



POLICY & PROCEDURE

PORTAGE POLICE DEPARTMENT

SUBJECT: **VEHICLE PURSUITS**

NUMBER: 6.03

SCOPE: All Department Personnel

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REFERENCE: WI State Statutes: §346.03, §85.07,
§175.40, 165.85(4)(bn)1m, LES 3.07, WI
Adm. Code

RESCINDS

AMENDS

WILEAG 5TH EDITION

STANDARDS: 6.1.4, 6.2.11

PURPOSE: The purpose of this Policy & Procedure is to establish written guidelines to be followed by members of the Portage Police Department while deciding whether to engage in a vehicle pursuit and during vehicle pursuits pursuant to section §346.03(6) of the Wisconsin Statutes and the Law Enforcement Standards Board rule, Sec. LES 3.07, Wis. Adm. Code.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY; POLICY REVIEW AND REVISION.
- II. DEFINITIONS
- III. APPLICABILITY; PROCEDURES
- IV. PURSUING UNIT RESPONSIBILITIES AND DRIVING GUIDELINES
- V. DISPATCH AUTHORITY, ROLE, AND RESPONSIBILITIES
- VI. SHIFT SUPERVISOR AND/OR DESIGNEE RESPONSIBILITIES
- VII. INTER- AND INTRA-JURISDICTIONAL PURSUITS
- VIII. TERMINATION OF PURSUIT BY OFFICER OR SUPERVISOR
- IX. TERMINATION OF PURSUIT; POST-PURSUIT OFFICER ACTIONS
- X. OPTIONS TO STOP A PURSUIT
- XI. REPORTS

XII. OFFICER TRAINING

XIII. REVIEW

I. POLICY; POLICY REVIEW AND REVISION

- A. A vehicle pursuit of fleeing suspects presents a danger to the lives of the public, officers, and suspects involved in the pursuit. It is the policy of the Portage Police Department to protect all persons' lives to the extent possible when enforcing the law.

Therefore, officers must balance the risk of any pursuit against the need to apprehend a particular violator. In addition, it is the responsibility of the department to assist officers in the safe performance of their duties. To meet these obligations, it shall be the policy of the department to provide written guidelines to officers regarding the manner in which vehicular pursuit is undertaken, discontinued, resolved, and performed within and around the City of Portage.

- B. The department shall review these written guidelines by June 30 of each even-numbered year and, if considered appropriate, shall revise these guidelines.

II. DEFINITIONS

- A. **CARAVANNING:** The operation of authorized emergency vehicles in a group either in a line or alongside each other in a pursuit situation.

- B. **CHANNELIZATION:** Channelization is not itself a technique that induces a fleeing driver to stop; it is used to divert a driver to a preferred location. That location might be one that is less populated or less traveled or it might be one more conducive to a forcible stop.

- C. **CLOSE PURSUIT:** The Wisconsin statute entitled "The Uniform Act On Close Pursuit" allows a member of a duly-organized peace unit from another state, who enters Wisconsin in close pursuit of a person he/she has probable cause to believe committed a felony in his/her home state, the same authority to arrest as a law enforcement officer of this state.

- D. **FRESH PURSUIT:** a legal doctrine requiring that: (1) a pursuing officer act without unnecessary delay; (2) the pursuit be continuous and uninterrupted, but there need not be continuous surveillance of the suspect; and (3) the relationship in time between the commission of the offense, the commencement of the pursuit, and the apprehension must be close (i.e., the greater the length of time, the less likely that the circumstances under which an officer acts are sufficiently exigent to justify an extra jurisdictional arrest).

- E. **FOLLOWING OR MONITORING:** The positioning of an authorized emergency vehicle at a fixed distance behind a vehicle to observe the vehicle.

- F. **FORCE-TO-STOP:** Force-to-stop techniques give the suspect only two options: surrender or crash. As a result, the courts consider them to be an application of deadly force. The force-to-stop techniques are:
- Roadblock (no escape route)
 - Ramming
- G. **FULLY MARKED POLICE VEHICLE:** an authorized emergency vehicle with decals, logos, stripes or other markers identifying it as a police vehicle, and equipped with a siren giving an audible signal, and equipped with and giving a visual signal by means of a roof-mounted blue light and roof-mounted red light which are flashing, oscillating or rotating.
- H. **INDUCE-TO-STOP:** Those vehicle stopping techniques that are intended to induce, but not force, the fleeing driver to stop. These are techniques that make it more difficult for a driver to continue to flee, but not entirely impossible. The induce-to-stop techniques are:
- Tire deflation devices
 - Channelization
 - Moving road blocks (Boxing In)
 - Roadblock (with escape route)
 - Pursuit Intervention Technique (P.I.T.)
- I. **IMMINENT THREAT:** A significant likelihood, based upon known facts, of death or serious injury if apprehension is delayed.
- J. **INFRACTION:** Minor violations of motor vehicle statutes or city ordinance that pose no safety threat. Examples would include equipment or registration violations. Unnecessary noise violations or moving violations that are not ongoing or otherwise endanger citizens.
- K. **INITIAL UNIT:** The authorized emergency vehicle responsible for initiating the vehicle pursuit.
- L. **INTER-JURISDICTIONAL PURSUIT:** A pursuit that leaves the initial unit's territorial jurisdiction and continues into one or more adjacent jurisdictions.
- M. **MOTOR VEHICLE PURSUIT:** An attempt by a sworn officer driving an authorized emergency vehicle to apprehend the occupant(s) of another moving vehicle, providing the driver of such vehicle is aware of the attempt and is resisting apprehension by maintaining or increasing speed of the vehicle or by ignoring the officer's directions to stop. A pursuit is any failure to yield which involves deliberate attempts, including hazardous maneuvers, to elude pursuing police vehicles.
- N. **MOVING ROADBLOCK (Boxing In):** A moving road block may be appropriate in low-speed pursuits. In this technique, the suspect vehicle is surrounded by three squad cars—one in front, one in back, and one to the side (just behind the driver door). Once in position, the squads gradually slow, bringing the suspect vehicle to a safe, gradual stop.

- O. PACING: The positioning of an authorized emergency vehicle at a fixed distance behind a speeding vehicle and at a constant speed to measure the speed of the speeding vehicle.
- P. PARALLELLNG: The operation of authorized emergency vehicles, other than those involved in the pursuit, on streets or highways parallel to the pursuit route.
- Q. PRIMARY UNIT: The authorized emergency vehicle in closest proximity to the fleeing vehicle with principal responsibility for conducting the pursuit. The primary unit may or may not be the initial unit.
- R. PURSUIT DRIVING: Driving that is done for the purpose of apprehending an actual or suspected violator who clearly exhibits intent to avoid arrest after receiving a visual and an audible signal from the operator of an authorized emergency vehicle.
- S. PURSUIT IMMOBILIZATION TECHNIQUE (PIT): A controlled contact between the patrol unit and the pursued vehicle at low speeds, intended to cause the operator of the pursued vehicle to lose control of his or her car. PIT is a specific technical maneuver that requires officer certification. Proper training is necessary in order for officers to use this technique.
- T. RAMMING: Involves the pursuing officer using his or her vehicle to attempt to disable the suspect vehicle and prevent its further operation. When a moving vehicle rams another, the results are unpredictable and involve a high likelihood of injury or death to those involved.
- U. ROADBLOCK (WITH ESCAPE ROUTE): A roadblock is the placement of vehicles or other objects on the roadway to impede or alter the normal flow of traffic.
- V. ROADBLOCK (WITH NO ESCAPE ROUTE): In a roadblock with no escape route, the roadway is completely blocked, and no alternate route is provided.
- W. SECONDARY UNIT: The second authorized emergency vehicle involved in the pursuit and designated by the dispatcher or commanding officer to assist the primary unit.
- X. SERIOUS TRAFFIC VIOLATIONS: Violations of motor vehicle statutes that pose a high probability of death or great bodily harm. Examples include, but are not limited to, "Operating while Under Influence of an Intoxicant or Other Drug" or "Reckless Driving."
- Y. SUPERVISOR OR DESIGNEE: The superior officer responsible for the immediate oversight, monitoring, direction and/or control of pursuit vehicles, or the person assigned such responsibilities by a superior officer.
- Z. TERMINATION: To stop the pursuit of a fleeing vehicle by an officer.
- AA.TIRE DEFLATION DEVICE: A tool or piece of equipment designed to assist in

terminating a vehicle pursuit by its placement on a road to cause a fleeing vehicle's tires to be punctured and slowly deflate.

AB. UNMARKED POLICE VEHICLE: an authorized emergency vehicle equipped with a siren giving an audible signal and equipped with and giving visual signal by means of at least one flashing, oscillating or rotating blue light and red light, but without decals, logos, stripes or other markers identifying it as a police vehicle and/or without a roof-mounted blue light and roof-mounted red light (e.g., a "clean top" vehicle).

III. APPLICABILITY; PROCEDURE

A. The operator of an authorized emergency vehicle, when in the pursuit of an actual or suspected violator, may exercise the privileges set forth in this section, but subject to the conditions stated in §346.03 of the Wisconsin Statutes.

B. The operator of an authorized emergency vehicle may:

1. Stop, stand or park irrespective of the provisions of WI Statute §346.
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
3. Exceed the speed limit.
4. Disregard regulations governing direction of traffic movement or turning in specified directions.

The exemption granted the operator of an authorized emergency vehicle by 346.03 applies only when the operator of the vehicle is giving visual signal by means of at least one flashing, oscillating or rotating red light except that the visual signal given by a police vehicle may be by means of a blue light and red light which are flashing, oscillating, or rotating. The exemptions granted by 346.03, apply only when the operator of an authorized emergency vehicle is giving both such visual signal and also an audible signal by means of a siren or exhaust whistle.

WI Statute 346.03(4) provides for a law enforcement officer operating a police vehicle shall otherwise comply with the requirements of 346.03(3) relative to the giving of audible and visual signals but may exceed the speed limit without giving audible and visual signal under the following circumstances:

- a) If the officer is obtaining evidence of a speed violation.
- b) If the officer is responding to a call which the officer reasonably believes involves a felony in progress and the officer reasonably believes any of the following:

- (1) Knowledge of the officer's presence may endanger the safety of a victim or other person.
- (2) Knowledge of the officer's presence may cause the suspected violator to evade apprehension.
- (3) Knowledge of the officer's presence may cause the suspected violator to destroy evidence of a suspected felony or may otherwise result in the loss of evidence of a suspected felony.
- (4) Knowledge of the officer's presence may cause the suspected violator to cease the commission of a suspected felony before the officer obtains sufficient evidence to establish grounds for arrest.

The exemptions granted the operator of an authorized emergency vehicle by this section do not relieve such operator from the duty to drive or ride with due regard under the circumstances for the safety of all persons nor do they protect such operator from the consequences of his/her reckless disregard for the safety of others.

- C. Only sworn officers of the Portage Police Department are authorized to engage in vehicle pursuits.
1. No sworn officer of the Portage Police Department shall engage in pursuits when:
 - a) Operating a police motorcycle.
 - b) Transporting prisoners.
 - c) Operating with a passenger other than another sworn officer.
 2. Unmarked vehicles present a greater hazard than marked vehicles when operating under the exceptions of S346.03. Operators of unmarked emergency vehicles shall use extreme caution. Whenever a marked vehicle becomes available to take over a pursuit initiated by an unmarked vehicle, the unmarked vehicle will withdraw from active pursuit. The unmarked unit may then serve as a support unit if necessary, at reduced speed.
- D. An officer may initiate a vehicle pursuit when the subject of the pursuit is attempting to avoid apprehension and any of the following situations are present:
1. The officer has probable cause to believe that the person being pursued has attempted, or has committed, a crime which involved an actual or threatened action which you, as an officer, reasonably believe resulted in or could result in death or great bodily harm to a person or persons.
 2. The officer has probable cause to believe that the person being pursued if allowed to escape is likely to cause injury or death to a person or persons.
 3. The officer has probable cause to believe that the person has committed any non-traffic criminal (misdemeanor) violations.

4. The officer has probable cause that the person being pursued has committed any traffic or ordinance violation.
- E. In determining whether or not to initiate a pursuit and/or to continue in the pursuit, or terminate a pursuit the following factors should be considered:
1. The mere act of eluding shall not be considered as a reason to pursue.
 2. Whether the vehicle's registration or the subject's identity has been established so that later apprehension may be accomplished and, in the officer's opinion, there is no apparent continuing need for immediate apprehension.
 3. Whether continuation of the pursuit would likely create a danger to the public, officer or subject which is apparently greater than the value of apprehending the subject due to such objective risk factors as, but not limited to, the following:
 - a) Road conditions
 - b) Weather conditions
 - c) Volume of traffic
 - d) Density of population
 - e) Severity of crime
 - f) Necessity of pursuit

The risk factors identified in this subsection (2) can be evaluated and classified as low risk, moderate risk, or high risk and should be continuously reevaluated by the pursuing officer as outlined below, and in accordance with the Pursuit Decision-Making Matrix in Section III. F. of this policy:

Low Risk Factors

- a) Fully marked police vehicle.
- b) Speeds less than 20 M.P.H. over the fixed or posted limit.
- c) Straight roads, good surface, clear lines of sight.
- d) Few intersections.
- e) Few or no pedestrians.
- f) Good weather - clear
- g) No hazardous maneuvers by violator.
- h) Supervisor involved and effective oversight of pursuit.
- i) Pursuing officer in full control – emotionally calm.
- j) Authorized number of police vehicles involved in the pursuit.

Moderate Risk Factors

- a) Fully marked vehicle.
- b) Speeds 20 M.P.H. or more over the fixed or posted speed limit.
- c) Moderate motor vehicle traffic, little or no congestion.
- d) Some intersecting streets (e.g. residential area).
- e) Light pedestrian traffic.
- f) Good weather – clear.
- g) Some hazardous maneuvers (e.g. crossing centerline to pass vehicles, sudden lane changes), but no extreme maneuvers, by the violator.
- h) Supervisor involved and effective oversight of pursuit.
- i) Pursuing officer under control – generally emotionally calm.
- j) Authorized number of police vehicles involved in the pursuit.

High Risk Factors

- a) Unmarked police vehicle.
- b) Speeds twice the fixed or posted speed limit, or more than 80 M.P.H.
- c) Police vehicle in pursuit is equipped with 4 wheel drive and/or is not pursuit rated.
- d) Heavy congested motor vehicle traffic.
- e) Numerous intersecting streets (e.g. business district).
- f) Blind curves or intersections, narrow roads.
- g) Numerous pedestrians.
- h) Poor weather, slippery streets, low visibility.
- i) Special circumstances (e.g. school zone, business district and other areas of the city/county where large numbers of people may be in attendance at the time of the pursuit).
- j) Extremely hazardous maneuvers (e.g. driving against oncoming traffic, failing to stop at traffic signals or stop signs) by the violator.
- k) Pursued vehicle has less than 4 wheels.
- l) Driver of the pursued vehicle is a known juvenile.
- m) No supervisor involved, or ineffective supervisory oversight of pursuit.
- n) Officer excited – not in full control of emotions.
- o) Police vehicles in pursuit exceed authorized number.

F. PURSUIT DECISION-MAKING MATRIX

DEGREE OF SERIOUSNESS	Decision Threshold		
	Low	Moderate	High
VIOLENT OFFENSE IMMINENT THREAT	May pursue: Continue to assess risks	May pursue: Continue to assess risks	May pursue: Discontinue if risks exceed known threat to public safety if capture is delayed
VIOLENT OFFENSE	May pursue: Continue to assess risks	May pursue: Continue to assess risks	May pursue: Discontinue if risks exceed known threat to public safety if capture is delayed
FELONY - PROPERTY	May pursue: Discontinue if risks exceed known threat to public safety if capture is delayed	May pursue: Discontinue if risks exceed known threat to public safety if capture is delayed	Do not pursue
MISDEMEANORS and SERIOUS TRAFFIC VIOLATIONS	May pursue: Discontinue if risks exceed known threat to public safety if capture is delayed	May pursue: Discontinue if risks exceed known threat to public safety if capture is delayed	Do not pursue
INFRACTIONS	May pursue: Discontinue if risks exceed known threat to public safety if capture is delayed	May pursue: Discontinue if risks exceed known threat to public safety if capture is delayed	Do not pursue

G. PURSUIT USE OF FORCE - INTERVENTION OPTIONS

1. The table below outlines Use of Force - Intervention Options as applied Emergency Vehicle Operations.
2. Tactics available for use during a pursuit are listed under Control Alternatives, Protective Alternatives, and Deadly Force.

Intervention Options as applied to Emergency Vehicle Operations

Mode	Tactic(s)	Purpose
PRESENCE	Authorized emergency vehicle	To present a visible display of authority
DIALOG	Emergency lights Siren Communication with dispatch Approach contact	To persuade
CONTROL ALTERNATIVES	Multiple units Tire Deflation Devices Barricades Channelization Non-Approach Contact	To overcome passive resistance, active resistance, or their threats
PROTECTIVE ALTERNATIVES	Pursuit intervention technique (PIT) Moving roadblock (Boxing-in) Roadblocks (with escape route) High-risk contact	To overcome continued resistance, assaultive behavior, or their threats
DEADLY FORCE	Ramming Roadblock (no escape route) Shooting from a moving vehicle High-risk contact with shots fired	To stop an imminent threat.

DEGREE OF RISK

IV. PURSUING UNIT RESPONSIBILITIES AND DRIVING GUIDELINES

- A. When a decision is made to initiate a pursuit, the initiating unit shall advise the dispatcher as much information as possible including:
 1. Officer's unit/car number.
 2. Pursuit driving has been initiated.
 3. The roadway and direction of travel.

4. The reason for the pursuit.
 5. Speed of travel.
 6. The identifying information concerning the pursued vehicle; i.e., color, year, make, body, license number and other identifying characteristics.
 7. Number and description of occupants.
 8. Road Conditions and traffic/pedestrian density
- B. The following driving guidelines apply to officers engaged in a vehicle pursuit and their determination to continue to pursue and/or terminate the pursuit:
1. All pursuing units should adhere to and apply the entire emergency vehicle driving techniques that the officer has been taught.
 2. All pursuing units should assess and reassess weather, roadway and traffic conditions throughout the duration of the pursuit and make changes in speed and following distances where appropriate.
 3. All pursuing units should consider and apply the officer's knowledge of the capabilities and limitations of their vehicle.
 4. All pursuing units should consider and apply the officer's knowledge of their individual abilities and limitations.
 5. All pursuing units should establish a position on the roadway and maintain sufficient maneuvering room to allow the officer to see and react to what may appear ahead.
 6. All pursuing units should maintain visual contact with the subject of the pursuit and be alert to clues as to what the subject may do next.
 7. All pursuing units should be alert and prepared for road and traffic conditions that favor the subject of the pursuit.
 8. All pursuing units should try to end the pursuit as quickly as possible, while considering safety and using maximum caution.
 9. All pursuing units should remain alert for possible dangers, including the reactions of other drivers, and drive professionally, with good judgment and an awareness of the risks being taken.
 10. The secondary unit shall remain at a safe distance behind the primary unit and be ready to assist when the subject is stopped.

11. Generally, the secondary unit shall not attempt to pass the primary unit unless the need arises based on jurisdiction, knowledge of roadway, or other extenuating circumstances.
12. Absent of unusual circumstances the pursuing officers shall conduct a high risk vehicle contact at the conclusion of all pursuits.

V. DISPATCH AUTHORITY, ROLE, AND RESPONSIBILITIES

Columbia County Dispatch Center shall follow their policy and protocol in, monitoring and assisting a City of Portage pursuit.

VI. SHIFT SUPERVISOR AND/OR DESIGNEE RESPONSIBILITIES

When notified that a vehicle pursuit is in progress:

- A. The shift supervisor or designee shall assume responsibility for the monitoring and control of the pursuit as it progresses to its conclusion. A designee who is acting pursuant to an assignment under this Policy & Procedure shall have the same authority and responsibilities as a shift supervisor.
- B. The shift supervisor or designee shall continuously review the incoming information to determine whether the pursuit should be continued or terminated.
- C. In controlling the pursuit, the shift supervisor or designee shall be responsible for coordination of the pursuit as follows:
 1. Directing units into or out of the pursuit.
 2. Re-designating primary or secondary unit responsibilities.
 3. Adding units to a pursuit to assist primary and secondary units if, in the supervisor's or designee's discretion, such additional units are warranted.
 4. Assigning units to deploy approved intervention tactics.
 5. Approving, disapproving, and coordinating pursuit driving tactics.
 6. Approving or disapproving units leaving a jurisdiction to continue pursuit.
 7. Terminating any pursuit which, in the supervisor's or designee's judgment, does not conform to the guidelines of this Policy & Procedure.
 8. Responding immediately to the scene of the pursuit termination within the City of Portage for apprehensions and/or accidents to direct police actions, and to insure adherence to the Portage Police Department's interagency policy and procedure. Outside the City of Portage supervisors shall be in contact with involved officers to determine the need for their presence on scene.

9. After reviewing the circumstances of the pursuit, the supervisor or designee shall evaluate whether or not the officer(s) involved in the pursuit complied with department policy and procedure. The supervisor or designee shall inform command staff of the incident. The supervisor will complete the state mandated pursuit document.

D. Supervisor Jurisdiction

1. It is recommended that the on-shift supervisor remain in the city limits during their shift and during mutual aid requests, when practical. Based upon the severity and proximity to events occurring outside of our jurisdiction, supervisors may respond to assist. If practical, we should minimize the timeframe by transferring our duties to another officer upon their arrival. We recognize that safety and providing backup when requested is a priority.

VII. INTER- AND INTRA-JURISDICTIONAL PURSUITS

- A. Within the State of Wisconsin, WI State Statute §175.40(2) provides that “for purposes of civil and criminal liability, any peace officer may, when in fresh pursuit, follow anywhere in the state and arrest any person for the violation of any law or ordinance the officer is authorized to enforce.”
- B. The pursuing officer shall notify dispatch when it is likely that a pursuit will continue into an adjacent jurisdiction.
- C. The shift supervisor or designee must approve continuation of the pursuit into another jurisdiction.
- D. When a pursuit is initiated by a law enforcement agency of another jurisdiction, the initiating unit and jurisdiction shall be responsible for the progress of the pursuit. Officers of the department may become actively involved in or assume control of the pursuit within or out of its jurisdiction upon request of the initiating agency/jurisdiction and upon assignment by their department supervisor or designee.
- E. The Wisconsin statute entitled “The Uniform Act on Close Pursuit” allows a law enforcement officer from another state, who enters Wisconsin in close pursuit of a person they have probable cause to believe committed a felony in their home state, the same authority to arrest as a law enforcement officer of this state. The authority is reciprocal to officers pursuing for a felony violation into Minnesota, Michigan, Iowa, and Illinois.

VIII. TERMINATION OF PURSUIT BY OFFICER OR SUPERVISOR

The following guidelines apply when making the decision to stop the pursuit of a fleeing vehicle:

- A. A vehicle pursuit shall be immediately terminated when, in the judgment of the pursuing officer, continuation of the pursuit would likely create a danger to the public, officer or violator which is apparently greater than the value of

apprehending the violator.

- B. A vehicle pursuit shall be immediately terminated upon order of a supervisor or designee or upon receipt of such an order via the dispatcher.
- C. A vehicle pursuit should be terminated when the continuing distance between the pursuing and fleeing vehicles is such that further pursuit is futile.
- D. A vehicle pursuit should be terminated when the location of the pursued vehicle is unknown.
- E. A vehicle pursuit should be immediately terminated when the officer's vehicle or emergency equipment malfunctions and there is no other unit to take over the pursuit.
- F. A vehicle pursuit should be terminated when it is necessary to stop to render aid to one or more injured persons and no other unit is available to do so.
- G. Under no condition is an officer allowed to follow a vehicle against the flow of traffic to pursue a vehicle when it is driven the wrong way on a divided or interstate highway, freeway or entrance/exit ramp(s). However, an officer may proceed to follow the suspect on the correct side of the divided highway with the flow of traffic with lights and siren activated.

IX. TERMINATION OF PURSUIT; POST-PURSUIT OFFICER ACTIONS (NON-APPREHENSION)

When a vehicle pursuit is terminated, the pursuing officer(s) shall:

- A. Notify dispatch that they have terminated the pursuit and their location.
- B. Slow to the posted speed limit.
- C. Turn off emergency lights and siren.
- D. Pull over and stop, for a brief time to make it clear to others that you are no longer pursuing.
- E. Resume patrol, without emergency lights and siren activated, by continuing in the last known direction of the violator in order to check for accidents or other problems possibly created by the violator. Maintain the posted speed limit.

A decision by a pursuing officer to discontinue pursuit does not reflect on the officer's courage, but rather is recognized by all members of the department as a decision that indicates concern for life and property.

X. OPTIONS TO STOP A PURSUIT

The following options are intentional applications of force which are intended to stop

a pursuit. If any option succeeds in stopping the pursuit, a seizure has occurred and the use of force will be analyzed under the Fourth Amendment reasonableness standard as set forth in Tennessee v. Garner and Graham v. Conner. Depending upon the circumstances, any option could constitute using deadly force.

A. Induce-to-stop

The techniques in this category include: Tire deflation devices, Channelization, Moving road blocks (Boxing In), Roadblock (with escape route) and Pursuit Intervention Technique (P.I.T.)

Generally, these techniques require more than one officer to execute or to manage the suspect at the conclusion. You must carefully coordinate their use with other officers involved. Some of them require fairly precise timing, and a failure to communicate may either cause the technique to be ineffective or put officers at risk.

1. Tire Deflation devices, when properly deployed, may result in the termination of a pursuit or another forcible stopping incident through slow deflation of vehicle tires. Use of tire deflation devices is a primary tactic which has proven successful in de-escalating and/or terminating vehicle pursuits. Tire deflation devices are designed to be used against moving vehicles with four (4) or more tires.
 - a. Officers shall adhere to the following procedures when deploying tire deflation devices:
 - (1).Tire deflation devices shall preferably be deployed on hard surfaces such as asphalt or concrete.
 - (2). Unless deadly force would be justified, the use is discouraged depending on the circumstances on vehicles with hazardous materials, buses with multiple passengers and or children, and any vehicle which may present unusual hazards.
 - (3).The supervisor or designee must approve the use and deployment of tire deflation devices.
 - (4). Bystanders and other non-involved vehicles should be removed from the area if possible.
 - (5). Officers should set up in an area which will afford them protection from being struck and or an escape path such as highway overpass, near a guardrail, or near trees.
 - (6).Officers shall communicate to other units the location that the tire deflation device are or will be deployed.
 - (7).Only officers who have been trained in use of tire deflation devices may deploy the device. The device shall be deployed in accordance with department training and the manufacturer's recommended use.

(8).The officer deploying the tire deflation device shall stay with and collect the device after use if possible or at a minimum remove them from the roadway.

b. Reporting requirements. The officer deploying tire deflation devices shall complete a supplemental report documenting the use of the device including the location and results of the deployment. This information shall be forwarded to the Chief or designee so the department can have the device serviced or replaced as necessary by the manufacturer.

2. Channelization: Channelization is not itself a technique that induces the violator to stop; it is used to divert a violator to a preferred location. The goal is to leave the violator with only one available route to travel, by blocking off alternatives.

The same guidelines apply with respect to providing sufficient warning and adequate distance for the violator to avoid the blocked off road and choose a preferred route as with a moving roadblock.

3. MOVING ROADBLOCK (Boxing In): A moving road block may be appropriate in low-speed pursuits. They can also be used for intoxicated drivers and disoriented drivers who fail to stop at the request of law enforcement. In this technique, the suspect vehicle is surrounded by preferably three squad cars—one in front, one in back, and one to the side (just behind the driver door). Once in position, the squads gradually slow, bringing the suspect vehicle to a safe, gradual stop.

Achieving and maintaining the formation requires careful communication, as does coordinating the slowing down. Because the actions of the suspect cannot be controlled, this is a high-risk maneuver. There is considerable potential for undesirable outcomes contingent upon the suspect's behavior. Special considerations or a termination of this technique should be taken if the suspect is believed to be armed with a firearm or one is displayed.

4. ROADBLOCK (WITH ESCAPE ROUTE): A roadblock is the placement of vehicles or other objects on the roadway to impede or alter the normal flow of traffic.

In a roadblock with an escape route, the roadway is either not completely blocked or an alternate "escape route" is provided. The intention is to provide a show of force to convince the suspect that escape is impossible and induce him or her to give up. Here are some guidelines for using roadblocks with an escape route:

- The roadblock should be set up on a straight, level stretch of roadway with adequate sight distance to give the suspect time to stop.
- If possible, other traffic should be diverted away from the location.
- Emergency lights must be turned on and visible, to warn the suspect (and any other motorists) of the roadblock in time to stop.
- The roadway can be blocked with squads (with emergency lights on), traffic cones, flares, and/or other barricades.
- The escape route should be obvious.

5. Pursuit Immobilization Technique (PIT):

- a) The PIT maneuver is a specific technical maneuver that requires officer training and certification. This technique can only be applied with a supervisors' s or designee's approval.
- b) Because the successful completion of the PIT maneuver can cause the suspect to lose control of his or her vehicle, officers must carefully choose the location for executing it. There should be no other traffic or pedestrians that could be put at risk. The pursuing officer must communicate with other officers their intent to execute the PIT maneuver and the intended location, so that they can clear the area and be ready to assist if the suspect surrenders or crashes—or continues to flee.
- c) In the decision to use the PIT technique on the fleeing vehicle occupant safety considerations must be taken into account if there is more than the driver in the fleeing vehicle due to the increased risk to the passengers.

B. Force-to-stop

1. The justification for an officer's use of deadly force is ***behavior that presents an imminent threat of death or great bodily harm to the officer or others.*** For behavior to present an imminent threat, the suspect must have:
 - Intent to cause death or great bodily harm
 - A weapon capable of inflicting such harm
 - A delivery system for using that weapon
2. Clearly a vehicle can be used as a weapon and a suspect can display their actions, intent, and ability to use the vehicle to cause death or great bodily harm. Under such circumstances, when other options to stop the suspect have either failed, clearly ineffective, or have been precluded, the use of deadly force may be appropriate.
3. Force-to-stop techniques shall only be used in deadly force situations and only if authorized by a supervisor.

The force-to-stop techniques are:

- Roadblock (no escape route)
 - Ramming
- a) ROADBLOCK (WITH NO ESCAPE ROUTE): In a roadblock with no escape route the roadway is completely blocked and no alternate route is provided. If the suspect does not voluntarily stop, they will crash, with great potential for injury to the suspect and others in the area. For that reason, these guidelines must be applied:

- Other traffic must be diverted or stopped before reaching the roadblock area.
- The roadblock must be identified with emergency lighting to give warning.
- The suspect must have adequate sight distance and time to stop if they choose to stop.
- Officers must communicate to ensure that their actions are coordinated and officers are not put at risk.

b) **RAMMING:** Involves the pursuing officer using their vehicle to attempt to disable the suspect vehicle and prevent its further operation. When a moving vehicle rams another, the results are unpredictable and involve a high likelihood of injury or death to those involved including officers. Even though ramming is not a trained technique, it may be justified as a last resort under extreme circumstances. It should only be used if all other options have been precluded.

B. Firearms:

1. Warning shots during the course of a pursuit are prohibited.
2. Shooting at or from a moving vehicle is prohibited, unless deadly force is justified.

XI. REPORTS

A. In compliance with the reporting requirements of WI §85.07(8)(b) all written pursuit reports shall be completed as soon as practicable following a pursuit and shall contain the following:

1. Pursuit initiation and termination location and times.
2. Pursuit distance to the nearest one-tenth (0.1) mile.
3. Primary unit maximum pursuit speed.
4. Reason(s) for commencing pursuit.
5. Violations cited.
6. Injuries or deaths involved.
7. Property damage, per unit, in dollars.
8. Outcome of pursuit.

B. The Wisconsin Law Enforcement Pursuit Report shall be completed and submitted annually to the Department of Transportation no later than August 15th, of each year by the chief or designee.

XIII. OFFICER TRAINING

- A. Department in-service training and recertification training, shall include at least four (4) hours of training biennially in vehicle pursuit standards, guidelines, driving techniques, and policy and procedure.

XIV. REVIEW

- A. By June 30th of each even-numbered year the department shall review this policy and if appropriate, shall make necessary revisions.

Keith J. Klafke
Chief of Police

This Policy & Procedure cancels and supersedes any and all previous written directives relative to the subject matter contained herein.

Initial 05/09/2023
Updated 12/11/2023

Updated 03/20/2026