

## GLENDALE POLICE DEPARTMENT

**POLICY: 317**

**DATE: August 26, 2019**

**SUBJECT: Vehicle Pursuits**

### **I. Purpose**

To establish guidelines for vehicle pursuits that balances an officer's duty to apprehend offenders while protecting the safety of the general public.

### **II. Policy**

The Department recognizes the need to apprehend persons who resist police efforts by fleeing in a motor vehicle, while protecting the public from the danger created by the pursuit. While an officer has a duty to pursue and apprehend offenders, the officer is not relieved from the duty to drive with due regard under the circumstances for the safety of all persons nor are they protected from the consequences of their reckless disregard for the safety of others, Wisconsin Statute 346.03(5).

The Department authorizes vehicle pursuits when the necessity of immediate apprehension outweighs the level of danger created by the pursuit.

### **III. Definitions**

The following definitions apply for the purpose expressed in this policy:

- A. **Hot Pursuit:** An active attempt by one or more police officers to apprehend a suspect operating a motor vehicle, while the suspect is trying to avoid capture by using high speed driving or other evasive tactics such as driving off a highway, making sudden or unexpected movements, extinguishing lights at night, or maintaining legal speed but willfully failing to yield to the officer's signal to stop.
- B. **Primary Pursuing Squad:** The police squad that initiates a pursuit or any squad that assumes control of the pursuit.
- C. **Open Roadblock:** The placement of vehicles or other objects on the roadway to impede or alter the normal flow of traffic. In an open roadblock, the roadway is either not completely blocked or an alternate "runout lane" 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.

- D. **Closed Roadblock:** The roadway is completely blocked and no alternate route is provided. The suspect has two options, voluntarily stop or crash. Closed roadblocks require that other traffic must be diverted or stopped before reaching the roadblock area, that the roadblock be identified with emergency lighting to give warning and positioned where the suspect has adequate sight distance and time to stop. Officers must communicate to ensure that their actions are coordinated and officers are not put at risk. Because of the potential for serious injury or death, closed roadblocks may only be used as a last resort and when the use of deadly force is justified.

The act of positioning a police vehicle in front of or behind a stopped or slow moving suspect vehicle shall not be considered a closed roadblock for the purposes of this policy.

- E. **Moving Roadblock:** The suspect vehicle is surrounded on all sides by squad cars. The squad cars gradually slow, bringing the suspect vehicle to a safe, gradual stop.
- F. **Channeling:** The use of squad cars to divert a driver to a preferred location. Similar to an open roadblock, the goal is to leave the driver with only one available route to travel by blocking off or denying alternatives.
- G. **Controlled Deflation Device:** A tool designed to stop a vehicle by deflating pneumatic tires. It is designed to be laid across the roadway (or other path of a fleeing vehicle) so that when a vehicle passes over it the hollow spikes penetrate the tire(s) and pull free from the device. The tires are then deflated at a controlled rate, resulting in the reasonably safe immobilization of the vehicle.
- H. **Pursuit Intervention Technique (PIT):** A trained tactic that involves the controlled contact of a police vehicle with the fleeing vehicle. It is intended to cause the suspect vehicle to spin out, impeding further progress and ending the pursuit.
- I. **Positive Vehicle Contacts (PVC):** PVC is a trained tactic that incorporates the element of surprise to distract the occupants of a stationary target motor vehicle, and uses undercover vehicles to physically contain, to include contact, the target vehicle while police personnel take the target vehicle's occupants into custody.

- J. **Ramming:** Unlike PIT, ramming is not a trained maneuver. Instead, it involves the pursuing officer using his or her vehicle to attempt to disable the suspect vehicle and prevent its further operation. The results of a ramming maneuver are unpredictable and may be used only when deadly force is justified.

#### IV. Procedure

##### A. The Decision to Pursue:

1. Officers have a duty by law and by policy to pursue and apprehend offenders who attempt to flee in a motor vehicle. However, the officer must continually consider the risks created by the pursuit. If the level of danger created by the pursuit outweighs the necessity for immediate apprehension then the pursuit should be terminated.
2. A pursuit arising out of a traffic violation or non-violent offense is justified if the officer reasonably believes that the necessity of immediate apprehension outweighs the level of danger created by the pursuit.

##### B. Considerations:

The pursuing officer(s) must constantly consider the risks created by the pursuit and should not needlessly endanger other persons. Some of the factors to be considered when determining whether to continue or terminate a pursuit are:

1. **Severity of Crime:** Pursuits for persons suspected of violent or serious crimes are more justifiable than those for persons suspected of less serious offenses. The severity of the offense and need for immediate apprehension must outweigh the level of danger created by the pursuit.
2. **Recognized Crime Trends:** Officers can consider local crime trends in determining whether the need for immediate apprehension is elevated beyond the initial reason for the pursuit.
3. **Time of Day:** High speed pursuits occurring during a time where there is a high level of business, school or other activity are deemed more hazardous than those occurring during periods of low activity.

4. Volume of Vehicular Traffic: Pursuits occurring during periods of heavy traffic flow are deemed more hazardous than those occurring at other times.
  5. Density of Population: Pursuits through residential areas or along streets near to or adjacent to schools are viewed as more hazardous than those in lightly populated areas.
  6. Weather Conditions
  7. Road Conditions
  8. Speeds Involved
  9. Volume of Pedestrian Traffic
- C. Initiating Pursuit - Primary Squad Responsibilities:
1. Officers shall utilize both audible (siren) and visual (emergency lights) emergency warning equipment when engaged in a pursuit.
  2. The responsibility for the decision to initiate a pursuit rests with the individual officer. The officer initiating a pursuit shall, in all cases, notify the dispatcher as soon as reasonably possible that a pursuit is underway and provide the following information:
    - a. Police unit identification.
    - b. Location and direction of travel.
    - c. Speeds involved.
    - d. Description and license number (if known) of fleeing vehicle.
    - e. The specific reason for the pursuit, including known laws violated.
    - f. Occupant information, if any.
    - g. Traffic conditions.
  3. Failure to provide the above information may be cause for the shift commander to order termination of the pursuit.
  4. The primary squad officer shall continue to broadcast their location, speed, direction of travel and other relevant information during the pursuit.

5. The initiating or primary squad shall be in field command, and bears operational responsibility for the pursuit unless relieved by a supervisor.
6. The authority of the primary squad pertains to the immediate field operation and is, at all times, subordinate to the shift commander's authority.

D. Assisting Squad Responsibilities:

1. Assistance will be coordinated by the dispatch center, under the direction of the shift commander. The primary squad will be advised of the identity and location of backup units who can assist.
2. Assisting squads, upon joining the pursuit, shall immediately notify the dispatcher of their identity. If the primary squad is a one-person unit, the secondary squad may assume radio communications responsibility, allowing the primary squad to devote full attention to driving.
3. Assisting squads will maintain a safe distance behind the primary squad, but be close enough to render backup assistance if and when required.
4. If the primary squad becomes disabled the secondary squad will assume control of the pursuit.

E. Dispatcher Responsibilities:

1. Receive and record all incoming information of the pursuit and the pursued vehicle.
2. Immediately notify the commanding officer when a pursuit is initiated.
3. Clear the radio channel of any unnecessary traffic and advise all other squads that a pursuit is in progress, providing all relevant information.
4. Perform relevant record and motor vehicle checks.
5. Coordinate assistance under the direction of the commanding officer.
6. Continue to monitor the pursuit until it has been terminated.
7. Rebroadcast the pursuit on OACHASE if the pursuit travels outside North Shore jurisdictions.

F. Supervisory Responsibilities

Upon notification, the shift commander shall assert control over the pursuit and in the exercise of his/her discretion, may order the specific units into or out of the pursuit or order the immediate termination of the pursuit. The shift commander will order the termination of a pursuit when the level of danger created by the pursuit outweighs the necessity for immediate apprehension.

G. Pursuit Tactics:

1. The pursuit should be accomplished with a minimum number of squads depending on:
  - a. Nature of the offense.
  - b. Number of suspects.
  - c. Whether the participating units have more than one officer.
  - d. Other clear and articulated facts that would warrant additional squads.
2. There shall be no caravanning by squads not directly involved in the immediate pursuit.
3. Officers shall not attempt to pass other field units involved in the pursuit unless the passing officer received specific permission from the primary unit or the commanding officer.
4. All squads in the pursuit, whether the vehicle in front of the squad is the suspect vehicle or another police vehicle, shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows or turns.
5. Officers in unmarked vehicles who initiate a pursuit shall relinquish the primary pursuit role to a marked squad as soon as possible. Unmarked vehicles may serve as a support unit until additional marked squads are available.
6. 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. If the pursuit enters our City, squads are to take a support role while the pursuit is within city limits. Squads may become actively involved in the pursuit at the discretion of the shift commander, but should not leave the jurisdiction of the City of Glendale unless they are the back-up unit to the initiating vehicle.

7. Officers may not pursue suspects the wrong way on controlled or limited access highways. Officers may drive on the wrong side of any other divided roadway only when absolutely necessary and in so doing shall exercise extreme caution. Officers shall not duplicate any reckless or hazardous driving maneuvers performed by the fleeing vehicle.
8. Officers intending to stop a vehicle should, when practical, be within a close proximity to the vehicle prior to activating the emergency lights and siren. When deciding on whether or not to catch up to a suspected violator, officers must carefully consider all factors involved, including the seriousness of the offense, distance and speed of the violator, traffic conditions, possible consequences and, most importantly, the safety of the general public.

During the course of enforcement activities, specific incidents may escalate from routine overtaking situations if the suspect attempts to evade apprehension. If this occurs, applicable pursuit policy and procedures apply.

#### H. Termination:

1. A decision by the 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 which indicates concern for life and property. The decision to abandon pursuit may be the most intelligent course of action. Officers must continually question whether the seriousness of the crime justifies continuing the pursuit. A vehicle pursuit may be terminated when, in the opinion of the pursuing officer, shift supervisor or other command officer, any of the following circumstances exist:
  - a. When the level of danger created by the pursuit outweighs the need for immediate apprehension.
  - b. The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
  - c. The prevailing traffic, roadway and environmental conditions indicate the futility of continued high-speed pursuit.
  - d. The pursued vehicles location is no longer known.

2. Once the decision to terminate a pursuit has been made officers shall immediately do the following:
  - a. Disengage from the pursuit, discontinue use of emergency equipment and obey all traffic laws.
  - b. Advise dispatch that they are no longer in pursuit and provide any relevant information, such as last known direction of travel.
  - c. If conditions allow and with supervisor approval, officers may continue to follow the suspect vehicle from a distance in the event the suspect(s) abandon the vehicle and an arrest can be made. Officers must obey traffic laws and operate in non-emergency mode.

## **V. Induce to Stop Techniques**

The following techniques are intended to induce, but not force, the fleeing driver to stop. Coordination and communication is vital to the successful deployment of these techniques. As with any use of force, the use of a particular stopping technique must be objectively reasonable in the totality of the circumstances. The decision to employ a stopping technique requires that the officer carefully balance the risks of the stopping technique against the risks of continuing the pursuit or allowing the suspect to escape.

If the necessity of immediate apprehension outweighs the level of danger created by the pursuit then the following induce to stop techniques are available.

- A. Controlled Deflation Devices
- B. Pursuit Intervention Technique (PIT)
- C. Open Roadblocks
- D. Moving Roadblocks
- E. Channeling
- F. Positive Vehicle Contacts (PVC)

## **VI. Controlled Deflation Devices**

- A. Only officers who have received training in the use of controlled deflation devices are authorized to deploy the devices.
- B. Controlled deflation devices shall not be used to stop fleeing motorcycles unless the use of deadly force is objectively reasonable.
- C. Controlled deflation devices may be deployed outside the City for department pursuits if circumstances permit and upon approval of the shift supervisor. They may be deployed within the City regardless of the pursuing agency.
- D. Deployment
  - 1. The officer deploying the device should do so from a position of relative safety. The use of cover and distance should be utilized to increase the safety of the officer.
  - 2. When the fleeing vehicle approaches the deployment area the officer should place the device onto a surface in the path of the fleeing vehicle. The device is most effective on solid road surfaces.
  - 3. The officer shall constantly monitor the progress of the pursuit and notify both dispatch and the primary pursuit squad of the location of the deployment site and its status. If possible, the deploying officer will advise the lane location of the device and any safe passage routes for pursuing vehicles to avoid the device.
  - 4. The officer deploying the device should make a reasonable effort to avoid placing the device in the roadway too soon, where it would be foreseeable that vehicles other than the fleeing vehicle would be immobilized.
    - a. Even if this situation cannot be avoided, the officer is still authorized to reasonably position the device.
    - b. If a citizen vehicle is immobilized the officer should contact the motorist as soon as possible, explain the situation and offer assistance in obtaining repair. The officer should also direct the motorist to the Department for availability of compensation for vehicle damages. The officer should record the motorist's identity, vehicle identification and type of damage.

5. The officer should notify other squads whether or not the deployment was successful. Once the pursuing squads have passed the deployment site the officer should, as soon as practical, retrieve the devices from the roadway and provide arrest assistance as reasonable and necessary.
6. Controlled deflation devices may be used to seize a vehicle when reasonably necessary to prevent a suspect from fleeing a scene.
7. When controlled deflation devices have been successfully deployed the officer is to complete a reporting form and forward it along with the damaged devices to the Captain for review and replacement.

## **VII. Pursuit Intervention Technique (PIT)**

- A. PIT is a trained tactic that involves the controlled contact of a police vehicle with the fleeing vehicle. It is intended to cause the suspect vehicle to spin out, impeding further progress and ending the pursuit.
- B. The PIT tactic is conducted by a trained officer by positioning his/her squad so that its front corner is next to the pursued vehicle's rear corner. The officer matches speed with the suspect, makes gentle contact between the vehicles, and then steers his/her squad into the pursued vehicle. This causes the pursued vehicle to spin while the officer is able to maintain control of the squad. PIT is a specific technical maneuver that requires advanced practical training.
- C. Due to the fact that the successful completion of the PIT maneuver can cause the suspect to lose control of their vehicle, officers must carefully consider the location to conduct the PIT and the presence of pedestrian and vehicle traffic before executing the maneuver.
- D. PIT maneuvers employed at high speeds have a greater risk of injury. PIT maneuvers employed at speeds greater than 35 mph are generally not allowed unless there are special circumstances or when the severity of the offense justifies the increased risk.
- E. Restrictions:
  1. Only officers who have received training in the PIT tactic are authorized to employ the maneuver.

2. The maneuver may only be employed when the risk of harm to others resulting in the continuation of a pursuit is greater than the risk of harm to others in the employment of the PIT.
3. The PIT maneuver requires solid contact between the squad and suspect vehicle. A PIT maneuver should not be employed when there is a large difference in bumper height between vehicles that would prohibit solid contact. PIT maneuvers should not be utilized on pickups or similar type vehicles with a camper shell or camper.
4. The PIT maneuver shall not be used on motorcycles unless the use of deadly force is justified.
5. Whenever possible, employment of the PIT tactic should be coordinated with the shift supervisor and additional officers/squads.
6. Officers shall not employ the PIT tactic when transporting prisoners or citizens.

## **VIII. Open Roadblocks**

- A. Open roadblocks require advanced preparation, warning and communication. While not prohibited, open roadblocks are discouraged except in situations where they can be utilized in a safe manner.
  1. The roadblock should be set up on a straight, level stretch of roadway with adequate sight distance to give the suspect time to stop.
  2. If possible, other traffic should be diverted away from the location.
  3. Emergency lights must be turned on and visible, to warn the suspect and any other motorists of the roadblock in time to stop,
  4. The roadway can be blocked with squads, traffic cones, flares, and/or other barricades.
  5. The runout lane should be obvious.
- B. Traffic conditions, road construction and other similar situations sometimes provide natural open roadblock opportunities. Officers may use these situations to their advantage.

## **IX. Moving Roadblocks**

- A. Moving roadblocks may be appropriate during low-speed pursuits.
- B. The suspect vehicle is surrounded on all sides by squad cars. The squad cars gradually slow, bringing the suspect vehicle to a safe, gradual stop.
- C. Officers involved in a moving roadblock shall coordinate their actions so as to give the suspect an opportunity to stop without hitting a police vehicle. Unintentional contact is not considered ramming.
- D. Because the actions of the suspect cannot be controlled, this is a high-risk maneuver and should only be employed in relatively safe circumstances.
- E. Moving roadblocks are to be discontinued when it becomes apparent that the maneuver is creating an unreasonable risk or hazard.

## **X. Channeling**

- A. Channeling involves the use of squad cars to divert a fleeing vehicle to a preferred location by positioning squad cars so as to deny the suspect a specific traffic lane or direction of travel.
- B. Channeling may be an effective method of diverting the suspect towards deployed controlled deflation devices or away from traffic or other hazardous conditions.
- C. Channeling maneuvers are to be discontinued when it becomes apparent that the maneuver is creating an unreasonable risk or hazard.

## **XI. Positive Vehicle Contacts (PVC)**

- A. PVC is a trained tactic that incorporates the element of surprise to distract the occupants of a stationary target motor vehicle, and uses undercover vehicles to physically contain, to include contact, the target vehicle while police personnel take the target vehicle's occupants into custody.
- B. The purpose of a PVC is to prevent a vehicle pursuit from occurring.
- C. PVC will only be used under the direction and approval of a supervisor who is trained in the planning and application of the technique.
- D. Only trained members of the Department are authorized to participate in the application of a PVC.

## **XII. Force to Stop Techniques**

The following actions may be used only as a last resort, and may be approved only when the use of deadly force is justified.

- A. Ramming.
- B. Forcing the pursued vehicle into parked cars, ditches, or any other obstacle.
- C. Closed Roadblocks.

## **XIII. Post Pursuit Actions**

- A. The Incident Review Board will review all vehicle pursuits.
- B. Reporting Requirements

Wisconsin Act 88 requires each law enforcement agency to collect specific data on all pursuits and forward that data to the State. The required data is to be collected by the shift supervisor and forwarded to the Field Services Captain who will complete and submit the reports to the State as required.

By Order of:

Mark Ferguson - Chief of Police

Replaces: Policy 317 dated August 15, 2018  
Review Date: June 30, 2020  
Attachment: EVOC Intervention Options

## EVOC Intervention Options

Mode	Tactic(s)	Purpose
<b>Presence</b>	Authorized Emergency Vehicle	To present a visible display of authority
<b>Dialog</b>	Emergency lights, siren, communication with dispatch, approach contact	To persuade
<b>Control</b>	Multiple units, tire deflation, barricades, channeling, non-contact approach	To overcome passive or active resistance; to create dysfunction
<b>Intermediate</b>	Pursuit Immobilization Technique, Boxing-in, roadblocks (with escape routes), high-risk contacts	To impede a fleeing or actively resisting subject
<b>Deadly Force</b>	Ramming, roadblock (no escape route), shooting from a moving vehicle, high-risk contact with shots fired	To stop an imminent threat

Source:       Emergency Vehicle Operation Training Guide  
                   WI DOJ – Law Enforcement Standards Board