



October 22, 2021

RE: Police Pursuit Policies Must Be Changed

The pursuit policies of law enforcement agencies across Minnesota are inadequate and do not do enough to protect human life. They allow officers to initiate dangerous pursuits in situations where it is simply not critical for public safety to pursue wrongdoers at high speeds. I have previously questioned the wisdom of and need for such pursuits, which often happen on residential streets that are not made for driving at such high speeds. The responses to this criticism have been weak and ineffective.

Police pursuits continue to result in the serious injury or death of not only those involved in the pursuit, but also innocent bystanders. In June 2018, Minnesota State Patrol troopers pursued a driver, who fled from an attempted traffic stop, into a residential neighborhood and eventually into a playground. Although the chase lasted only minutes, it resulted in two young children suffering life-threatening injuries and a third young child suffering less severe injury. In October 2020, three teenagers were killed when the stolen vehicle they were riding in crashed while being chased by Minneapolis police officers. From 2013 through 2020, there were 40 reported fatal injuries for people involved in, or affected by, pursuits. This must stop. Pursuits must be reserved for only the most serious crimes and cases.

On July 6, 2021, late at night, Officer Cummings made the decision to pursue the Kia Sportage at extremely high speeds – at or approaching 100 mph. Officer Cummings made the decision to pursue the vehicle for over 20 blocks, through a residential neighborhood in north Minneapolis. Officer Cummings made the decision to pursue it through stop signs, red lights, and intersections with partially obstructed views of potential approaching vehicles. And Officer Cummings is responsible for the death of Mr. Leneal Frazier.

Officer Cummings should have discontinued the pursuit; but he did not. The driver of the Kia Sportage was alleged to have committed non-violent offenses and was not alleged to have had a gun or other dangerous weapon. Officer Cummings' conduct was grossly negligent and inexcusable regardless of department policy. His conduct on that day was criminal.

We too often see tragedy as a result of police pursuits. They are dangerous for the officers, as well as for the general public, and they must stop. According to the most recent Uniform Crime Report for Minnesota, in 2020, there were 3,109 reported pursuit incidents. Only 7.88 percent of those reported pursuit incidents were initiated because of a felony offense. It is unacceptable that most police pursuits are initiated because of something other than a felony offense. Police departments must reserve pursuits only for cases involving violent felony offenses. The factors which an officer must consider before initiating or continuing a pursuit must be specific. Pursuit policies must include specific language directing officers to consider risk factors when determining appropriate speed for a pursuit. They must also include intersection approach guidance and list tactics to help avoid intersection collisions, such as not assuming drivers will

yield to an officer's right of way. Police must receive clear training about pursuits and must follow that training.

Mr. Frazier's death is a tragedy. All life lost or irrevocably changed because of unnecessary police pursuits is tragic. And we have a moral obligation to ensure that the policies of our police departments are not unnecessarily endangering the lives of the citizens they are supposed to protect.

We cannot let such dangerous pursuits keep happening. We have talked about meaningful change of the police pursuit policy before. We must change the pursuit policy and training immediately. We must do better.

Sincerely,

A handwritten signature in blue ink that reads "Michael O. Freeman". The signature is written in a cursive style with a large, stylized initial "M".

MICHAEL O. FREEMAN
Hennepin County Attorney