

SECTION: 200.140**SUBJECT: VEHICLE PURSUIT****POLICY:**

Vehicular pursuit of fleeing suspects presents a danger to the lives of the public, deputies, and suspects involved in the pursuit. It is the policy of the Dane County Sheriff's Office to protect all persons' lives to the extent possible when enforcing the law. In addition, it is the responsibility of the Sheriff's Office to guide deputies in the safe performance of their duties. To effect these obligations, it shall be the policy of the Dane County Sheriff's Office to narrowly regulate the manner in which a vehicular pursuit is undertaken and performed.

PURPOSE:

The purpose of this policy is to state the guidelines to be followed during a vehicular pursuit. The procedures are intended to assist deputies and supervisors in making sound decisions.

The Sheriff's Office acknowledges that the possibility of a collision exists even when the above guidelines have been followed and the deputy has acted with due regard throughout the pursuit. This policy shall not be construed to place the responsibility for the effect of unforeseeable or uncontrollable conditions on the deputy.

DEFINITIONS:

Boxing In - A technique in which deputies position their squad cars in front of and beside the violator's vehicle in an effort to slow down or stop the violator.

Channeling - To divert or direct a vehicle to a different location.

Due Regard - The degree of care that a reasonably careful person, performing similar duties and acting under similar circumstances, would show.

Infraction - Minor violations of motor vehicle statutes or ordinances that pose no safety threat. Examples would include equipment or registration violations, noise violations or moving violations that are not a danger to the public.

Pursuit Intervention Technique (PIT) - Intentional acts of using a law enforcement vehicle to physically force a fleeing vehicle from a course of travel in order to stop it. The PIT is a specific technical maneuver that requires advanced practical training prior to use.

Ramming - The deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.

Roadblock - A roadblock is the placing of obstacles or barricades, which are intended to prevent the suspect from passing that point, into the path of a fleeing vehicle.

Refusal to Stop – An active attempt by one or more law enforcement officers to stop a motor vehicle by use of emergency lights and siren, during which time the operator of the motor vehicle is driving at a reasonable speed (i.e., at or below the established speed limit), but willfully refusing to pull over and stop.

Unmarked - An unmarked squad car is one without decals identifying it as a Dane County Sheriff's squad car.

Vehicle Pursuit - An active attempt by a deputy in an authorized emergency vehicle to apprehend one or more occupants of a moving motor vehicle, providing the driver of such vehicle is aware of the attempt and is resisting apprehension by maintaining or increasing his/her speed, taking evasive action, or by ignoring the deputy's attempt to stop him/her.

PROCEDURES:

I. Initiation and Continuation of Pursuit

The decision to initiate and continue a pursuit must be based on the pursuing deputy's conclusion that the necessity of immediate apprehension outweighs the risk to the community should the suspect remain at large.

Justification for engaging in a vehicle pursuit must be based on facts known by the deputy when the decision is made to engage in a pursuit. Information not established as fact at the time the pursuit was initiated cannot be considered later in determining whether the pursuit was justified. In all instances of vehicle pursuits, the initiating officer must be able to clearly articulate the reason(s) why a pursuit was initiated.

- A. The objective Risk Factors identified in this section and classified as lower, moderate or high risk should be continuously evaluated by the pursuing deputies and supervisors monitoring the pursuit and applied in accordance with the Pursuit Decision-Making Matrix

- 1. Low Risk Factors

- a. Fully marked Sheriff's Vehicle.

- b. Speeds less than 20 MPH over the fixed or posted limit.
- c. Straight roads, good surface, clear lines of sight.
- d. Few intersections.
- e. Light or no other vehicular traffic.
- f. No pedestrians or bicyclists.
- g. Good weather; clear, daylight.
- h. No hazardous maneuvers by violator.
- i. Supervisor involved and effective oversight of pursuit.
- j. Pursuing deputy in full control, emotionally calm.
- k. Authorized number of sheriff's vehicles involved in pursuit.

2. Moderate Risk Factors

- a. Speeds of 20 MPH or more over the fixed or posted speed limit.
- b. Moderate motor vehicle traffic, little or no congestion.
- c. Some intersecting streets.
- d. Pedestrian traffic.
- e. Bicycle traffic.
- f. Unmarked squad, or non-pursuit rated law enforcement vehicle - In the event a pursuit is initiated by an unmarked unit, that unit should turn the primary position over to a marked unit at the earliest possible time. The unmarked unit can remain in the pursuit until a second marked unit is able to get involved. At the point that the second marked unit gets involved, the unmarked unit shall discontinue the pursuit. The unmarked unit shall remain available to respond to the scene if the suspect is apprehended, unless otherwise directed by a supervisor.
- g. Deputy generally calm, under control.
- h. Some hazardous, but not extreme maneuvers (i.e., Crossing centerline to pass vehicles, sudden lane change) by the violator.
- i. Supervisor involved and effective.
- j. Authorized number of vehicles involved in the pursuit.

3. High Risk Factors

- a. Speeds twice the fixed or posted speed limit, or more than 80 M.P.H.

- b. Police vehicle in pursuit is equipped with 4-wheel drive and/or is not pursuit rated. Deputies driving a department van or truck, non-pursuit rated sport utility vehicle, service patrol type vehicle, K-9 Team Vehicle (with K-9), specialized vehicle or motorcycle should not become involved in a pursuit unless there are exigent circumstances.
- c. Heavy congested motor vehicle traffic.
- d. Numerous intersecting streets (e.g. business district.)
- e. Blind curves or intersections, narrow roads.
- f. Numerous pedestrians.
- g. Poor weather, slippery streets, low visibility.
- h. Special circumstances:
- school zone
 - residential neighborhoods
 - business district
 - construction zones
 - And other areas of the city/county where large numbers of people may be in attendance at the time of the pursuit.
- i. Pursuit leaves the roadway.
- j. Extremely hazardous maneuvers (e.g., driving against oncoming traffic, failing to stop at traffic signals or stop signs etc.) by the violator.
- k. Pursued vehicle has less than four wheels.
- l. Driver of the pursued vehicle is a known juvenile.
- m. No supervisor involved, or ineffective supervisory oversight of pursuit.
- n. Deputy excited, not in full control of emotions.
- o. Sheriff's vehicles participating in pursuit exceed authorized number.
4. Other Considerations: In addition to the above Risk Factors, pursuing deputy and supervisor should also consider:
- a. The deputy's skill, training and knowledge of area roads and terrain:
- Inexperience – higher risk.
 - Lack of knowledge of area- higher risk
- b. The nature and severity of the offense and the necessity to pursue:
- Nature & Severity described in decision-making Matrix table.

- Necessity to pursue.

B. PURSUIT DECISION MAKING MATRIX - Deputies and Supervisors should utilize the Objective Risk Criteria above to determine Degree of Risk and compare with Degree of Seriousness of violation to aid assessing whether the pursuit should be allowed to continue, or whether it should be terminated.

DEGREE OF SERIOUSNESS	Decision Threshold		
	Low	Moderate	High
VIOLENT FELONY - 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
FELONY-VIOLENT	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: continue to assess risks	May pursue; continue to assess risks	Do not pursue
MISDEMEANORS	May pursue: Continue to assess risks	Do not pursue, or discontinue	Do not pursue, or discontinue
INFRACTIONS	Do not pursue	Do not pursue	Do not pursue

C. Pursuit Deputy's Responsibilities

1. The pursuing deputy shall immediately notify the Communications Center that a pursuit is underway. Pursuit communications should be conducted on Dane County Sheriff's Channel 1 to allow other agencies the capability of monitoring the pursuit. The deputy shall provide the Communications Center with the following information:
 - a. Unit number;
 - b. Location, speed, and direction of travel of the fleeing vehicle;
 - c. Description and license plate number of the fleeing vehicle, if known;
 - d. Number of occupants in the fleeing vehicle, and their descriptions, if possible; and
 - e. Reason or reasons for the stop.
2. Failure to provide this information to the Communication Center may result in an immediate decision by a Dane County Sheriff's Office supervisor monitoring the pursuit, to order its termination.
3. Pursuing units should be limited to two (2) units unless there is more than one occupant in the vehicle (to maintain a one-deputy or officer advantage). If the situation dictates, the field supervisor could be a third unit. If possible, the first assisting unit should take over radio communications as soon as possible.
 - a. When multiple law enforcement vehicles are engaged in a pursuit, deputies may consider the use of alternate siren sounds to alert the public to the presence of more than one unit involved in the incident.
 - b. During the pursuit, deputies should maintain a safe distance from the vehicle being pursued and others involved in the pursuit to enable them to react to any sudden actions taken by the pursued vehicle and lessen the possibility of a collision.
4. Assisting units should attempt to position themselves at strategic points in anticipation of assisting when the suspect is stopped or becoming the primary unit if the original pursuing deputy loses the suspect vehicle or becomes disabled. The assisting unit(s) should advise the Communications Center of his/her location and course of action.

5. Pursuits with Passengers Prohibited

a. Deputies with passengers, including prisoners, suspects, complainants, witnesses, ride-alongs, or anybody else, except on-duty sworn peace officers, shall not participate in a vehicular pursuit. This excludes off-duty sworn Sheriff's Office personnel. This prohibition applies whether or not the passenger has signed a waiver of liability.

b. Canine teams shall refrain from being involved in vehicle pursuits. The Canine team(s) may immediately respond to the location where the pursuit ends to assist in the apprehension of the suspect. Deviations from this policy must be supported by specific facts and circumstances which indicate an immediate and compelling need to apprehend offender(s) who are an imminent threat to the safety of the community.

D. Communication Center Responsibilities: Upon notification that a pursuit is in progress, communication personnel shall immediately advise an on-duty field supervisor or the Sheriff's Office OIC of essential information regarding the pursuit.

E. Inter-jurisdictional Pursuits

1. Deputies engaged in pursuit should request the dispatcher to notify outside agencies if a Sheriff's Office pursuit is in or entering their jurisdiction. The deputy should specify whether it is a request for assistance or a courtesy notification.

2. When a pursuit is initiated by another jurisdiction, that jurisdiction is responsible for the progress of the pursuit. Notification of a pursuit by another law enforcement agency shall not be construed as a request for deputies to join in the pursuit, unless a request is specifically made by the pursuing agencies.

a. A Sheriff's Office supervisor shall determine if the pursuit is in conformance with policy prior to authorizing assistance to another agency.

b. If the pursuit is not in conformance with Sheriff's Office policy, the supervisor may approve the use of Road Spikes and allow deputies to redirect traffic away from the pursuit.

c. In any inter-jurisdictional pursuit, all Dane County Sheriff's Office policies are in effect.

F. Supervisor's Responsibilities

1. Upon notification that a vehicular pursuit is in progress, the supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.
2. The supervisor shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.
3. The supervisor should consider risk factors and the Pursuit Decision Making Matrix in their decision process.
4. The supervisor shall be responsible for coordination of the pursuit as follows:
 - a. Directing pursuit vehicles into or out of the pursuit.
 - b. Designation of primary, support, or other backup vehicle responsibilities.
 - c. Approval or disapproval, and coordination of pursuit tactics.
 - d. Approval or disapproval to leave jurisdiction to continue pursuit.
5. The supervisor may approve and assign additional backup vehicles to assist primary and backup pursuit vehicles based on an analysis of:
 - a. The nature of the offense for which the pursuit was initiated.
 - b. The number of suspects and any known propensity of violence.
 - c. The number of officers in the pursuit vehicles.
 - d. Any damage or injuries to the assigned primary and backup vehicles or officers.
 - e. The number of officers necessary to make an arrest at the conclusion of the pursuit.
 - f. Any other clear and articulable facts that may warrant the increased hazards caused by additional pursuit vehicles.

G. Traffic Regulations During Pursuit

1. Deputies engaged in a vehicular pursuit are required to use emergency lights and siren during the pursuit.
2. Deputies engaged in pursuit shall at all times drive in a manner exercising due regard for the safety of themselves and all other persons and property within the pursuit area.
3. Deputies are permitted to suspend conformance with certain traffic regulations per State Statute 346.03 during a pursuit as long as due regard is

used when driving in a manner not otherwise permitted, and the maneuver is reasonably necessary to gain control of the suspect. An emergency shall not excuse failure to exercise due regard under these circumstances.

H. TERMINATION OF PURSUIT

1. A decision to terminate a pursuit may be the most effective means of preserving the lives and property of the public, the officers and suspects engaged in the pursuit.
2. Pursuits may be terminated by the pursuing deputies, on-duty field supervisor, the Officer in Charge, Field Captain, Chief Deputy, or Sheriff.
3. When a deputy recognizes that the risk to the community outweighs the necessity to apprehend the suspect, the deputy should terminate the pursuit his or her self. Every member of the agency should recognize that a decision by a deputy to discontinue a pursuit does not reflect on their courage, but rather is recognized as a decision that indicates concern for life and property.
4. Pursuits should be immediately terminated in any of the following circumstances:
 - a. Risk Factors compared to seriousness of offense outweigh any danger to the public if suspect is allowed to flee.
 - b. Identity of the driver are known and suspect could be located later and there are no extenuating circumstances to indicate the suspect would be a danger to the public if allowed to flee.
 - c. The distance between the pursuit and fleeing vehicle is so great that further pursuit is futile.
 - d. Risk factors indicate the danger posed to the public, the officers, or the suspect by continuing pursuit is greater than the value of apprehending the suspect(s).
 - e. The deputy knows or has reason to believe the fleeing vehicle is being operated by a juvenile who has committed a non-violent crime, and the safety factors involved are obviously greater than a juvenile can handle.
 - f. When any mechanical problem, regardless of severity, occurs to the pursuing vehicle and/or if any malfunction of emergency equipment occurs.
5. Once a pursuit has been terminated, deputies shall deactivate their lights and siren and return to normal speed and operation.

- a. If a deputy comes in contact with the suspect vehicle again, and the circumstances are not different than those that caused the termination of the first pursuit, a second pursuit should not be initiated.
- b. Deputies are encouraged to check the roadway along the path where the vehicle was last seen.

II. Pursuit Tactics

The tactics selected should offer the greatest probability of success with the least likelihood of injury to the general public, the deputy, and the subject. If a crash occurs during the pursuit involving a third party, arrangements should be made to ensure that the crash is attended to, and assistance is provided to those involved.

A. Use of Aircraft

If an aircraft is needed, the State Patrol Headquarters may be contacted at the direction of the OIC, to ascertain whether the State Patrol or the DNR has an aircraft in service and available to assist. The aircraft would be requested to maintain surveillance on the suspect vehicle, warn units of any hazards ahead, and direct the ground units to make the apprehension in an area that would be appropriate.

B. Vehicle Pursuit Management Technology (VPMT)

A Vehicle Pursuit Management Technology (e.g. StarChase) system allows deputies to remotely affix a global positioning system (GPS) tracking device to a fleeing vehicle, or to a vehicle for which there is a recognized probability of eluding. Use of VPMT allows for remote tracking of the fleeing vehicle, subsequently eliminating the need to follow the vehicle at high rates of speed. Deputies shall follow guidelines in Section 200.144, Vehicle Pursuit Management Technology (VPMT.)

C. Induce to Stop Techniques

1. Channeling - This technique is used to divert or direct fleeing drivers from their present direction and locale of travel into a direction and/or locale selected by the police for the purposes of:
 - a. Relocating the pursuit to a safer, less-populated or less-traveled area;
 - b. Directing the driver to a location more favorable to the application of other forcible stop techniques; or
 - c. Diverting the fleeing suspect to a location where further attempts to elude are impractical and/or impossible.

The following general guidelines and considerations apply to channeling:

- a. Usually, only one alternative route should exist.
 - b. The number of police units shall be dictated by the route selected.
 - c. The selected location must provide the fleeing driver with sufficient sight and maneuvering distance.
 - d. No private vehicles should be used unless authorized by a supervisor.
 - e. If possible, all non-related traffic should be diverted away from the selected location.
2. Road Spikes - The Road Spike System is an effective tool designed to deflate pneumatic tires at a controlled rate, resulting in the safe and effective conclusion to the pursuit. The Road Spike System may be utilized upon approval of a Dane County Sheriff's Office supervisor. Deputies shall follow the guidelines in Section 200.145, Road Spike System.
 3. Pursuit Intervention Technique (PIT)
 - a. The location of the PIT must be one where a loss of traction would present minimal danger to innocent third parties.
 - b. This technique should only be performed by personnel who are trained and certified in the tactic.
 - c. The PIT maneuver may be utilized upon approval of a Dane County Sheriff's Officer supervisor
 4. Boxing In
 - a. This technique is available, but because of the heightened risk to the deputy, it is highly discouraged. This does not prevent the deputy from blocking a path of a suspect, who is stationary, to prevent flight. Care should be taken, however, as this puts a deputy at a tactical disadvantage.
 - b. Because this tactic puts the deputy at a tactical disadvantage, this technique should not be used if the suspect(s) are known or believed to be armed.
 5. 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:
 - a. The roadblock should be set up on a straight, level stretch of roadway

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

D. Force to Stop Techniques

Generally, the use of forcible stops such as ramming, and roadblocks without an escape are a last resort measure and should be authorized by a supervisor. Forcible stops may be undertaken only when the deputy or a supervisor has reason to believe the continued movement of the pursued vehicle would place others in imminent danger of great bodily harm or death; and that the apparent risk of harm to others is so great as to outweigh the apparent risk of harm involved in making the forcible stop; and after other reasonable alternative means of apprehension have been tried, considered, or rejected as impractical.

1. Ramming - Ramming is considered deadly force, as there exists a likelihood of serious bodily injury to the deputy and/or the suspect. As such, this technique is limited to situations where the suspect presents an imminent threat of death or great bodily harm to others. It may be justified as a last resort under extreme circumstances. It should only be used if all other options are exhausted.
2. Roadblock (no escape route)
 - a. A roadblock with no escape route is considered deadly force when there exists a likelihood of serious bodily injury, should the suspect run into the barricade. As such, this technique is limited to situations where the suspect presents an imminent threat of death or great bodily harm to others.
 - b. Privately-owned vehicles, such as tractor-trailer units, should not be utilized during these techniques unless all other attempts have failed and their use is authorized by a supervisor.
 - c. Occupied vehicles shall not be used as a barricade.
 - d. Every effort should be made to either divert or stop other traffic before it reaches the roadblock.
 - e. Normally two police units are utilized.
 - f. Set up on a straight, level stretch of roadway.
 - g. Emergency warning lights shall be on and visible. There shall be adequate visual warning for both the violator and other motorists, so

that they can stop.

- h. Exit the squad after the roadblock is set up and assume a position of cover that would provide the best tactical advantage for the deputy.
- i. The squad should be faced toward the pursuit and positioned so the headlamps are not blinding oncoming traffic, including the fleeing driver.

III. Post Pursuit

Safety is critical at the conclusion of a pursuit. At no time is the need for decisive action, self-control, and strict personal discipline more essential. The responsibility for maintaining control and directing activities at the conclusion of the pursuit remains with the primary pursuing unit in the pursuit unless relieved by a supervisor.

- A. Consideration should be given to using accepted "high-risk" stop procedures.
- B. Non-uniformed deputies shall ensure they are readily identifiable as a deputy sheriff.
- C. As soon as practical after the pursuit, the deputy should upload the in-car video. In a case where the squad would need to be towed, the towing company should tow the squad to a location to upload the video, prior to taking the squad to the tow yard.

IV. Pursuit Reports

- A. The primary deputy is responsible for completing the pursuit report and is responsible for ensuring that the following information is included:
 - 1. Time pursuit initiated and terminated.
 - 2. Pursuit distance to the nearest 1/10th mile.
 - 3. Maximum speed (primary unit only).
 - 4. Location pursuit initiated and terminated.
 - 5. Reason for initial stop.
 - 6. All violations known/suspected at initiation of pursuit.
 - 7. All violations discovered after/during incident.
 - 8. If a crash occurred, the estimated value of property damaged and the extent of injuries if applicable.
 - 9. The name of the field supervisor responsible for monitoring the pursuit as well as the On-Duty Officer in Charge (OIC.)
- B. The primary deputy is responsible for filling out and Validating the Vehicle Pursuit Form in TraCS. The supervisor monitoring the pursuit is responsible for reviewing the validated form and then marking it Complete in TraCS.

1. A single Vehicle Pursuit Form should be completed for each pursuit that a law enforcement agency is involved in. If a pursuit is terminated and the initiated again, two Vehicle Pursuit Forms should be completed.
 2. Regardless of whether a law enforcement agency is the primary pursuing agency or assisting agency, each agency involved in a pursuit must fill out a Vehicle Pursuit Form to capture data from the start of their involvement to the end of their involvement.
- C. Supervisors involved and monitoring the pursuit shall complete a supplemental report.
1. Report shall document and support his/her involvement and decisions.
 2. Report shall include his/her decision-making considerations for either allowing the pursuit to continue, or terminating the pursuit.
- V. Training and Review
- A. Training
1. All deputies who are not already certified as Wisconsin law enforcement officers, shall receive training on police pursuit standards, guidelines, and driving techniques during the Wisconsin Basic Law Enforcement Recruit Academy.
 2. The Sheriff's Office shall provide its deputies with ongoing and updated training in emergency vehicle operations and pursuit policy procedure and tactics.
- B. Supervisor Review
1. Preferably, on the same day of the pursuit, but within three workdays, the monitoring supervisor should debrief with the deputy (ies) involved in the pursuit.
 2. The review should include reason for pursuit, actions during the pursuit and outcome.
 3. Review should include viewing of in-squad video, audio from 9-1-1 Center, and the deputy's report.
- C. The Sheriff's Office shall maintain a Use of Force Review Committee and a separate Pursuit Review Committee.
1. The Pursuit Review Committee will review pursuits within 60 days.
 2. Review will include reports, video and audio of the pursuits

3. Review will determine whether Sheriff's Office Code of Conduct, policy or procedures were followed.
4. Evaluate if the policy is clearly understandable and effective to cover the situation.
5. Determine if Sheriff's Office Training requires revision.
6. All findings of policy violations or training inadequacies shall be reported to the appropriate supervisor of the division for resolution.

D. Pursuit Policy Review Committee shall review this and related policies and procedures biennially on even-numbered years.

HISTORY

Date	By	Note
2023.04.20	Administration	Revised to new format.