



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Emergency Vehicle Operation Guidelines

Eff. Date 06/08/2018

**Purpose**

This standard operating procedure (SOP) meets the obligation of Wisconsin State Statute Sec 346.03(6).

Members of the Madison Police Department (MPD) shall, at all times, operate City vehicles with due regard for the safety of all persons. When operating under emergency conditions, officers shall be ever vigilant in assessing evolving risk factors that could jeopardize public safety. Members of the department shall also operate city vehicles safely and with a high degree of situational awareness during routine driving and parking maneuvers.

Intersections present a special hazard to emergency vehicles. Officers should always be prepared to slow the speed of their vehicles and be able to stop when approaching an intersection.

**Procedure**

**APPLICABILITY**

This SOP governs the actions of MPD officers for MPD initiated response/pursuits as well as MPD involvement in mutual aid requests for pursuit assistance coming into the City. For MPD officers to participate in an outside agency pursuit, the pursuit must meet the criteria outlined within the SOP.

**DEFINITIONS**

**Authorized Emergency Vehicle:** A fully marked and unmarked squad with full or partial internal light package operated by a Law Enforcement Officer (LEO.) A full internal light package is defined as follows:

1. Showing to the front of the vehicle: multiple red/blue flashing lights and flashing headlights; and
2. Showing to the rear and sides of the vehicle: multiple red/blue flashing lights.

**Deadly Force:** The intentional use of a firearm or other instrument, the use of which would result in a high probability of death or great bodily harm.

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

**Eluding/Fleeing:** §346.04(3) No operator of a vehicle, after having received a visual or audible signal from a traffic officer, or marked police vehicle, shall knowingly flee or attempt to elude any traffic officer by willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, or the traffic officer or other vehicles or pedestrians, nor shall the operator increase the speed of the operator's vehicle or extinguish the lights of the vehicle in an attempt to elude or flee.

**Obedience to traffic officers, signs and signals; Fleeing from officer:** §346.04(2t) No operator of a vehicle, after having received a visible or audible signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as safety permits.

**Officer:** Any sworn commissioned personnel, independent of rank.

**Pursuit:** § 85.07(8)(a) – An active attempt by a traffic officer in a police vehicle to apprehend one or more occupants of a moving motor vehicle, the operator of which is resisting apprehension by disregarding the officers visual or audible signal to stop his or her vehicle, increasing the speed of the vehicle or extinguishing the lights of the vehicle.

**Refusal (Slow) to Stop Pursuit:** A pursuit in which the operator of a motor vehicle is driving at a reasonable speed (but willfully refusing to pull over and stop).

**Silent Emergency:** This is when a police vehicle does not use its siren or emergency lights in response to a crime. Officers responding to a call, which is reasonably believed to be a **felony** in progress, may exceed the speed limit without giving audible signal but should give visual signal when doing so will not compromise a tactical response. When not giving a signal, the officer must reasonably believe that one of the following exists:

- a. Knowledge of the officer's presence may endanger the safety of a victim or other person.
- b. Knowledge of the officer's presence may cause the suspected violator to evade apprehension.
- c. 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.
- d. 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.

**True Emergency:** A situation in which there is a high probability of death or serious injury or significant property loss, and action by an emergency vehicle operator may reduce the seriousness of the situation.

#### **AUTHORIZED EMERGENCY VEHICLE SITUATIONS**

1. In response to calls of a true emergency;
2. In pursuit of an actual or suspected violator of law consistent with MPD SOP regarding authorized pursuits; or
3. While obtaining evidence of a speeding violation. (See below: Use of Warning Devices, paragraph 3.)

#### **USE OF WARNING DEVICES**

1. The red and blue emergency lights shall be activated whenever an officer, in the course of duty, stops, stands or parks an assigned vehicle contrary to the rules of the road. Officers may, however, elect to only use vehicle hazard flashers, rather than the red and blue emergency lights on their vehicles, whenever it is necessary to stop, stand or park in a space adjacent to a curb, which is not a legal parking space, as long as the vehicle does not obstruct a traffic lane.
2. The red and blue emergency lights and siren shall be used whenever an officer, in the course of duty, passes through a stop sign or signal, operates contrary to regulations governing direction of movement or turning, or exceeds the speed limit. This includes when operating in emergency mode.
3. An officer may exceed the speed limit without giving audible and visual signal, if the officer is obtaining evidence of a speeding violation; however, the officer **shall activate** this equipment and **attempt to stop** the violator once sufficient evidence is obtained for the violation.

## USE OF OTHER SAFETY EQUIPMENT

All occupants of MPD vehicles shall use vehicle safety belts/restraint devices. (Exceptions: combative/oversize citizens.) This requirement does not prevent officers from removing restraint devices in limited circumstances when approaching an imminent tactical situation.

Parking Enforcement Officers acting under State Statute Sec. 347.48(2m)(dr) are not required to utilize safety harnesses, but are encouraged to do so whenever possible.

## CIVILIAN MEMBERS OF THE MADISON POLICE DEPARTMENT

1. Civilian members of the MPD are never authorized to operate the vehicle's red and blue emergency lights and/or siren to exceed the speed limit, to operate contrary to regulations governing direction of movement or turning or to pass through a stop sign or signal.
2. Although civilian members of the MPD shall, for the protection of the public, operate the red and blue emergency lights of a police vehicle if it becomes necessary to stop, stand or park contrary to the rules of the road (i.e., to protect persons and vehicles at an accident scene or at the location of a traffic hazard until an officer's arrival).

## ASSESSMENT OF UNREASONABLE DANGER

The decision to pursue, and while in pursuit, officers and supervisors must continually evaluate information to determine whether the pursuit presents an unreasonable danger of death or great bodily harm which outweighs the public interest involved in apprehension.

Examples include:

1. Make/model, actions and speed of the vehicle being pursued.
2. Geographic area of pursuit and its population density.
3. Time of day/day of week.
4. Vehicular and pedestrian traffic present in area.
5. Road and weather conditions.
6. Officer's familiarity with the area of pursuit.
7. Severity of crime.
8. Necessity of pursuit.
9. Type of squad being operated.
10. City events where large groups are likely to be gathered (i.e.) farmers market, races, protests, etc.

## AUTHORIZED PURSUIT

For all pursuits, **Due Regard** must be followed at all times. The pursuit of vehicles is authorized in accordance with the following guidelines:

1. Officers should attempt to stop as expeditiously and safely as possible, any person in a vehicle who the officer has probable cause to believe:
  - a. Has committed (or attempted to commit) a felony involving the use (or threatened) use of force and a high probability exists that the suspect, if not immediately apprehended, may cause death or great bodily harm to another. Officers may terminate and discontinue pursuit when the act of pursuit, in and of itself, creates an unreasonable danger of death or great bodily harm to the public, officers or the suspect. Or,
  - b. Has committed any acts or threats of violence but shall terminate and discontinue pursuit when the act of pursuit, in and of itself, creates an unreasonable danger of death or great bodily harm to the public, officers, or suspect.

2. A “refusal (slow) to stop pursuit” may be initiated and maintained for any offense. However, once the officer becomes aware it is an “eluding/fleeing” pursuit, justification for the pursuit must meet at least one of the criteria above under Authorized Pursuit, or the pursuit shall be terminated immediately
3. Officers shall not enter into an “eluding/fleeing” pursuit solely for non-violent criminal violations, traffic and ordinance violations.

### TERMINATION OF PURSUIT

1. Any officer shall terminate a pursuit if the pursuit violates the SOP guidelines or creates an unreasonable danger to the public, officer, or suspect. The following shall be accomplished as part of termination procedure:
  - a. Notify dispatch and secondary units of termination location and last known direction of travel for suspect vehicle.
  - b. Bring your vehicle to a complete stop or divert direction of travel away from suspect vehicle.
  - c. Deactivate visual and audible signals.
2. If specific location of the suspect becomes unknown the pursuit shall be immediately terminated.
3. Once a pursuit has been terminated, other options should be explored to apprehend the suspect(s) prior to initiating another attempt to stop.

### NON-COMMISSIONED PASSENGERS

Pursuit should not be undertaken by any officer driving with civilians (with the exception of authorized ride-alongs) who are not commissioned law enforcement officers, except under circumstances involving death or great bodily harm violations.

### UNMARKED SQUADS

Pursuit by officers in unmarked squads not equipped with full internal light packages is not authorized, except under circumstances involving death or great bodily harm. Pursuit by officers in unmarked squads equipped with full internal light packages is authorized as outlined above.

### ROLES AND RESPONSIBILITIES

#### 1. Primary Pursuing Officer

- a. Inform Dispatch that you are in pursuit.
- b. Radio communications may be delegated to another officer involved in the pursuit.
- c. Reasonably attempt to inform Dispatch of the following:
  - If your vehicle is unmarked.
  - Location and direction of pursuit.
  - Description of suspect vehicle, license plate, number & description of occupants.
  - Reason for pursuit.
  - Estimated speed of suspect vehicle.
  - Driver and occupant behaviors.
- d. Continually update Dispatch with:
  - Changes of direction.
  - Speed of vehicles involved.
  - Actions of the suspect(s) and vehicle.
- e. As soon as possible ensure the lead pursuing unit is in a fully marked squad.

- f. Secondary police vehicles should not attempt to pass the primary pursuit vehicle and shall remain a safe distance back unless a coordinated change of lead needs to be made.
- g. Pursuits should be accomplished with a minimum number of vehicles. The number of vehicles directly involved may be adjusted to fit the situation.
- h. As a pursuit precedes through adjoining patrol districts, officers in these areas may parallel the pursuit so as to be available in the event their assistance is needed.
- i. If suspect vehicle is stopped:
  - Notify Dispatch of location and any additional resources needed.
  - Coordinate the high risk stop.

## 2. Supervisor

- a. A supervisor that is not actively pursuing will monitor the pursuit from the point of notification to its conclusion.
- b. Control, if appropriate, by directing and coordinating the police units involved in the pursuit.
- c. Terminate any pursuit which in the supervisor's judgment does not conform to the guidelines under "Authorized Pursuit."
- d. Ensure adherence to all MPD procedures.
- e. The supervisor shall complete a supplemental police report for all pursuits documenting their role and actions related to the pursuit. This includes both "refuse (slow) to stop pursuits" and "eluding/fleeing" pursuits.
- f. After reviewing the circumstances of the pursuit, the monitoring supervisor shall document the actions of the officers involved in the pursuit. This review will also extend to officers indirectly involved in the pursuit (i.e., responding officers, officers deploying tire deflation devices, etc.).
  - The supervisor shall complete a Blue Team entry and attach a memo detailing their review of the pursuit. The review will be forwarded to the lead EVOG Master Instructor Trainer as designated by the Captain of Personnel and Training. The EVOG MIT group, PSIA, and the involved officers' Unit/District Commander shall be carbon copied on the Blue Team entry.
  - The lead EVOG MIT will then forward their review to the Unit/District Commander. The Commander will review the incident and make a recommendation as to whether the pursuit is within or outside of MPD Policy.
  - The Unit/District Commander will then forward the review to PSIA for additional policy compliance investigation if necessary.
  - PSIA will then forward the review to the Field Operations Assistant Chief for final review and discussion regarding final recommended outcomes if necessary.

## 3. Officer In Charge (OIC)

- a. If no field supervisor is available during a pursuit, the OIC will fulfill the duties outlined in Supervisory Roles and Responsibilities.
- b. The OIC of the shift on which a pursuit occurs shall e-mail the involved officers' commanders with the date and case number of the incident, as well as the press release (if one was issued).
- c. In the event the pursuit terminates in a crash causing injury to any party, the OIC shall follow established Command notification protocols.
- d. Follow Officer Involved Critical Incident SOP (if applicable).

## STOP TECHNIQUES

### 1. ROADBLOCKS

#### Emergency stationary roadblocks with escape route

- a. Emergency stationary roadblocks are those which, due to the urgency of the situation, must be set up with a minimum amount of notice and preparation for the purpose of stopping a vehicle which is actively attempting to elude. These will be set up, controlled and/or authorized whenever possible, by a commissioned supervisor.
- b. Whenever possible, an emergency roadblock with escape route should be set in a well-lit area, using all emergency visual aid equipment to further light up the roadblock such as:
  - Emergency lights activated.
  - Headlights and spotlights aimed away from the path of the suspect vehicle.
  - Takedown and alley lights (aimed away from path of the suspect vehicle.)
  - Flares (aimed away from path of the suspect vehicle.)
  - All officers shall position themselves outside of their vehicles and at a safe distance. This does not apply to a squad positioned in a safe and strategic location ready to assist if the pursuit continues.
  - Officers shall attempt to remove and/or isolate all non-involved persons from the danger area of the roadblock.
- c. An emergency stationary roadblock with escape route should never be set up in a dark or blind area, such as just over hills, or around curves, etc. The roadblock must offer an alternative path (other than certain crash) for the pursued vehicle.

#### Emergency stationary roadblocks with no escape route.

- a. This option is considered deadly force and shall only be used under deadly force circumstances.
- b. 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, he or she 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 he or she chooses to do so.
  - Officers must communicate to ensure that their actions are coordinated and risk to officers is minimized.
- c. An emergency roadblock with no escape route should be set in a well-lit area, using all emergency visual aid equipment to further light up the roadblock such as:
  - Emergency lights activated.
  - Headlights and spotlights aimed away from the path of the suspect vehicle.
  - Takedown and alley lights (aimed away from path of the suspect vehicle.)
  - Flares (aimed away from path of the suspect vehicle.)
  - All officers shall position themselves outside of their vehicles and at a safe distance. This does not apply to a squad positioned in a safe and strategic location ready to assist if the pursuit continues.
  - Officers shall attempt to remove and/or isolate all non-involved persons from the danger area of the roadblock.

- d. An emergency stationary roadblock with no escape route should never be set up in a dark or blind area, such as just over hills, or around curves, etc.

### **Emergency Moving Roadblocks**

Although the use of an emergency moving roadblock is discouraged as a tactical response, it may be authorized by a commissioned supervisor to stop a vehicle when a high probability exists that the suspect, if not immediately apprehended, may cause death, great bodily harm, or an unreasonable risk of harm to uninvolved citizens.

## **2. PURSUIT INTERVENTION TECHNIQUE (PIT) AND RAMMING TECHNIQUES**

Use of PIT and any other ramming techniques shall only be used under deadly force circumstances.

## **3. USE OF TIRE DEFLATION DEVICES**

- a. Prior to beginning each tour of duty, officers will determine if their squad is equipped with a tire deflation device and verify that it is in proper working order.
- b. Tire deflation devices will only be deployed by officers trained in their use and in accordance with MPD training.
- c. The use of tire deflation devices in accordance with this procedure and MPD training does not constitute deadly force unless used to stop motorcycles, mopeds or other two or three-wheeled vehicles when the use of deadly force is justified.
- d. Tire deflation devices may be deployed during active pursuits.
- e. Officers deploying tire deflation devices will complete a supplemental report including all pertinent facts surrounding their use.

## **PURSUIT INTO ANOTHER JURISDICTION**

When acting in accordance with the provisions of this SOP, officers may pursue vehicles into adjoining jurisdictions. In this event, the jurisdiction involved should be notified by Dispatch of the pursuit, the reason for it, and whether direct assistance with the pursuit is requested. Direct pursuit assistance should only be requested if available MPD resources are inadequate, or if assistance of a special nature is needed. Officers equipped with tire deflation devices may continue monitoring an MPD pursuit and may deploy tire deflation devices in accordance with this SOP.

## **INVOLVEMENT IN THE PURSUIT OF ANOTHER JURISDICTION ENTERING THE CITY OF MADISON**

- a. MPD will not become actively involved in another jurisdiction's pursuit unless mutual aid is specifically requested by the agency involved and the circumstances of the pursuit (reason for pursuit, etc.) would permit MPD to initiate and continue a pursuit under this SOP. Upon receiving a request of this nature, Dispatch will obtain and relay information to the officers and a supervisor regarding the request (including the reason for the pursuit).
- b. MPD involvement in an outside agency pursuit must meet the guidelines outlined in this SOP. If the outside agency reason for pursuit does not meet the guidelines outlined, mutual aid will not be granted for the pursuit and MPD officers will not get directly involved in the pursuit. This does not preclude officers from providing other assistance to the pursuing agency.
- c. When being requested to assist an outside agency with a pursuit, MPD personnel will request/determine the reason for the pursuit as soon as possible.

- d. If the circumstances of another jurisdiction's pursuit dictate that a MPD officer become involved prior to a request for mutual aid, the MPD officer must be able to clearly articulate the immediate need for their actions.
- e. Tire deflation device in support of another Jurisdiction
  - Officers may deploy tire deflation devices in accordance with this SOP.
  - MPD officers may deploy tire deflation devices to stop vehicles fleeing from another agency that have entered the City of Madison without a specific mutual aid request. Deployment in these instances will only be done with a supervisor's approval, unless it is impractical to obtain such approval. Outside agency officers involved in the pursuit will be notified prior to deployment if possible.

### **INVOLVEMENT IN POLICE ESCORTS**

**See Vehicle Escorts SOP**

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