

# GENERAL ORDER

## JANESVILLE POLICE DEPARTMENT

SUBJECT: **VEHICLE PURSUITS**

SCOPE: All Sworn Personnel  
DISTRIBUTION: General Orders Manual, and  
All Sworn Personnel

REFERENCE: Wisconsin State Statute 346.03  
Wisconsin State Statute 175.40

NUMBER: 16.2  
ISSUED: 2/17/04  
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46.1.4

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INDEX AS: High Speed Pursuits  
Motor Vehicle Pursuits  
Pursuits, High Speed  
Vehicle Pursuits

PURPOSE: The purpose of this Order is to establish guidelines to be followed during vehicle pursuits.

This Order consists of the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. PROCEDURES
- IV. DISPATCH RESPONSIBILITIES
- V. SHIFT SUPERVISOR RESPONSIBILITIES
- VI. TERMINATION OF PURSUIT
- VII. TIRE DEFLATION DEVICES
- VIII. INTER AND INTRA-JURISDICTIONAL PURSUITS
- IX. REPORTS
- X. ORDER REVIEW AND TRAINING

## I. POLICY

- A. Vehicle pursuit of fleeing suspects presents a danger to the lives of the public, officers, and suspects involved in the pursuit. It is the policy of the Janesville Police Department to protect all persons' lives to the extent possible when enforcing the law. In addition, it is the responsibility of the department to assist officers in the safe performance of their duties. To effect these obligations, it shall be the policy of the department to narrowly regulate the manner in which vehicular pursuit is undertaken and performed.

## II. DEFINITIONS

- A. **MOTOR VEHICLE PURSUIT/HIGH SPEED PURSUIT:** An attempt by a sworn officer driving a marked emergency vehicle at excessive speed to apprehend the occupant(s) of another moving vehicle, providing the driver of such vehicle is aware of the attempt and is resisting apprehension by maintaining or increasing speed of the vehicle and by ignoring the officer's directions to stop. A pursuit is any failure to yield which involves deliberate attempts, including hazardous maneuvers, to elude pursuing police vehicles.
- B. **IMMINENT THREAT:** Means that there is a significant likelihood, based upon known facts, of death or serious injury if apprehension is delayed.
- C. **INFRACTION:** Minor violations of motor vehicle statutes or city ordinance that pose no safety threat. Examples would include equipment or registration violations, unnecessary noise violations or moving violations that are not ongoing or otherwise endanger citizens.
- D. **INITIAL UNIT:** The police vehicle responsible for initiating the vehicle pursuit.
- E. **PRIMARY UNIT:** The police vehicle in closest proximity to the fleeing vehicle with primary responsibility for conducting the pursuit. The primary unit may or may not be the initial unit.
- F. **SECONDARY UNIT:** The second police vehicle involved in the pursuit and designated by the dispatcher or commanding officer to assist the primary unit.
- G. **SERIOUS TRAFFIC VIOLATIONS:** Violations of motor vehicle statutes that pose a safety threat. Examples would include operating while intoxicated or reckless driving.
- H. **PARALLELING:** The operation of police vehicles, other than those involved in the pursuit, on streets or highways parallel to the pursuit route.
- I. **CARAVANNING:** The operation of police vehicles in a group either in a line or alongside each other in a pursuit situation.

### III. PROCEDURES

- A. High-speed pursuits should be attempted only when in the judgement of the officer, the danger created by the possible escape of the fleeing violator outweighs the danger created by the pursuit and no reasonable alternative exists. The seriousness of the crime committed and the continuing threat to the public posed by the suspect are of primary consideration in making this decision.
- B. The decision to pursue or not pursue will be made relative to the objective risk factors in vehicle pursuits as outlined in this Order and in accordance with the Pursuit Decision-Making Matrix attached to this Order.
- C. Objective Risk Factors in Motor Vehicle Pursuits. Officers shall consider the risk factors in determining whether or not to pursue.
  - 1. Low Risk
    - a) Fully marked police vehicle.
    - b) Straight road, good surface, clear lines of sight.
    - c) Few intersections.
    - d) Few or no pedestrians.
    - e) Good weather – clear.
    - f) No hazardous maneuvers by violator.
    - g) Speeds at or less than 20 m.p.h. over the posted limit.
    - h) Supervisor involved and effective.
    - i) Authorized number of police vehicles involved in the pursuit.
    - j) Officer in full control – calm.
  - 2. Moderate Risk
    - a) Marked police vehicle without roof-mounted emergency lights.
    - b) Some intersecting streets (e.g., residential area).
    - c) Light pedestrian traffic.
    - d) Moderate motor vehicle traffic, little or no congestion.
    - e) Speeds 20 m.p.h. greater than the posted speed limit.
    - f) Officer under control – generally calm.
    - g) Some hazardous, but not extreme, maneuvers (e.g., crossing centerline to passing vehicles, sudden lane changes) by the violator.
    - h) Supervisor involved and effective.
    - i) Authorized number of police vehicles involved in pursuit.
    - j) Good weather – clear.
  - 3. High Risk
    - a) Frequent intersecting streets (e.g., business district).
    - b) Poor weather, slippery streets, low visibility.
    - c) Blind curves, intersections, narrow roads.
    - d) Numerous pedestrians.
    - e) Heavy congested motor vehicle traffic.
    - f) Speeds twice the posted speed limit, or greater than 80 m.p.h.

- g) Marked police vehicle without roof-mounted emergency lights or other unmarked police vehicle.
  - h) Extremely hazardous maneuvers (e.g., driving against on-coming traffic, failing to stop at traffic signals or stop signs) by the violator.
  - i) Police vehicles in pursuit exceed authorized number.
  - j) Officer excited – not in full control of emotions.
  - k) No supervisor involved, or ineffective supervisory oversight of pursuit.
  - l) Special circumstances (e.g., school zone).
- D. When a decision is made to initiate a high speed pursuit, the initiating unit shall advise the dispatcher of the following:
1. A high-speed pursuit has been initiated.
  2. The roadway, direction and speed of travel.
  3. The reason for the pursuit.
  4. The identifying information concerning the pursued vehicle; i.e., color, year, make, body, license number and other identifying characteristics.
  5. Number and description of occupants.
- E. The dispatcher or commanding officer shall designate the nearest available unit as the secondary unit to assist the primary unit. OFFICERS INVOLVED IN A HIGH SPEED PURSUIT SHALL NOT ATTEMPT TO PASS THE PRIMARY UNIT. If the primary unit is unable to continue the high-speed pursuit for any reason, the secondary unit shall be responsible for deciding whether to terminate the pursuit or continue as the primary unit and have the dispatcher assign another secondary unit.
- F. The number of pursuing units shall be limited to the primary and secondary units. Each unit must activate their emergency equipment (siren and emergency lights). All other units shall stand by unless specifically requested to assist.
- G. There shall be no caravanning by police units not involved in the pursuit or paralleling of the pursuit route under emergency operating conditions (emergency lights and siren). Paralleling units shall be operated under normal conditions only.
- H. Officers engaged in pursuit shall at all times drive in a manner exercising reasonable care for the safety of themselves and all other persons and property in the area.
- I. When engaged in a pursuit, the primary and secondary police vehicle may exceed the speed limit but only to the extent such increase in speed is reasonable considering the vehicular and pedestrian traffic, road and weather conditions, and the seriousness of the reason for initiating the pursuit.

- J. Unmarked police vehicles shall not engage in high speed pursuits but may follow a suspect at a reasonable speed and keep a vehicle under surveillance until an authorized emergency vehicle arrives.
- K. As a general policy, officers should not attempt to overtake or pass a fleeing suspect. To do so places the officer in a highly vulnerable position. Generally, the pursuing officer(s) should keep a safe distance from the suspect and merely attempt to keep the suspect vehicle in sight until the suspect voluntarily stops. All police pursuit vehicles should keep a safe distance apart, particularly at intersections to avoid collisions.
- L. Any primary or secondary unit sustaining damage to or failure of essential vehicular equipment during pursuit shall not be permitted to continue in the pursuit. The unit shall notify dispatch so that another unit may be assigned to the pursuit.
- M. Department policy pertaining to use of deadly force shall be adhered to during the pursuit.

#### IV. DISPATCH RESPONSIBILITIES

- A. Upon notification that a pursuit is in progress, dispatch shall immediately advise a shift supervisor of essential information regarding the pursuit.
- B. Dispatch shall carry out the following activities and responsibilities during the pursuit:
  - 1. Receive and record all incoming information on the pursuit and the pursued vehicle;
  - 2. Control all radio communications and clear the radio channel of all non-emergency calls;
  - 3. Obtain criminal record and vehicle checks of the suspects;
  - 4. Coordinate and dispatch backup units under the direction of the shift supervisor; and
  - 5. Notify neighboring jurisdictions, where practical, when pursuit may extend into their locality.

#### V. SHIFT SUPERVISOR RESPONSIBILITIES

- A. Upon notification that a vehicle pursuit incident is in progress, the shift supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.
- B. The shift supervisor shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.

- C. In controlling the pursuit incident, the shift supervisor shall be responsible for coordination of the pursuit as follows:
  - 1. Directing pursuit units into or out of the pursuit;
  - 2. Re-designation of primary or secondary unit responsibilities;
  - 3. Approval or disapproval, and coordination of pursuit tactics; and
  - 4. Approval or disapproval to leave jurisdiction to continue pursuit.

## VI. TERMINATION OF PURSUIT

- A. The pursuit of a traffic violator will be discontinued if the officer obtains enough information to establish identity of the driver or the registration license number to identify the registered owner of the motor vehicle.
- B. If the primary or secondary unit in pursuit loses visual contact with the pursued vehicle, the use of the siren and emergency lights shall be discontinued and the pursuit stopped.
- C. 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 that indicates concern for life and property.
- D. Any vehicle pursuit will be immediately terminated upon order of a supervisor or upon receipt of such an order via the police dispatcher. A pursuing officer and any assisting officer shall upon such an order discontinue use of emergency lights and siren and shall reduce their speed to legal limits. The officer shall inform the dispatcher that the pursuit has been terminated.
- E. Pursuit of a traffic violator beyond the city limits should be terminated when speeds meet maximum rates and/or the chase becomes prolonged.

## VII. TIRE DEFLATION DEVICES

- A. Stop Sticks
  - 1. Stop sticks, when properly deployed, will result in the termination of a pursuit through slow deflation of vehicle tires. Stop sticks are designed to be used against moving vehicles with 4 or more tires.
  - 2. Officers will adhere to the following procedures when deploying stop sticks:
    - a) Stop sticks should only be deployed on hard surfaces such as asphalt or concrete
    - b) Stop sticks will not be used against motorcycles or all terrain vehicles.
    - c) Supervisors must be notified of and approve the use of stop sticks.

- d) Officers will communicate to other units the location that stop sticks are or will be deployed.
- e) Only officers who have been trained in use of stop sticks can deploy the device. The device will be deployed in accordance with department training and the manufacturers recommended use.
- f) The officer deploying the sticks will stay with and collect the device after use.

#### B. Reporting Requirements

- 1. Officers using tire deflation devices will be responsible for completing a "StopTech Pursuit Reporting Form." The form will be forwarded to the Chief of Police or his/ her designee so that the department can have the device replaced from the manufacturer. The officer deploying tire deflation devices will complete a supplemental report documenting the use of the device including the location and results of the deployment.

### VIII. INTER AND INTRA-JURISDICTIONAL PURSUITS

- A. Within the State of Wisconsin, Section 175.40 of the Wisconsin Statutes provides that "any peace officer may, when in fresh pursuit, follow anywhere in the state and arrest any person or persons for violations of any law or ordinance the officer is authorized to enforce"
- B. The pursuing officer shall notify dispatch when it is likely that a pursuit will continue into a neighboring jurisdiction, or across the state line.
- C. The shift supervisor must approve continuation of the pursuit into another jurisdiction.
- D. When a pursuit is initiated by a law enforcement agency of another jurisdiction, the initiating unit and jurisdiction shall be responsible for the progress of the pursuit. Janesville police units may become actively involved in the pursuit upon assignment by Janesville Police Department supervision.

### IX. REPORTS

- A. To satisfy the reporting requirements of Wisconsin Act 88, all written reports must contain the following:
  - 1. Pursuit time initiated and time terminated.
  - 2. Pursuit location initiated and location terminated.
  - 3. Pursuit total distance to nearest .1 mile.
  - 4. Maximum pursuit speed, primary unit only.

5. Reason(s) for commencing pursuit.
  6. Violations cited.
  7. Injuries or deaths.
  8. Property damage, per unit, in dollars.
- B. A complete incident report(s) will be forwarded to the Chief of Police on all motor vehicle pursuits prior to going off duty. All officers assigned, or other officers who become involved will report. Arrest reports and supplemental incident reports will meet this requirement. After reviewing the circumstances of the pursuit, the Chief of Police shall determine whether the officer(s) involved in the pursuit complied with department policy and procedure.
- C. The Wisconsin Law Enforcement Pursuit Report form and applicable instructions will be kept in the shift sergeants' office. Upon transcription of written reports, the supervisor overseeing the pursuit shall meet with the primary "pursuit" officer and complete the form using facts gleaned from the original incident report. The completed form will be submitted to the office of the Chief of Police in no more than five (5) days, exclusive of weekends and holidays, from the pursuit date.

#### X. ORDER REVIEW AND TRAINING

- A. Prior to June 30<sup>th</sup> of every even numbered calendar year, this Order shall undergo an administrative review and if considered appropriate, the guidelines shall be revised.
- B. During department in-service training, or at other times over a two-year period, all officers shall complete four (4) hours of training based upon model pursuit standards.

Neil Mahan  
Chief of Police

This Order cancels and supersedes any and all previous Orders and directives relative to the subject matter contained herein.

Initial	1/21/00
Amended	8/2/02
Amended	2/17/04
Reviewed	3/31/04
Reviewed	5/8/06

## PURSUIT DECISION-MAKING MATRIX

		<i>Decision Threshold</i>		
		Low	Moderate	High
<b>DEGREE OF SERIOUSNESS</b>	FELONY – VIOLENT 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, or discontinue
	MISDEMEANORS OR SERIOUS TRAFFIC VIOLATIONS	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
		<b>DEGREE OF RISK</b>		

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