



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Emergency Vehicle Operation Guidelines

Eff. Date 02/07/2023

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 assistance with pursuits that enter the City of Madison. For MPD officers to participate in an outside agency pursuit, the pursuit must meet the criteria outlined within this SOP.

DEFINITIONS

Authorized Emergency Vehicle: A fully marked or 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.

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. The number of squads required depends on the number of alternative routes that must be blocked. Sufficient warning and adequate distance for the driver to avoid the blocked-off road and choose the preferred route should be given. As with a stationary roadblock, other traffic should be kept out of the area.

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, federal law enforcement officer, or marked or unmarked police vehicle that the operator knows or reasonably should know is being operated by a law enforcement officer, shall knowingly flee or attempt to elude any officer by willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, the traffic officer, the law enforcement officer, 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 officer's visual or audible signal to stop his or her vehicle, increasing the speed of the vehicle or extinguishing the lights of the vehicle.

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

§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, federal law enforcement officer, or marked or unmarked police vehicle that the operator knows or reasonably should know is being operated by a law enforcement officer, shall knowingly resist the officer by failing to stop his or her vehicle as promptly as safety reasonably permits.

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 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).

AUTHORIZED PURSUIT

For all pursuits, **Due Regard** must be followed at all times. The pursuit of vehicles is authorized only under the following circumstances:

1. Probable cause exists to believe that the vehicle driver and/or occupant(s) has recently committed, is committing, or is about to commit a violent felony

Officers will not initiate or engage in a pursuit (other than a "refusal to stop" pursuit) for a traffic, ordinance, or non-violent criminal offense.

Officers may initiate and engage in a "refusal to stop" pursuit for any offense. If a driver accelerates beyond a reasonable speed, engages in driving behavior indicating an attempt to evade officers, operates the vehicle in an unsafe manner, or otherwise meets the statutory elements of Eluding (§346.04(3)), pursuit is only authorized under section 1. above.

ASSESSMENT OF UNREASONABLE DANGER

When determining whether to initiate or continue a pursuit, officers and supervisors must continually evaluate the circumstances surrounding the pursuit. **Any pursuit must be terminated when the risk created by the pursuit itself outweighs the need to immediately apprehend the vehicle's driver/occupant(s).** Examples of factors to be considered when making this determination include the following:

1. Is the act of the pursuit aggravating the dangerousness of the suspect's behavior?
2. Severity of the suspected crime.
3. Severity and certainty of risk posed to the public by the suspect(s) if not apprehended immediately.
4. Speed, evasive tactics, and driving behavior of suspect vehicle.
5. Geographic area of pursuit and its population density.

6. Time of day/day of week.
7. Vehicular and pedestrian traffic present in area.
8. Road and weather conditions.
9. Officer's familiarity with the area of pursuit.
10. Necessity of pursuit.
11. Road configuration (divided/undivided; controlled/uncontrolled access; etc.).
12. Population density.
13. Lighting and visibility.
14. Type of squad being operated.
15. City events where large groups are likely to be gathered (i.e. farmers market, races, protests, etc.).
16. Ability to track vehicle location through other means (OnStar, etc.).

TERMINATION OF PURSUIT

1. **Any pursuit must be terminated when the risk created by the pursuit itself outweighs the need to immediately apprehend the vehicle's driver/occupant(s).** 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 and 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 proceeds 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 within seven (7) days of the incident. The review will be forwarded to Professional Standards and Internal Affairs (PSIA) for tracking. PSIA will forward the Blue Team entry to the lead Emergency Vehicle Operations Course Master Instructor Trainer (EVOC MIT). The EVOC MIT group shall be copied on the Blue Team entry.
 - All MPD initiated vehicle pursuits will be reviewed by EVOC MITs. EVOC MITs will meet regularly to review any known pursuits. The EVOC MITs will meet within 30 days of receipt of the pursuit review in Blue Team to complete a detailed review of the pursuit.
 - The lead EVOC MIT will then forward their review to PSIA, who will forward it to the appropriate Unit/District Commander. The Unit/District Commander will review the incident and make a recommendation as to whether the pursuit and all involved personnel's actions are within or outside of MPD SOP.
 - 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. PURSUIT INTERVENTION TECHNIQUE (PIT) AND RAMMING TECHNIQUES

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

2. ROADBLOCKS

Emergency stationary roadblocks

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. An emergency stationary roadblock is only authorized if all of the following circumstances exist:

1. An emergency stationary roadblock is considered deadly force and shall only be used under deadly force circumstances.
2. Other reasonable means of apprehension/control have been exhausted or are not practical.
3. The roadblock can be established in a manner that the violator has sufficient opportunity to observe the roadblock and stop.
4. The roadblock does not create an unreasonable risk to uninvolved vehicles.

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, will cause death or great bodily harm. In this technique, the suspect vehicle is surrounded by three squad cars, traveling in the same direction as the suspect vehicle—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. This technique is only authorized with prior supervisor approval.

3. USE OF TIRE DEFLATION DEVICES

Refer to MPD Use of Tire Deflation Devices SOP.

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 actively pursue the suspect vehicle 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 to 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 an 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 in accordance with the Tire Deflation Devices SOP.

INVOLVEMENT IN POLICE ESCORTS

See Vehicle Escorts SOP

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