatch (CAD) that would place a reasonable officer at a heightened state of alert.
 - d. Mr. Cobb was upset and agitated during the initial encounter. The Troopers discussed his behavior and attempted to peacefully resolve the situation.
 - e. Troopers learned and verified that Mr. Cobb was wanted in connection with a felony level violation of an Order for Protection.
 - f. When Troopers re-engaged Mr. Cobb, he remained verbally and aggressively non-compliant and deflective with Troopers' lawful orders to exit the vehicle.
 - g. After de-escalation efforts failed, Troopers were justified in elevating their use of force to conduct a forceable vehicle extraction.
 - h. As Trooper Londregan unlocked and opened the passenger door, Mr. Cobb placed the vehicle into gear and the vehicle suddenly and abruptly lurched forward. At this moment, both Trooper Seide and Londregan's upper torsos were mostly within the interior compartment of Mr. Cobb's vehicle leaving their lower extremities unstable and exposed to external risk. This action would cause a reasonable police officer in Trooper Londregan's position to fear great bodily injury or death to himself or his partner.
 - i. Almost immediately, the car began to accelerate a second time. A motor vehicle can accelerate to highway speeds within a matter of a few seconds. Any number

of scenarios exist that would cause a reasonable police officer to fear great bodily injury or death.

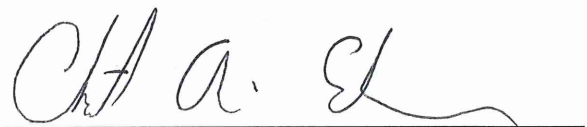
- j. Either or both Trooper(s) could have been thrown into on-coming traffic that was relatively heavy and moving at least at highway speeds.
- k. Either or both Trooper(s) could have been pulled under the vehicle and run over as Mr. Cobb's vehicle accelerated away.
- l. Either or both Trooper(s) could have been struck by an on-coming vehicle.
- m. Mr. Cobb could have directed his vehicle, with the Troopers partially inside, toward cement barriers or towards other traffic thereby causing serious risk of death or great bodily injury to the Troopers.
- n. This was unquestionably a rapidly evolving set of circumstances. The entire incident from the moment Trooper Londregan opens the passenger door until he discharged his weapon was approximately 5 seconds (roughly 2:17:00 to 2:17:05).

71. It is my opinion that Trooper Londregan's use of deadly force was authorized by MSP Policy and State Statute. A reasonable officer, in the same situation, based upon the totality of the circumstances described above, without the benefit of hindsight, considering the rapidly evolving set of circumstances would have been in fear of great bodily injury or death and would therefore be justified in the use of deadly force.

I DECLARE UNDER THE PENALTY OF PERJURY THAT EVERYTHING I HAVE STATED IN THIS DOCUMENT IS TRUE AND CORRECT.

DATED: _____

4/23/24


Major Christopher Erickson

MAJOR CHRIS ERICKSON

445 Minnesota Street #130

Saint Paul, MN 55101

651-343-6007 (cell)

christopher.erickson@state.mn.us

FORMAL EDUCATION

- | | |
|-----------|--|
| 2015-2017 | Master of Arts Degree – Public Safety Leadership
University of Saint Thomas – Saint Paul, Minnesota |
| 2014-2015 | Bachelor of Science Degree – Law Enforcement
Metropolitan State University – Saint Paul, Minnesota |
| 1989-1991 | Associate in Science – Law Enforcement
Inver Hills Community College – Inver Grove Heights, MN |

EMPLOYMENT HISTORY

Minnesota State Patrol

- | | |
|----------------|--|
| 2020 – Present | Major
Responsible for critical decisions and oversight of several agency sections including five patrol operations districts, the State Patrol Flight Section and the Training and Development Section. Serves as statewide on-call Major as scheduled. Aids in policy development, strategic planning and training development. Reviews use of force/deadly force incidents and pursuit incidents for policy compliance or lack of policy compliance and discipline considerations. |
| 2015 – 2020 | Captain
Responsible for collaboration, oversight and supervision as a District Commander of the Minnesota State Patrol's East Metropolitan District. Directly work with lieutenants to support personnel and ensure that the State Patrol's missions are fulfilled. This position is tasked with overseeing approximately eighty personnel, including supervisors, troopers, and administrative assistants. |
| 2010-2015 | Field Lieutenant
Responsible for supervising troopers in the field on the overnight shift. Directly worked with troopers to ensure that patrol functions were carried out professionally and were meeting the State Patrol's Mission. Assisted field |



troopers with difficult tasks and decisions. Directed and oversaw critical incidents and major events. Delivered performance feedback and evaluations. Extra duties included Executive Protection details and serving as a co-lead DWI Instructor at State Patrol Academy since from 2002-2014.

1999-2010

State Trooper

Assigned as a road patrol trooper in the Eastern Metropolitan State Patrol District. Exclusively was assigned to the overnight shift. Duties included patrolling the metro freeway system as well as Minnesota Trunk Highways in the district's outlying areas. The focus of duties was to remove impaired drivers from Minnesota Roadways. Other duties included traffic law enforcement, response and investigation to crashes, and assisting allied agencies with police matters.

Hibbing Technical College

2005-2011

Part-time Instructor

Responsible for instructing students in DWI Enforcement. Instructed at Hibbing Technical College as well as other institutions under the Hibbing Technical College umbrella.

Fond Du Lac Tribal College

2006-2011

Part-time Instructor

Responsible for instructing students attending Law Enforcement Skills Training in DWI Enforcement.

Eagan Police Department

1998-1999

Detective – Narcotics Investigation

Duties included the investigation of the transportation, possession, distribution and sale of illegal controlled substances. Drafted and executed search warrants, served in undercover operations, conducted surveillance, and assisted and supported allied agencies as needed.

1992-1998

Police Officer – Patrol Division

Duties included responding to calls for service, enforcing Minnesota traffic statutes and criminal codes. Further duties included patrolling the suburban city and assisting and supporting partners as needed.

PROFESSIONAL TRAINING

2018

International Association of Chiefs of Police - Leadership in Police Organizations (LPO) Instructor School

2014

Minnesota State Patrol – Peer Counselor Training

2010 International Association of Chiefs of Police – Leadership in Police Organizations Training (LPO)

2010 United States Secret Service – Motorcade Operations Course

2010 State of Minnesota – Supervisor Development Core Training

2002 National Highway Traffic Safety & International Association of Chiefs of Police – Standardized Field Sobriety Instructor School

2002 National Highway Traffic Safety & International Association of Chiefs of Police – Drug Recognition Expert Instructor School

1997 Drug Recognition Expert School

1994 Los Angeles Police Department - Los Angeles Police Department S.W.A.T. School

1994 National Highway Traffic Safety & International Association of Chiefs of Police - Advanced Standardized Field Sobriety Testing

AWARDS AND COMMENDATIONS

2019 Letter of Commendation – From Colonel Langer regarding my efforts related to EVOG and MSP Pursuit Policy and Training

2019 Letter of Commendation – From Major Huettl regarding my curriculum design and instruction for the State Patrol’s New Supervisor Training

2018 Exceptional Service Award – Awarded for leading State Patrol Initiatives related to Super Bowl LII.

2018 Letter of Commendation - From Colonel Langer regarding my planning, organizing and oversight of State Patrol Operations for Super Bowl LII.

2018 Letter of Commendation – From Minnesota Chiefs of Police Association regarding my participation in planning and organizing the ETI Conference

2016 Letter of Commendation – From Colonel Langer regarding my planning, organizing, and oversight during the Congressional Medal of Honor Convention.

2015 Letter of Commendation – Related to preparation and facilitation of an operations plan for demonstrations in Saint Paul, which had planned to take over the freeway system.

2010 State Patrol Exceptional Service Award – Awarded for continuously going above and beyond for the agency, citizens, and partners

2003 State Patrol Eagle Squadron Award – Top DWI Enforcer

2002 State Patrol Eagle Squadron Award – Top DWI Enforcer

2001 State Patrol Eagle Squadron Award – Top DWI Enforcer

1997 Eagan Police Department Exceptional Service Award – Related to efforts in DWI enforcement.



MINNESOTA STATE PATROL TROOPER'S REPORT OF MOTOR VEHICLE PURSUIT

Case Number 22334455
Badge 66666
Pursuit Date
Time Initiated
Time Concluded
Total Miles
Station 2150

CAD Event P170720754	Trooper Completing Report TEST, TROOPER	
Originating Police Agency MINNESOTA STATEPATROL	Time Initiated	Time Concluded
District ROCHESTER	Station 2150	
Reason for Pursuit		
Other Reason for Pursuit	Was Identity of Fleeing Driver Known?	Force Form Required?
Pursuit Discontinued or Concluded Due to	How was Violator Stopped?	
Pursuit Termination Technique	Intervention Technique(s) Used or Attempted	
Damage During Termination?	What was damaged during termination?	
Unintentional Crash?	Unintentional Crash Involved	Crash Severity
State Patrol Supervisor Was	Other	
Other Descriptive/Clarifying Information (weather, road conditions, traffic conditions, squad conditions)		

TROOPERS INVOLVED

Trooper's Last name TEST	First TROOPER	Badge 66666	Role in Pursuit
Crash-Related Injury Severity			

INDIVIDUALS INVOLVED

Role of Individual VIOLATOR	Identity Known?		
Last	First	Middle	
Crash-Related Injury Severity	Sex	DOB	Age

OTHER LAW ENFORCEMENT AGENCIES INVOLVED

Other Agencies Involved	Other Agencies Involved (not in list)
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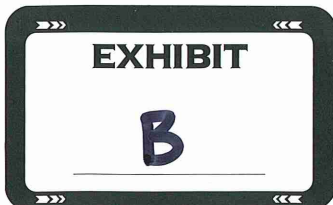
REVIEW

Reviewed by District/Section Commander <input type="checkbox"/> Found to be within policy <input type="checkbox"/> Appropriate corrective action taken	Reviewed by Operations Major <input type="checkbox"/> Found to be within policy <input type="checkbox"/> Appropriate corrective action taken				
District/Section Commander's Last name	Operations Major's Last name				
First	Badge	Date Reviewed	First	Badge	Date Reviewed

Written By: **TEST, TROOPER**

Badge: **66666**

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MINNESOTA STATE PATROL USE OF FORCE REPORT

Case Number 22334455	
Incident Date	Incident Time

CAD Event P170720754	Assisting Other Agency <input type="checkbox"/> Yes <input type="checkbox"/> No	Juvenile Involved <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
Trooper TEST, TROOPER		Badge 66666
District ROCHESTER		Station 2150
Trooper Injured During Incident <input type="checkbox"/> Yes <input type="checkbox"/> No	Trooper Medical Treatment Received <input type="checkbox"/> Yes <input type="checkbox"/> No	Trooper Hospitalized <input type="checkbox"/> Yes <input type="checkbox"/> No

Subject Information

Last	First	Middle	DOB	Age
Sex <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Unknown		Race <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> White <input type="checkbox"/> Unknown		
Injuries <input type="checkbox"/> None Apparent <input type="checkbox"/> Complaint of Injury; No Visible Signs <input type="checkbox"/> Abrasions/Contusion <input type="checkbox"/> Lacerations/Incision <input type="checkbox"/> Gunshot				
Photos of Injury <input type="checkbox"/> Yes <input type="checkbox"/> No		Medical Treatment <input type="checkbox"/> Refused <input type="checkbox"/> Received		Hospitalized (Due to UOF) <input type="checkbox"/> Yes <input type="checkbox"/> No
Level of Resistance <input type="checkbox"/> Non-Verbal and Verbal Non-compliance <input type="checkbox"/> Passive Resistance <input type="checkbox"/> Active Resistance <input type="checkbox"/> Active Aggression <input type="checkbox"/> Deadly Force Assault				
Level of Control <input type="checkbox"/> Verbal Commands <input type="checkbox"/> Soft Hand Control (e.g. pressure points) <input type="checkbox"/> Hard Hand Control (e.g. punch/kick) <input type="checkbox"/> Contact Weapons <input type="checkbox"/> Deadly Force (MN Statute 609.22 Subd. 2)				
Devices Used <input type="checkbox"/> ASP Baton <input type="checkbox"/> Riot Baton <input type="checkbox"/> Chemical Agent <input type="checkbox"/> Distraction Device <input type="checkbox"/> Firearm <input type="checkbox"/> Impact Munition <input type="checkbox"/> Improvised Impact Weapon <input type="checkbox"/> Taser				
Taser Deployment <input type="checkbox"/> Cartridge Deployment <input type="checkbox"/> Drive Stun <input type="checkbox"/> Both		Taser Serial Number		Number of deployments. Total Seconds of Deployment
Cartridge Serial Number		Probe Contact <input type="checkbox"/> One <input type="checkbox"/> Both <input type="checkbox"/> Miss		Probes Removed By <input type="checkbox"/> Trooper/Officer <input type="checkbox"/> EMS <input type="checkbox"/> Hospital Staff <input type="checkbox"/> Other

FRONT		Application Area/Points of Contact		BACK	
		<input type="checkbox"/> 01 - Head and Neck	<input type="checkbox"/> 07 - Head and Neck		
<input type="checkbox"/> 02 - Right Arm	<input type="checkbox"/> 03 - Left Arm	<input type="checkbox"/> 09 - Left Arm	<input type="checkbox"/> 10 - Torso	<input type="checkbox"/> 08 - Right Arm	
<input type="checkbox"/> 04 - Torso	<input type="checkbox"/> 06 - Left Leg	<input type="checkbox"/> 12 - Left Leg	<input type="checkbox"/> 11 - Right Leg		
<input type="checkbox"/> 05 - Right Leg					

Review

Reviewed by District/Section Commander <input type="checkbox"/> Found to be within policy <input type="checkbox"/> Appropriate corrective action taken			Reviewed by Operations Major <input type="checkbox"/> Found to be within policy <input type="checkbox"/> Appropriate corrective action taken		
District/Section Commander's Last name			Operations Major's Last name		
First	Badge	Date Reviewed	First	Badge	Date Reviewed

Written By: **TEST, TROOPER**

Badge: **66666**

Page 1 of 1



GENERAL ORDER



Effective:	May 10, 2022	Number: 22-20-012 HRLFNDT
Subject:	MOTOR VEHICLE PURSUIT	
Reference:	GOs 10-027; 10-054, 20-021, 20-023; Minn. Stat. secs. 169.03; 169.17; 609.02, subd. 8	
Special Instructions:	Rescinds GO 19-20-012	Distribution: A,B,C,D, E

I. PURPOSE

The purpose of this General Order is to provide guidance on motor vehicle pursuits.

II. GUIDING PRINCIPLES

- A. Members shall keep in mind, and base their decisions on, the State Patrol mission of traffic safety that aims to protect all those who use our roads from injury or death.
- B. The decision to pursue or not pursue is critical and must be made quickly, under unpredictable circumstances.
- C. The decision to start or engage in a pursuit must be made by weighing the risk to the public, members, and the fleeing driver against any need for immediate apprehension of the fleeing driver and/or other occupants.
- D. The decision-making process must be continuously evaluated during the entire duration of the pursuit.
- E. There are situations where the risk of personal injury or death associated with a motor vehicle pursuit is too high to justify anything other than discontinuing the pursuit. No member will be disciplined for making a decision to discontinue a pursuit.
- F. Members may only make their decisions on pursuits based upon the information reasonably known at the time. Fleeing for an unknown reason does not provide any additional need/importance for the pursuit to continue.
- G. While Minnesota law permits emergency vehicles to disregard traffic signs or signals when in pursuit of an actual or suspected violator of the law (Minn. Stat. sec. 169.03), nothing relieves the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the street, nor does it protect the driver of an authorized emergency vehicle from the consequences of reckless disregard for the safety of others (Minn. Stat. sec. 169.17).
- H. Supervisor directives shall be immediately obeyed.

III. DEFINITIONS

- A. Motor Vehicle Pursuit
 1. An active attempt by a sworn member operating a patrol unit to apprehend a driver of a motor vehicle who, having been given a visual and audible signal by a peace officer directing said driver to bring their vehicle to a stop, increases speed, extinguishes motor vehicle headlights or taillights, refuses to stop the vehicle, or uses other means with intent to attempt to elude a peace officer. (Minn. Stat. sec. 609.487)
 2. Other instances in which a sworn member activates emergency lights and siren or otherwise clearly gives a signal to stop and the driver complies by coming to a stop in a reasonably short distance are not considered motor vehicle pursuits.
- B. Discontinue a Pursuit
A member is deemed to have discontinued a pursuit when he/she turns off emergency lights and siren, returns to non-emergency operation, and informs the RCO.
- C. Intentional Contact
Controlled contact between the patrol unit and the pursued vehicle at low speeds intended to safely end the pursuit.



D. Pursuit Intervention Technique (PIT)

PIT is a specific type of intentional contact. It is a controlled contact between the patrol unit and the pursued vehicle at speeds prescribed below, which is intended to force the rotation of the pursued vehicle, causing the vehicle to become disabled and safely end the pursuit.

E. Required Initial Information

The minimum amount of information that must be communicated to dispatch as soon as possible upon initiation of a pursuit:

- Travel direction/location
- Reason for initial contact (specific violations)
- Identity of fleeing driver, if known
- Plate number if available, and/or vehicle description
- Speed of the fleeing vehicle

F. Evolving Information

Additional information to be conveyed as soon as possible and continuously updated throughout the pursuit:

- Traffic conditions including cross traffic, controlled intersection violations, and presence of pedestrians
- Speed and location of fleeing vehicle, including wrong way travel and maneuvers placing anyone at risk
- Number of occupants, description of occupants.

G. Primary Pursuit Unit

The first patrol unit immediately behind the fleeing driver.

H. Support Units

Any patrol units actively involved in the pursuit other than the primary unit.

I. Other Assisting Units

Units not actively involved in the pursuit itself but assisting by deploying stop sticks, blocking intersections, compelling paths, or otherwise working to minimize risk.

J. Severe and Imminent Threat

The fleeing driver or other person in the fleeing vehicle is believed to have recently caused great bodily harm (as defined in Minn. Stat. sec. 609.02, subd. 8) or death to another person, or it is reasonably likely to occur if immediate action is not taken to apprehend him/her. The pursuit itself does not constitute a severe and imminent threat.

IV. DISCONTINUATION OF PURSUIT

A. Unless a pursuit is based upon a severe and imminent threat, it shall be discontinued when:

1. The fleeing vehicle comes under the surveillance of an air unit;
2. The fleeing vehicle is being monitored by a tracking service using GPS;
3. There is a non-sworn passenger present in the state unit;
4. The identity of the fleeing driver is established to the point where later apprehension may be accomplished;
5. The fleeing driver proceeds the wrong way on any limited access or interstate highway, divided highway or one-way street;
6. It is known or there is reason to know that the fleeing driver is a juvenile;
7. The distance between the pursuing member and fleeing driver is so great that continued pursuit is useless, or when visual contact with the fleeing vehicle is lost for an extended period of time.

B. For pursuits crossing state lines, a felony offense *in addition* to the fleeing offense is required to pursue into Iowa or Wisconsin. Members have no jurisdiction pursuing into Canada and little or no jurisdiction to pursue into Red Lake or Bois Forte Reservations and shall discontinue at those borders. See GOs 20-021 (Peace Officer Powers in Adjacent States or Provinces) and 10-054 (Reservation Land – Law Enforcement Powers.)

V. PURSUIT DECISION-MAKING

- A. In the decision to engage in a pursuit, members must weigh the risks associated with the pursuit against any need for immediate apprehension of the fleeing driver and/or other occupants and continuously evaluate the decision to continue the pursuit as risk factors may change.
- B. When the risk factors present outweigh any need for immediate apprehension of the fleeing driver and/or other occupants, the pursuit shall be discontinued. Risk factors to be continuously evaluated include, but are not limited to, the following: intersections, speed, duration, likelihood of pedestrians, sight lines, traffic conditions, and weather.
 1. In cases with a nonviolent offense (e.g., traffic violations, stolen vehicle or other property crime, drugs, or unknown offense), members shall give strong consideration to quickly discontinuing the pursuit.
 2. In the case of a suspected impaired driver, members shall consider whether or not the pursuit is making an already dangerous situation even more dangerous. In cases where the known impaired fleeing driver is creating an obvious threat to public safety, members should consider the use of any available and reasonable pursuit intervention strategies to end the pursuit with safety in mind.
 3. In pursuits involving a severe and imminent threat, accepting additional risk may be reasonable given the severity of the crime(s) involved and the danger to public safety should the offender not be apprehended.

VI. PURSUIT INTERVENTION STRATEGIES

Before employing a pursuit intervention strategy to safely end a pursuit, members shall consider: 1) the necessity to continue the pursuit and if so; 2) whether the strategy is practicable given the situation; and 3) whether the strategy is reasonable when considering the risk of injury to all involved. The type of strategy utilized will depend on the circumstances of each pursuit. Members shall employ any strategy consistent with their training.

- A. Stop-Sticks
 - i. Members shall always consider personal safety during deployment and use stop-sticks consistent with training. The use of stop-sticks on a vehicle with less than four wheels shall be considered the use of deadly force (GO 10-027 [Use of Force]).
 - ii. Stop-sticks may be used on a vehicle that is no longer being actively pursued, but is still fleeing or has freshly fled. Only an MSP supervisor may authorize their use in these instances.
 - iii. Authorization may only be provided after considering the totality of circumstances, including:
 - i. a determination that further attempts to stop the vehicle will be futile;
 - ii. reasonable knowledge that the driver has remained the same; and
 - iii. the degree that the vehicle has been or is under surveillance of a peace officer, GPS, cameras, or aviation.
 - iv. If a stop-stick deployment under this section is successful, continued trooper involvement in the event can only be authorized by the monitoring supervisor. The MSP supervisor must determine the level of immediate ongoing involvement with the suspect vehicle, while considering other sections of this General Order.
 - v. The authorizing supervisor must complete a TraCS report articulating the basis for their decision regarding the use of stop sticks and further MSP involvement, or include the same information in the report required for monitoring pursuits.
- B. Pursuit Intervention Technique (PIT)
 1. Members shall consider using the PIT maneuver at the earliest opportunity in a pursuit, knowing the opportunity might be short-lived.
 2. The PIT maneuver may be executed at speeds of 40 mph or less on straight roadways or 25 mph or less in cornering situations. Speeds greater than this may be considered deadly force.
 3. The PIT maneuver is not allowed in the following circumstances unless deadly force is authorized:
 4. On vehicles with fewer than four wheels;
 5. On a vehicle pulling a trailer;
 6. On unconventional vehicle types to include, but not limited to, straight trucks, recreational vehicles, off highway vehicles, ATVs, etc.
- C. Intentional Contact
 1. Intentional contact shall only be used when other intervention strategies have been considered and determined not practicable.

2. Intentional contact shall be considered a use of force (reported as a pursuit), up to and including deadly force, and must be reasonably applied based on the totality of circumstances presented.
 - i. Unless deadly force is authorized, intentional contact shall only occur: i) at low speeds; and ii) when there is a reasonable belief that no one will be injured as a result.
3. Intentional contact with any vehicle having fewer than four wheels shall only occur if deadly force is authorized.

D. Channeling/Compelling Path/Boxing In

The use of the state unit or other devices is allowed as a means to direct a fleeing driver in order to safely end a pursuit.

E. Roadblock

The use of a roadblock is allowed, but only when the maneuver can be executed with reasonable safety for all involved, including the member, motoring public, and fleeing driver. In any roadblock, the location and deployment method shall allow the fleeing driver ample opportunity to voluntarily stop.

VII. ASSISTING OTHER AGENCIES

- A. Members shall consider the purpose, intent and likelihood of a traffic safety benefit from their individual involvement before joining an allied agency's pursuit.
- B. Members shall not become involved in an allied agency's pursuit as a primary or support unit unless a common radio communication talkgroup is utilized and monitored by State Patrol Radio Communications Operators (RCO) or Supervisors (RCS).
- C. Members shall only become involved, and remain in, an allied agency's pursuit as a primary or support unit if:
 1. The pursuing agency requests it, unless it is clear that an emergency exists which dictates immediate intervention and assistance; **and**
 2. The pursuit meets the State Patrol's policy; **and**
 3. Required initial information (TRIPS) is communicated to the member and dispatch; evolving information is continuously communicated; **and**
 4. The originating agency remains in the pursuit, unless extenuating circumstances prohibit it (e.g. pursuit entering Minnesota, originating agency's vehicle becomes disabled, etc.). The originating agency's internal policy or their supervisory decisions are not extenuating circumstances.

VIII. SHOOTING FROM OR AT A MOVING VEHICLE

- A. Members shall not shoot from or at a moving vehicle, except when deadly force is authorized pursuant to General Order 10-027 (Use of Force).
- B. Members should make every effort not to place themselves in a position that would increase the possibility that the vehicle they are approaching can be used as a deadly weapon against members or other users of the road.
- C. Firearms shall not be utilized when the circumstances do not provide a high probability of striking the intended target or when there is substantial risk to the safety of other persons, including risks associated with vehicle crashes.

IX. PURSUIT RESPONSIBILITIES

- A. General
 1. In order to be engaged in a pursuit, members shall be in a pursuit-rated vehicle and shall use flashing emergency lights and siren.
 2. In order to diminish the likelihood of a pursuit developing, members intending to stop a vehicle shall be within close proximity to the subject vehicle prior to activating the emergency signal devices.
 3. When there is an equipment failure involving emergency lights, siren, radio, brakes, steering, or other essential mechanical equipment, members shall discontinue their involvement in the pursuit unless otherwise directed by a supervisor.
 4. Members are responsible for providing assistance to anyone potentially injured during the course of the pursuit.
- B. Primary Pursuit Unit

Upon becoming involved in a pursuit situation, the primary pursuit vehicle shall immediately comply with the following:

 1. Immediately notify MSP dispatch that a pursuit is underway and provide Required Initial Information (TRIPS).
 2. Provide Evolving Information unless a support unit assumes that responsibility.

C. Support Unit

1. Support units shall announce their involvement when joining the pursuit. The support unit immediately behind the primary unit should assume responsibility for providing Evolving Information.
2. The number of support units involved in the pursuit should be only those that are reasonably needed for the situation.

D. Other Assisting Units

Other assisting units shall announce their intentions and communicate with primary and support units.

E. Radio Communications Operator(RCO)

1. Announce the 10-33 (Emergency Traffic Only) restriction on the district main talkgroup to all members and other law enforcement agencies in the immediate area.
2. Patch the district main talkgroup with an available LTAC talkgroup (or non-ARMER channel if required) and announce the patch when completed.
3. Quickly notify a sworn supervisor upon the initiation of a pursuit or upon a member's response to assist with an allied agency pursuit, attempting in the following order: 1) any on-duty district supervisor; 2) district on-call supervisor; 3) any on-duty supervisor statewide; 4) on-call Major.
4. Quickly communicate with a sworn supervisor regarding Required Initial information (TRIPS) and any other relevant information so that he/she can effectively manage the pursuit.
5. Check with any on-duty pilot to determine if flight can respond.
6. When a supervisor becomes the primary unit in a pursuit, the RCO must contact a supervisor of an equal or higher rank to monitor the pursuit.
7. Document all incoming information in CAD.
8. Perform all relevant record and motor vehicle checks as expeditiously as possible.
9. Continue to monitor the pursuit until it has ended and then release the 10-33 restriction and/or patch upon approval of a sworn supervisor.
10. Issue a KOPS alert if requested.

F. Pilot/ Air Unit

When a fleeing vehicle comes under the surveillance of a State Patrol air unit, the pilot or other air crew member shall affirmatively communicate to all ground units that flight is overhead so that State Patrol units know to discontinue.

G. Supervisory Responsibility

Upon being notified of the pursuit, the supervisor shall:

1. Verbally acknowledge on the radio (or if monitoring by phone, have dispatch acknowledge) that they are monitoring the pursuit.
2. Ensure that involved member responsibilities are being followed.
3. Obtain the Required Initial and Evolving Information to continuously evaluate the pursuit for compliance with this policy.
4. Direct that the pursuit be discontinued if, in his/her judgment, it is not justified to continue under the guidelines of this policy or for any other reason.

X. PURSUIT FOLLOW-UP AND REPORTING RESPONSIBILITIES

A. Member(s)

1. Primary and support units involved in a pursuit, or members having used an intervention strategy (even if the pursuit was discontinued), shall complete the Pursuit Report and a Field Report in TraCS. The reports shall be submitted and validated prior to the conclusion of the work shift unless otherwise directed by a supervisor. The report must include all pertinent and detailed information indicating the member's involvement, including all Required Initial and Evolving Information known to the member. Such information should demonstrate that the member continuously evaluated the need to apprehend the driver or occupants given any specific risk factors present during the pursuit.
2. If the fleeing driver and/or other occupants are not apprehended, members shall conduct further investigation with the intent to identify and charge any suspects (i.e., requesting a KOPS alert on the vehicle, contacting the registered owner, etc.). Members should request assistance from the district investigator when needed.

3. Examine Stop-Sticks after use for damage and report to District/Section Commander if repair is necessary.
- B. Monitoring Supervisor
Complete a supplemental report in TraCS.
- C. District/Section Commander
 1. Review the pursuit for compliance with State Patrol policy by a thorough review of all field report(s), pursuit report(s), and in-squad video(s).
 2. Ensure that reports substantiate the elements of any crimes charged and that all pertinent information (including Required Initial Information (TRIPS) and Evolving Information) is included in the reports. Ensure a follow-up investigation occurred for any fleeing driver and/or other occupants who were not apprehended.
 3. Submit the *Pursuit Tracking Form* to Headquarters once the reports are accepted in TraCS and no later than 14 days of the occurrence.
 4. Ensure that a post-pursuit review is completed by a supervisor with the involved members as soon as practicable after the incident.
 5. Immediately notify the Regional or On-Call Major of any pursuit which has the likelihood of resulting in a tort claim.
 6. Ensure that any unintended tire damage to other vehicles due to Stop-Sticks is addressed as soon as possible using district/section purchasing procedures. Further, when sticks have been damaged due to use, ensure that a deployment report is completed at <https://www.stopstick.com/>.
- D. Majors
 1. Review and evaluate State Patrol pursuit involvement for compliance with policies and that the reports include all pertinent information relevant to the incident.
 2. Ensure that State Patrol pursuit involvement is reported to the Bureau of Criminal Apprehension within 30 days.
- E. Radio Communications Supervisor
Ensure that a post-pursuit review is completed between the communications supervisor and communications operator as soon as practicable after the incident.

XI. TRAINING


- A. Training for sworn members may only be provided by those members authorized by the Director of Training to conduct such training.
- B. In accordance with POST requirements, all sworn members shall be given initial and periodic updated training in the department's pursuit policy and safe emergency vehicle driving tactics, including pursuit intervention strategies and decision-making.

Approved:

SIGNED 5/10/2022

Colonel Matthew Langer, Chief
Minnesota State Patrol

GENERAL ORDER

	Effective: May 1, 2003	Number: 03-10-058
	Subject:	STANDARDS FOR FULL DUTY STATUS OF STATE PATROL TROOPERS
	Reference:	The Essential Functions of a MN State Trooper; State Patrol Trooper Physical Task Areas; Functions Performed by State Troopers Requiring Physical Ability; Physical Activities Documentation; Occupational Group: State Patrol Trooper; MN State Patrol Trooper; Essential Job Functions; MSPTA Contract
	Special Instructions:	Distribution: A,B,C

I. PURPOSE

To provide a guide outlining the standards for full duty status of a Minnesota State Patrol Trooper.

II. POLICY

State Patrol members must meet certain physical requirements to safely perform their job duties.

III. PHYSICAL REQUIREMENTS

A MN State Trooper must have the ability to be physically active for long periods each day, including, but not limited to, driving, standing, walking, running, jumping, crawling, stooping, kneeling, crouching and getting in and out of a vehicle several times each day. A Trooper must also be able to stand on a hard surface for prolonged periods of time (i.e. over four (4) hours.) If a trooper is required to direct traffic, it may be necessary to stand on hard surfaces for indefinite periods of time.

The following is a list of physical requirements associated with performing the job tasks of a Minnesota State Trooper:

A. Strength:

1. Lift wheel out of trunk and onto lug bolts.
2. Lift and carry fire extinguisher.
3. Without assistance lift, carry, drag or pull an injured, invalid or unconscious person.
4. Without assistance, lift and lower to the ground or stretcher, an injured, invalid or unconscious person.
5. With assistance of another officer, carry an injured, invalid or unconscious person up or down an embankment or flight of stairs.
6. Without assistance, drag or roll objects weighing 150 lbs. (i.e., roadway obstructions, dead animals, tree limbs.)
7. Carry emergency equipment.
8. Place and remove traffic control devices (i.e., barricades, signs, barrels, cones.)
9. Possess the finger strength to pull the trigger of the department-issued semi-automatic pistol 12 consecutive times.



RESPECT ♦ INTEGRITY ♦ COURAGE ♦ HONOR

B. Physically Subdue/Restrain:

1. Subdue/disarm a resisting person.
2. Restrain and control resisting person.
3. Defend self and others against physical attack.
4. Defend self against person attempting to disarm trooper.
5. Apply defensive tactics to uncooperative suspects.

C. Run/Climb:

1. Run to chase fleeing suspect on foot over rough terrain (i.e., snow banks, ditches, fences.)
2. Climb and traverse freeway and chain link fences, guardrails, embankments and drainage ditches.
3. Climb into and on top of passenger vehicles and commercial vehicles.

D. Push:

1. Push stalled automobile.
2. Push through doors.
3. Push your way through a large group of people.

E. Agility/Coordination/Reaction Time:

1. Enter and exit patrol vehicle multiple times during shift.
2. Ability to run (i.e., pursue a fleeing subject, respond to emergency scenes.)
3. Demonstrate Standardized Field Sobriety Tests (SFSTs).
4. Rapidly duck, dive, bend and stoop to avoid vehicles and thrown objects.

F. Flexibility:

1. Perform CPR.
2. Get in and out of car repeatedly.
3. Stoop to inspect vehicles.
4. Crawl on back under vehicles.

G. Balance/Equilibrium: Walk or run on slippery surfaces (i.e., rain, snow, ice.)

H. Apprehend, Control, Search:

1. Physically break up and separate combatants in a fight.
2. Subdue resisting subject after foot pursuit.
3. Wrestle with a person offering physical resistance to make an arrest.
4. Force resisting subject to the ground by means of tackling, wrestling, throwing or tripping.
5. Immobilize subject against wall or patrol car.
6. Apply holds (wrist lock, hammer-lock, etc.) to resisting subject to maintain control.
7. Strike subject with fist, arm or elbow.
8. Strike subject with foot or knee.
9. Pry subject's hands or arms away from your throat or other areas of the body (break restraining or choke holds upon the officer.)
10. Strike subject with baton.
11. Use force to retain control of weapons (including firearms, batons, long guns.)
12. Apply handcuffs to standing, resisting subject.
13. Hold resisting subject on ground and apply handcuffs.
14. Assist handcuffed subject to their feet after a prone handcuffing technique.
15. Use force to remove resisting subject from vehicle, squad car and cell.
16. Protect assigned dignitaries during executive protection services (i.e., body guard details.)
17. Crawl into confined spaces of wrecked vehicles to locate victims and perform first-aid.

IV. MENTAL REQUIREMENTS

The trooper must possess sufficient mental capacity to perform all of the duties and requirements set forth in the trooper's job description.

V. MEDICAL REQUIREMENT

The District/Section Commander or injured member, when the member is in a limited or off-duty status, shall provide a copy of this general order to the treating physician for review and consideration to determine when the member can return to full-duty status.

Approved: Signed 05/01/2003 _____ Colonel Anne L. Beers, Chief Minnesota State Patrol	I have read and understand this General Order. _____ Signature
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GENERAL ORDER



Effective:	March 1, 2021	Number: 21-10-027 HRLFNDT
Subject:	FORCE; USE OF	
Reference:	General Orders 30-005, 30-007, 30-018; Use of Force Report	
Special Instructions:	Rescinds General Order 20-10-027	Distribution: A,B,C

I. PURPOSE

The purpose of this policy is to provide troopers with guidelines for the use of force and deadly force in accordance with the following Minnesota Statute sections: 609.06 (Authorized Use of Force); 609.065 (Justifiable Taking of Life); 609.066 (Authorized Use of Force by Peace Officers); 626.8452 (Deadly Force and Firearms Use; Policies and Instruction Required); 626.8475 (Duty to Intercede and Report).

II. GUIDING PRINCIPLES

- A. The use of force is only authorized when it is objectively reasonable and for a lawful purpose.
- B. The decision by troopers to use force or deadly force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when troopers may be forced to make quick judgments about using such force.
- C. Every human life has inherent value (sanctity) and members shall treat people with respect and dignity and without prejudice.
- D. Every person has a right to be free from excessive use of force by law enforcement officers acting under the color of law.
- E. Troopers shall use deadly force only when necessary in defense of human life or to prevent great bodily harm.
- F. Troopers should exercise special care when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the ability to understand or comply with commands.
- G. Troopers who use excessive or unauthorized force are subject to discipline, possible criminal prosecution, and/or civil liability.

III. DEFINITIONS

- A. **Levels of Resistance** are the amounts of force used by a subject to resist compliance with the lawful order or action of a trooper. These actions may include:
 1. Non-Verbal and Verbal Non-Compliance
When a subject expresses his/her intentions not to comply with a trooper's directive through verbal and non-verbal means. Troopers may encounter statements ranging from pleading to physical threats. Such statements may also include physical gestures, stances, and subconscious mannerisms.
 2. Passive Resistance
When a subject does not cooperate with a trooper's commands but does not take action to prevent being taken into custody. For example, a demonstrator who lies down on a roadway and must be carried away.
 3. Active Resistance (defensive resistance)
When a subject makes physically evasive movements to interfere with a trooper's attempt to control that subject; including bracing, tensing, pulling away, actual or attempted flight, or pushing.
 4. Active Aggression
Actions by a subject that are aggressive in nature with intent to injure or instill fear of injury or death to the member or another.
 5. Deadly Force Assault
Any action which would cause a reasonable officer to believe it will result in death or great bodily harm to the member or another.



B. **Levels of Control** are the amounts of force used by troopers to gain control over a subject and include the following:

1. Verbal Commands

The use of advice, persuasion, warnings, and or clear directions prior to resorting to actual physical force. In an arrest situation, troopers shall, when reasonably feasible, give the arrestee simple directions with which the arrestee is encouraged to comply. Verbal commands are the most desirable method of dealing with an arrest situation.

2. Soft Hand Control

The use of physical strength and skill in defensive tactics to control arrestees who are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact oriented and include pain compliance pressure points, takedowns, joint locks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive physical resistance.

3. Hard Hand Control (hard empty hand)

Impact oriented techniques that include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to subdue a subject and may include strikes to pressure points such as: the common peroneal (side of the leg), radial nerve (top of the forearm), or brachial plexus origin (side of neck).

- Defensive strikes are used by troopers to protect themselves from attack and may include strikes to other areas of the body, including the abdomen or head. Techniques in this category include stunning or striking actions delivered to a subject's body with the hand, fist, forearm, legs, or feet. In extreme cases of self-defense, the trooper may need to strike more fragile areas of the body where the potential for injury is greater.

4. Contact Weapons

All objects and instruments used by troopers to apply force which includes striking another or defending a trooper or another from an active aggressive person. Contact weapons include, but are not limited to, MSP issued equipment such as the expandable baton, flashlight, and riot baton.

5. Deadly Force

All force actually used by trooper(s) against another which the trooper(s) know or reasonably should know, creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle (including tires) in which another person is believed to be, constitutes deadly force. The use of a chokehold, as defined in this policy, constitutes deadly force.

C. **Exigent Circumstances**

Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.

D. **Bodily Harm** means physical pain or injury.

E. **Chokehold**

A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Chokehold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries. Chokehold includes any type of neck restraint. Such actions are considered deadly force.

F. **Approved Weapon**

A device or instrument which troopers are authorized from the Minnesota State Patrol to carry and use in the discharge of their duties, and, for which the troopers have (1) obtained training in the technical, mechanical, and physical aspects of the device; and (2) has developed a knowledge and understanding of the law, rules, and regulations regarding the utilization of such weapons.

G. **OC Aerosol** is the Oleoresin Capsicum (OC) spray device classified as an inflammatory agent.

H. **Chemical Agents**

Devices containing Oleoresin Capsicum (OC) classified as an inflammatory agent and/or Chlorobenzylidene Malononitrile (CS) classified as an irritant agent.

I. Distraction Device

A device that produces a loud sound and/or light distraction, which creates a temporary physiological and/or psychological disorientation of an individual.

J. Impact Munition is a less lethal munition which functions by striking the intended target.

K. De-Escalation

Taking action or communicating verbally or non-verbally during a potential use of force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include, but is not limited to, the use of such techniques as command presence, warnings, verbal persuasion and tactical repositioning.

L. 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 the function of any bodily member or organ or other serious bodily harm.

M. Less-Lethal Force

All force actually used by troopers which does not have the purpose or likelihood of causing death or great bodily harm. This includes use of approved chemical agent, OC aerosol, impact munitions and distraction devices used to maintain civil order, prevent property damage, and protect life.

N. Weapon is any instrument used or designed to be used to apply force to the person of another.

O. Objectively Reasonable

In determining the necessity for force and the appropriate level of force, troopers shall evaluate each situation in light of the known circumstances, including, but not limited to, the seriousness of the crime, the level of threat or resistance presented, and the danger to the community. Although troopers have many options, he or she must exercise the application of force in a manner that is reasonable and necessary to arrest or detain a suspect. Many variables affect the level of force one can justify. These situations can be very fluid, dynamic, and unpredictable. Troopers must be ready to utilize force at any level.

IV. PROCEDURES**A. De-Escalation**

1. Troopers shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever reasonably possible and appropriate before resorting to force. The goal of de-escalation is to reduce and/or eliminate the need for force.
2. Whenever possible and when such delay will not compromise the safety of the trooper(s) or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, troopers shall allow an individual time and opportunity to submit to verbal commands before force is used.

B. Use of Non-Deadly Force

1. When de-escalation techniques are deemed not effective or appropriate, it shall be the policy of the Minnesota State Patrol, unless expressly negated elsewhere, to allow troopers to exercise discretion in the use of agency-approved, non-deadly force techniques and approved equipment to the extent permitted by Minn. Stat. §609.06:
 - a. In effecting a lawful arrest; or
 - b. In the execution of legal process; or
 - c. In enforcing an order of the court; or
 - d. In executing any other duty imposed on the trooper by law, including when bringing an unlawful situation he/she is tasked with handling safely and effectively under control
 - e. In defense of self or another
2. In determining the degree of non-deadly force which is reasonable under the circumstances, troopers shall consider:
 - a. The severity of the crime at issue;
 - b. Whether the suspect poses an immediate threat to the safety of trooper(s) or others; and
 - c. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

C. Use of Deadly Force

It shall be the policy of the Minnesota State Patrol, unless expressly negated elsewhere, to allow troopers to exercise discretion in the use of deadly force to the extent permitted by Minn. Stat. §609.066, subd. 2, which authorizes peace officers acting in the line of duty to use deadly force only if an objectively reasonable officer would believe, based on the totality of circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary:

1. To protect the peace officer or another from death or great bodily harm, provided that the threat:
 - a. can be articulated with specificity by the law enforcement officer;
 - b. is reasonably likely to occur absent action by the law enforcement officer; and
 - c. must be addressed through the use of deadly force without unreasonable delay; or
2. To effect the arrest or capture, or prevent the escape, of a person whom the trooper knows or has reasonable grounds to believe has committed or attempted to commit a felony and the trooper reasonably believes that the person will cause death or great bodily harm to another person under the threat criteria in IV.C.(1)a.-c. (above), unless immediately apprehended.
3. Where reasonably feasible, troopers shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.
4. In cases where deadly force is authorized, less-than-lethal measures must be considered first by troopers.

V. RULES GOVERNING USE OF FORCE AND WEAPONS

A. Use of Force

1. Troopers should, when practicable, announce their intention to use only that type and degree of force that is reasonably necessary under the circumstances. This provision shall not be construed to authorize or endorse the use of discourteous, abusive, or unprofessional language.
2. Troopers shall only use the type and degree of force that is objectively reasonable to bring an incident under control. Use of physical force should be discontinued when resistance ceases or when the incident is under control.
3. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent escape or imminent bodily harm or when noncompliant physically (including passive physical resistance such as refusing to stand, etc.). In these situations, only the amount of force necessary to control the situation shall be used.

B. Weapons – General

1. Troopers shall carry and use only Minnesota State Patrol approved weapons, unless circumstances exist which pose an imminent threat to the safety of the trooper(s) or the public requiring the immediate use of an improvised weapon to counter such a threat. This provision shall not be construed as authorizing troopers to use a non-approved weapon where, under the circumstances, it would be reasonably feasible to procure approval for use of the particular weapon prior to its use.
2. Troopers must be trained in the proper use of issued weapons prior to use.
3. On-duty members may carry a concealed utility knife (clip may be visible); however, the use of knives as weapons is not authorized except in those situations where deadly force may be used.
4. Troopers shall not modify, alter, or cause to be altered a Minnesota State Patrol approved weapon in his or her possession or control unless permission is granted according to General Order 30-007. The issued expandable baton, riot baton, OC aerosol device, 40 mm launcher, and Taser device are the only less lethal weapons authorized to be carried in a State Patrol unit and carried by troopers.
 - a. All issued less lethal chemical or impact munition equipment shall be carried in the member's patrol unit so that it is readily available.
 - b. If a Taser is carried, troopers must also carry either the baton or the OC aerosol device on their duty belt. Troopers exempted from carrying a Taser device must carry the baton on their duty belt.
5. Taser devices may only be carried and utilized in compliance with General Order 30-018.

C. Weapons – Contact Weapons

1. Contact weapons shall be used only where hard and soft empty hand control options have failed to bring the subject/situation under control or where it reasonably appears that such methods would be ineffective if attempted. Contact weapons may be used only in the following manner:

- a. to defend trooper(s) from an actively aggressive suspect; or
 - b. to strike an actively aggressive suspect for the purpose of rendering that person temporarily incapacitated in order to bring the situation under control; or
 - c. to restrain persons; or
 - d. in appropriate crowd control situations the MSP-issued riot baton can be utilized to direct and control the movement of people or persons, or as a barricade.
2. Troopers engaging another person with a contact weapon should attempt to strike, if possible, bodily areas likely to result only in incapacity. These areas include the arms, legs, torso, thighs, and calves.
 3. If worn, the issued expandable baton is to be worn on the gun belt in the issued baton carrier.
 4. The issued riot baton is to be used only when necessary for crowd control situations and shall be readily available along with other mobile field force equipment when responding to crowd control situations.
 5. Intentionally striking the head or neck with any contact weapon is only justified in the use of deadly force.

D. Less Lethal Devices

1. OC Aerosol use is considered less-lethal force. Only approved Minnesota State Patrol-issued OC aerosol are authorized.
 - a. Hand-held OC Aerosol
 - i. Troopers shall exercise due care to ensure, as much as practicable, that only intended persons are sprayed or otherwise subject to the application of chemical agents and that the chemical agents are applied consistent with training. When feasible and tactically appropriate a verbal warning and/or dispersal order should be issued prior to the use.
 - ii. The OC aerosol device (MK2) must be in the possession of all uniformed troopers and may be carried on the person.
 - b. High volume OC delivery system, such as MK9, are designed for and may be used in civil disturbances against individuals and/or groups of individuals engaged in unlawful acts or endangering public safety and security.
2. Chemical Agents, Distraction Devices, Impact Munitions or the use of any combination thereof is considered less-lethal force. Only approved Minnesota State Patrol issued devices are authorized.
 - a. Troopers are only authorized to use these devices after receiving agency training within the last three years. The training consists of a written exam and practical proficiency qualification.
 - b. Devices must be non-expired and agency issued.
 - c. Troopers are authorized to deploy the devices in accordance with their training and manufacture specifications.
 - d. When reasonably feasible and tactically appropriate, a verbal warning and/or dispersal order should be issued prior to the use.
3. Any individual taken into custody who was exposed to OC Aerosol, Chemical Agents, Distraction Devices, Impact Munitions or any combination thereof the trooper should be aware of and utilize the following procedures:
 - a. The areas of the body exposed to chemical agents and/or OC aerosol should be thoroughly flushed with water as soon as practicable.
 - b. If the chemical agent and/or OC aerosol has struck the subject's clothing and the subject is to be held in custody, the subject must be permitted to shower and change clothes.
 - c. Medical attention should be offered to those in custody who have been exposed to less lethal devices.
3. Less-lethal devices shall not be used on any person for the purpose of punishment.

E. Firearms

1. Firearms may be readied for use in situations where it is reasonably anticipated that they may be required.
2. The carry and use of firearms is covered in General Orders 30-005 and 30-007.
3. The use of a firearm is deadly force. If reasonably feasible and tactically appropriate, troopers should give a verbal warning before using or attempting to use deadly force. Warning shots are not authorized. Any use of deadly force other than authorized above, is unlawful.

F. Restraints

The following types of restraints shall not be used unless use of deadly force is authorized and other less than lethal measures were already considered:

1. Chokeholds (Neck restraints)
2. Securing all of a person's limbs together behind the person's back to render the person immobile.
3. Securing a person in any way that results in transporting the person face down in a vehicle.

VI. MEDICAL TREATMENT

After any use of force situation, the subject of the force shall be asked about and inspected for injuries as soon as practicable. Medical attention must be offered by members consistent with their training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility. If a person is offered and then refuses treatment, this refusal should be documented whenever possible.

VII. DUTY TO INTERCEDE AND REPORT

- A. Any trooper(s) observing another peace officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of such excessive force.
- B. Troopers shall prepare reports for such incidents as required in section VIII. Troopers who observe unreasonable force must notify a supervisor as soon as practicable and in all cases must report the observation in writing to the Chief within 24 hours of the incident.
- C. Retaliation against any member who intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation is prohibited.

VIII. REPORTING REQUIREMENTS

- A. In all instances in which a trooper(s) uses force, the trooper(s) shall prepare a TraCS Use of Force Report in a manner consistent with his/her training in addition to all other reports concerning the incident, including a Field Report. All reports shall be validated and submitted for review and approval.
- B. Any trooper(s) who witnesses the use of force shall prepare a Field Report.

IX. TRAINING

- A. Required members shall receive training, at least annually, on the agency's Use of Force policy and related legal updates.
- B. In addition, training shall be provided on a regular and periodic basis and designed to:
 1. Provide techniques for the use of and reinforce the importance of de-escalation.
 2. Provide scenario-based training, including simulating actual shooting situations and conditions; and
 3. Enhance Member's discretion/judgment in using non-deadly and deadly force in accordance with this policy.
- C. The Chief, or designee, will maintain records of the agency's compliance with use of force training requirements.

X. REVIEW

- A. District/Section Commander
 1. Review, evaluate, and when appropriate, investigate all incidents involving the use of force with all troopers involved. Indicate on the Use of Force Report whether the trooper's actions complied with department policy.
 2. Submit the Use of Force Tracking Report to Headquarters once the reports are accepted in TraCS and no later than 14 days of the occurrence. Exemptions to the 14-day requirement must be approved by the Regional Major.
- B. Regional Major
 1. Review and evaluate Use of Force Reports in TraCS for compliance with policy.
 2. The Training and Development Section shall review approved Use of Force Reports in TraCS.
 3. Ensure that the BCA is notified of information required to be documented in the National Use-of-Force Report database through the BCA Supplemental Reporting System, including the following:

- The death of a person due to law enforcement use of force;
 - The serious bodily injury of a person due to law enforcement use of force;
 - The discharge of a firearm by law enforcement at or in the direction of a person that did not otherwise result in death or serious bodily injury.
4. Ensure that the BCA is notified through the BCA Supplemental Reporting System within 30 days of the firearms discharge of information required to be documented in the Minnesota Firearms Discharge Report database, including:
- When a peace officer discharges a firearm in the course of the duty, pursuant to Minnesota Statutes 626.553, subdivision 2. This does not include discharges for training purposes, nor the killing of an animal that is sick, injured, or dangerous;
 - Firearm accidental discharge (e.g. gun cleaning)
5. By the 5th of each month, if there are no incidents to report to the BCA that meets the criteria of X. B. 3 and 4 above, this information must be reported to the BCA in the Supplemental Reporting System as "No incidents to report."

Approved:

SIGNED 3/1/2021

**Colonel Matthew Langer, Chief
Minnesota State Patrol**