

UW Whitewater Police



Emergency Vehicle Operations, Pursuits and Vehicle Escorts

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I. Purpose

The purpose of this policy is to establish the guidelines to be followed during operation of an emergency vehicle, including during a vehicular pursuit. This policy will explain the responsibilities during and after a pursuit, including which pursuit tactics and techniques are authorized by this agency.

II. Definitions

Authorized Emergency Vehicle: Police vehicles, whether publicly or privately owned, including bicycles being operated by law enforcement officers [WI State Statute 340.01 (3)].

Channelization: The use of police vehicles to block roadways to divert fleeing vehicle to a preferred location.

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

Eluding/Fleeing State Statutes: Section 346.04(3) of Wisconsin state laws, prohibits eluding an officer, making it a felony. "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."

Extreme Circumstances: Situations in which a reasonable officer judges there are no other options to protect life safety. Some examples include ramming a vehicle that is heading towards a crowd of people; or a roadblock to protect people, such as a parade on roadways ahead; or to end a life safety situation such as someone driving around randomly shooting at people.

Force to Stop: Force-to-stop techniques give the suspect only two options: surrender or crash. As a result, the courts consider these techniques to be an application of deadly force. The

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justification for an officer's use of deadly force is behavior that presents an imminent threat of death or great bodily harm to the officer or others. For behavior to present an imminent threat, the suspect must have:

- Intent to cause death or great bodily harm
- A weapon capable of inflicting such harm
- A delivery system for using said weapon

Great Bodily Harm: Bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury (Wis. Stats. 939.22(14)).

Induce to Stop: Techniques such as channelization or boxing in, making it difficult for the suspect to continue to flee.

Marked Squad: An authorized emergency vehicle with working emergency lights and a siren, that clearly has the word "Police" on the side of the vehicle.

Moving Road Block: A technique that uses vehicles to surround the suspect's vehicle to slow or to stop it. Considered a high- risk maneuver.

Pursuit: An active attempt by a law enforcement officer in a motor vehicle to apprehend one or more occupants of another moving motor vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.

Pursuit Intervention Techniques: Use of roadblocks or forcible stopping techniques. UWWPD currently authorizes the use of tire deflation devices and induce to stop techniques. Roadblocks and ramming are only authorized in extreme circumstances.

Ramming: Using a vehicle to attempt to disable the suspect vehicle and prevent its further operation. When a moving vehicle rams another, the results are unpredictable and involve a high likelihood of injury or death to those involved—including officers.

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.

Tire-Deflation Devices: Devices designed to be placed on a roadway with the intent to deflate the tires of vehicle running over them.

Unmarked Squad: An authorized emergency vehicle with working emergency lights and siren, that does not have "Police" on the side of the vehicle. UW-Whitewater Police Department also uses vehicles for undercover and administrative duties that do not have emergency lights or siren; which are prohibited from being in a pursuit unless it is the most extreme circumstances, such as an active killer fleeing the area where lives are in danger, as these vehicles do not allow

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for warning of bystanders and by WI State Law are not authorized emergency vehicles. These vehicles can be used to follow a suspect until a marked squad arrives on scene.

III. Policy

Vehicular 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 UW-Whitewater Police Department (UWWPD) to protect all persons' lives to the highest 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 affect these obligations, it will be the policy of the department to regulate the manner in which vehicular pursuit is undertaken and performed.

Law enforcement officers will adhere to all Wisconsin traffic statutes under Chapter 346, Rules of the Road, while operating an authorized emergency vehicle, and will further operate the police vehicle in a safe and responsible manner, always driving with due regard. Officer(s) operating an authorized emergency vehicle may perform actions contradictory to this chapter, but only as provided for under s. 346.03 Wisconsin Statutes (see Appendix A). Officers will follow state, local statutes, and department policies governing safe operation of motor vehicles.

Officers will not initiate a pursuit solely based upon minor traffic violations.

IV. Procedures – Responding Procedures (41.2.1)

A. Prioritization of Calls for Service

1. Most times, the dispatcher on duty for the Communication Center will determine the initial priority levels of calls for service. This will be communicated to the officer either via their computer and/or over the radio. However, the officer may change the priority level for the call if they determine a higher or lower level of response is needed based on past contacts with subjects, locations or other knowledge the officer might have. The level of responses is listed below.

- a. Code 1 Calls for Service: These calls for service are the highest priority and would involve an officer needing immediate assistance. This would be an emergency response with lights and siren activated.
- b. Code 2 Calls for Service: These are high priority calls for service in which life is potentially endangered or an incident is on-going and needs immediate response to stabilize the scene. Some examples include fights in progress, medical calls, fire alarms, person with a weapon, etc. This would normally involve an emergency response with lights and siren.
- c. Code 3 Calls for Service: These calls involve a crime that has recently occurred and needs an immediate non-delayed response from an officer but not an emergency response. Some examples would be a sexual assault, domestic, battery or other crime involving a person in which the suspect has already left the scene. Other examples are thefts that recently occurred but

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unknown suspect, traffic accident in a parking lot, drug and alcohol complaints, etc.

- d. Code 4 Calls for Service: These are calls for service in which a delay in a response would not cause other issues, such as vehicle assistance calls, assisting someone locked out of an office, etc.

B. Non-Emergency, Low-Priority calls, such as Code-4 calls and most Code-3 Calls

1. When responding to a low priority call for service, officers should respond to the call driving as any other vehicle on the roadway.
2. When they arrive on scene, officers may activate the emergency lights and park against traffic rules as allowed in state statute to protect the scene as needed for the call for service.

C. Emergency, High-Priority, such as Code-1 (Officer needs assistance) or Code-2 Calls

1. When responding to an emergency call for service officer will activate the emergency lights and siren. They must drive with due regard and follow WI State Statutes.
2. If responding with only emergency lights and not siren activated, such as a burglary alarm activated or silent response to a crime in progress, officer must drive with extreme caution as they are not giving an audible warning to the public.
3. Officers may use only emergency lights to start a traffic contact, but must activate their siren if the vehicle does not initially comply.
4. Officers must also be aware of other road and environmental conditions that might cause issue for the response. This might include:
 - a. bad weather conditions such as a wet or snow-covered roadway
 - b. higher pedestrian or vehicle traffic due to the time of day
 - c. special events such as football games or parades in the area
5. Officers must also drive within their own driving abilities and vehicle limits, such as if they are operating an unmarked vehicle.

D. Other Vehicle Operation Considerations:

1. At no time should non-sworn staff operate an emergency vehicle with lights and/or siren activated, unless assisting sworn staff with vehicle maintenance with permission to operate these functions.
2. Campus Service Officer vehicles may have an amber light that they activate when doing parking lot patrols as a visual deterrence.
3. Campus Service Officers will drive at posted speeds and follow all rules of the road while operating vehicles. Their duties may require them to park illegally as they

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perform parking enforcement and other duties, but they should do so with the safety of other motorist and pedestrians in mind.

V. Procedures – Pursuit of Vehicles (41.2.1)

A. Initiation of Pursuit

1. [REDACTED]
2. A pursuit may be initiated by an unmarked squad car and continued until such time as a fully marked squad car arrives, at which time the marked squad car will become the lead vehicle in the pursuit.
3. Evaluation of the criteria used to determine whether or not to initiate a pursuit may need to be reevaluated during the course of the pursuit, as described below in the Pursuit Continuation section.
4. An officer attempting to “catch up” to a violator with emergency lights and siren activated is not a pursuit. However, if the violator shuts off lights, turns abruptly or does other actions to avoid the officer, the stop becomes a pursuit. If the officer is not able to safely catch up to the vehicle they should shut down emergency equipment and notify the communication center they are no longer attempting to stop the vehicle.
5. If an officer activates their emergency lights and siren and the vehicle continues on, but is not violating any other rules of the road, the officer may consider this a “refusal to stop”. If the driver continues to drive, the officer must evaluate if follow-up could be completed at another time or if this is an Induce-to-Stop situation. The officer must take into consideration the situation and safety of everyone present.
6. Officers will activate their body cameras as soon as possible after activating their emergency lights and siren. It is understood that because of officer safety matters, there may be a delay in activating the body camera when officer is attempting to stop a vehicle.

B. Pursuit Continuation

1. Officers may pursue a fleeing subject if the reason for the pursuit falls within the guidelines established above under the heading “Initiation of Pursuit.” The officer’s actions in initiating and/or continuing such a pursuit should not create a greater risk to the public than that posed by failing to apprehend the fleeing suspect.

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2. Radio frequencies used will be dependent upon the jurisdictions involved in the pursuit. When leaving the city limits the officers should switch over to a county frequency, if possible.
3. Evaluation of the criteria used to determine whether or not to continue a pursuit may need to be reevaluated during the course of the pursuit.
4. In determining whether to continue a pursuit, the officer will consider the following factors:
 - a. Whether conditions of the pursuit would likely create a danger to the public, officer(s), or subject(s) that is greater than the value of apprehending the subject(s) due to factors such as, but not limited to the following:
 - i. Road conditions;
 - ii. Weather conditions;
 - iii. Time of day and density of population, including presence of pedestrian or vehicular traffic, or events in the area;
 - iv. Severity of the crime, such as if it is a violent crime where someone is actively in danger;
 - v. Necessity of the pursuit, such as if the owner or driver of the vehicle can be identified through registration or other means.
 - b. The availability of other methods of apprehension.
 - c. The apparent age and ability of the pursued driver.
 - d. The manner in which the pursued driver is operating their vehicle.
 - e. The nature and apparent condition of the vehicles involved in the pursuit.
 - f. The limit of the officer's ability to operate their vehicle within their individual capabilities.

C. Termination of Pursuit

1. Officers will terminate vehicle pursuits under any of the following conditions:
 - a. When, in the judgement of the officer, it is necessary to terminate the pursuit.
 - b. When ordered to do so by their supervisor.
 - c. When the continuing distance between the pursuing and fleeing vehicle is such that further pursuit is futile.
 - d. When the pursued vehicle's location is unknown.
 - e. When the officer's vehicle or emergency equipment malfunctions.
 - f. When it is necessary to stop to render aid to an injured person and no other police unit is immediately available to do so.
 - g. When the suspect's identity has been established to allow later apprehension, and there is no other immediate reason to apprehend.
 - h. A registration check of the vehicle shows that it is not stolen or wanted in other crimes and no extenuating circumstances exists to indicate that the suspect would present a danger to the public if allowed to flee.

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2. Pursuits will be discontinued when the officer(s) involved or supervisor assigned to monitor the pursuit objectively evaluates the above listed factors and feels the risk to public safety outweighs the value of the apprehension of the subject being pursued.
3. When the pursuit is terminated, the Communications Center will be notified of the pursuit termination. Officers involved with the pursuit will reduce their speed to conform to posted limits, turn off emergency equipment and continue in the direction of the fleeing vehicle for a reasonable distance to ensure the fleeing vehicle has not created or caused traffic hazards or accidents.

D. Responsibilities of Parties Involved in a Pursuit

1. Pursuing Officer Responsibilities:
 - a. Evaluate the necessity of the pursuit as stated previously before the actual initiation and during the pursuit. Evaluation criteria include adherence to agency policy for the initiation and continuation of the pursuit, including, but not limited to: road conditions, density of population, nature of the crime(s), weather conditions, amount of traffic and the necessity of the pursuit.
 - b. Notify the Communications Center that a pursuit is in progress, the reason for the pursuit and giving location, directions, description of vehicle pursued and as much other pertinent information as possible. Radio frequencies to be used will be based on availability to the police units involved in the pursuit.
 - c. Continue to give the Communication Center updates on location, directions of travel, officer's vehicle speed and other information as it relates to the pursuit.
 - d. Respond to questions asked by telecommunications personnel and/or their Supervisor and/or other involved police officers.
 - e. Give immediate radio notification upon termination of the pursuit.
 - f. Attempt No Maneuvers (Ramming, Pursuit Immobilization Technique/P.I.T.) that the officer has not been trained or authorized by the department to perform.
2. Communications Center Responsibilities:
 - a. Upon receiving notification of the pursuit, Communications Center personnel will restrict the radio channel to the use of police radio traffic involved in the pursuit.
 - b. Ensure that the primary police unit involved in the pursuit clearly states the reason for the pursuit as well as prompting continual updates from units involved in the pursuit.
 - c. Notify the appropriate on-duty supervisor and/or other police officers of the pursuit. Notification will be done at the initiation and also termination of

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the pursuit. If no supervisor is on duty, then the notification to the supervisor will be made after the pursuit is over.

- d. Notify the jurisdiction being entered or about to be entered, of the pursuit. The notification will be completed on the primary radio channel.
 - e. Notify other police agencies in the immediate area that a pursuit is in progress and the reason for the pursuit.
 - f. Assist in coordinating law enforcement resources for the pursuit. The Communications Center will attempt to continuously update the primary and secondary units of road conditions as they are able with information they have. Directions of travel and intersecting roads should be given out frequently when the first and primary units are not familiar with the geographical make-up of the area.
 - g. Obtain the reason for any pursuit that is entering Whitewater or UW-Whitewater from other police agencies. The reason for the pursuit will be broadcast on the primary radio frequency.
3. Assisting Officer Responsibilities:
- a. Officers assisting will monitor the radio channel being used to provide information regarding the pursuit. Radio discipline on the pursuit channel is critical and should be limited to radio traffic that is pertinent to the pursuit.
 - b. If practical, the second police unit directly involved in the pursuit should assume radio communication responsibility for the pursuit and relay the information to other units and the Communication Center (an exception would be if the secondary unit is unfamiliar with the geographical makeup of the area).
 - c. Officers or agencies not directly involved may offer their assistance with coordinating their resources to assist in stopping the pursuit as directed.
 - d. Be prepared to assume primary police unit duties if circumstances require.
 - e. Be prepared to assist in the event of a crash or incidents that happen during the course of the pursuit.
4. Supervisor Responsibilities:
- a. Assume overall control of the pursuit.
 - b. Monitor the progress of the pursuit to ensure compliance with policies and legal standards.
 - c. Order and coordinate additional police units to assist, or request other police agency assistance.
 - d. Ensure that unnecessary police units resume normal patrol duties.
 - e. Order termination of the pursuit if time, distance, road or other circumstances warrant pursuit termination.
 - f. Assist the Communications Center with controlling radio communications during the pursuit.

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- viii. [REDACTED]
- ix. [REDACTED]
- x. [REDACTED]
- xi. [REDACTED]
- xii. [REDACTED]
- xiii. [REDACTED]

- b. Pursuit Intervention Technique (P.I.T.): Officers of this agency should not perform the Force-to-Stop Technique commonly referred to as a P.I.T.
- c. Ramming: Officers of this agency should not perform the Force-to-Stop Technique of ramming unless there is an extreme need to immediately stop the driver, such as a demonstrated, serious threat to human life as described above.
- d. Induce-to-Stop Technique: The techniques currently trained at UWWPD are Channelization and Moving Roadblock (Boxing-In).
 - i. Channelization is the use of police vehicles to block roadways to divert fleeing vehicle to a preferred location, and could be used in a situation where a pursuit is heading into an area with a high degree of danger to the public such as pedestrian traffic on campus or a large event. Officers could use this technique to move the pursuit away from this dangerous situation.
 - ii. Induce-to-Stop Technique Boxing-In could be used in a situation where a driver is not stopping but otherwise not creating a danger by speeding or driving recklessly. This technique could be used to have

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the vehicle slow down to a stop. Because of the risk this should not be used on a suspected impaired driver, if known at the time.

- iii. [REDACTED]

The following rules will apply when an officer is going to employ an Induce-to-Stop Technique.

- i. Due regard elements previously outlined in this pursuit protocol are present.
 - ii. Approval and coordination in implementation are received from a supervisor, if one is on duty.
 - iii. If no supervisor is on duty than officers will use their best judgement from training and experience to make a decision.
 - iv. Notification is made of the precise location of the technique going to be deployed. If possible, the location should be well lighted on straight and level roadway with no sight restrictions.
- e. Tire Deflation Devices: Officers of this department are trained in the use of tire deflation devices. They can be used along with Channelization or when used to block in a parked possibly intoxicated or drugged driver. As in other techniques they should be deployed in a safe location where the target vehicle can be identified and following the other procedures listed below.
- i. Officer should radio location of deployment into the Communication Center.
 - ii. Ensure that they use safe practices are used when deploying them such as behind cover to prevent the officer from being accidently or intentionally struck while deploying them.
 - iii. Should only be used on vehicles with four or more tires. Use on any other vehicles would be a deadly force situation.

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- iv. Should not be used in areas of curves, hills or high vehicle/pedestrian traffic as there is a danger in the vehicle striking something trying to avoid the device.
- v. Remove the device from the roadway after the suspect vehicle has passed the location, or when the device is no longer useful.
- f. Deployment of Pursuit Intervention Tactics when Pursuit Enters Another Jurisdiction: The following rules will apply when a pursuit enters another jurisdiction and the officer requests the deployment of tactics including but not limited to tire deflation, roadblocks, or P.I.T.
 - i. Approval and coordination of the tactic must be initiated by the supervisor or Officer In Charge (OIC) of the entered jurisdiction.
 - ii. Deployment of a tactic/technique will include the precise location via radio broadcast or telephone.
 - iii. Deploying officer(s) will remove the system/obstruction from the roadway after the suspect vehicle has passed the location, or when the system/obstructions are no longer useful.

B. Training on Induce-to-Stop and Force-to-Stop Techniques:

1. Biannually, when sworn staff are trained on the Emergency Vehicle Operation and Pursuit Policy during the second quarter of the calendar year, an instructor will train staff on these techniques.
2. Biannually, sworn staff will need to show proficiently on the Induce-to-Stop Techniques and Tire Deflation Devices. Training will also be conducted on the techniques on Force-to-Stop.

C. Pursuit into Another Jurisdiction: When a pursuit proceeds into another jurisdiction, the following procedures will apply:

1. The primary pursuit vehicle will request assistance from the jurisdiction being entered, and the request may include active pursuit assistance or other tools such as tire deflation devices, etc.
2. If the jurisdiction being entered makes the determination not to assist in the pursuit, the pursuing officer will immediately terminate the pursuit.
3. If the supervisor or other officer in charge of the jurisdiction being entered requests that the pursuit be terminated the pursuing officer will immediately terminate the pursuit.
4. Police officers will not assist in any other law enforcement agency's pursuit outside the Whitewater city limits except at the direction of a supervisory officer, or extreme emergency.
5. Authorized emergency vehicles directly involved in the pursuit will be limited to no more than [REDACTED]

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6. When the pursuit enters another jurisdiction, the supervisor or OIC of that jurisdiction will notify the pursuing officer(s) of specific circumstances in that community that may cause safety hazards, such as special events, parades, etc.

D. Engaging in a Pursuit Initiated by Outside Agency entering UW-Whitewater:

When a pursuit from an outside law enforcement agency enters UW-Whitewater's jurisdiction the following procedures will apply.

1. Officers may only assist as a pursuing vehicle if the pursuit justification is for an offense that UW-Whitewater Police Department allows pursuit for, such as a violent crime.
2. Officers/supervisors should seek clarification for the reason of the pursuit if it is not known before entering the pursuit.
3. Officers/supervisors should inform the outside agency of any factors that might affect the safety of continuing the pursuit such as events on campus, road closures, etc. regardless if they are engaged in the pursuit or not.
4. Officers/supervisors shall request the pursuit be terminated if the factors above would endanger life safety, such as a high number of pedestrians in the area because of a large special event.
4. When an officer/supervisor determines that a UW-Whitewater Squad car will not actively pursue, they may still assist the outside law enforcement agency by using Induce-to-Stop Technique of tire deflation or channelization in an attempt to either keep the pursuit away from a populated area or stop the vehicle depending on circumstances.

E. Documentation and Supervisory Duties:

1. If a supervisor is on duty when there is a need to deploy a Induce-to-Stop or Force-to-Stop Technique, permission will be asked of the supervisor on duty.
2. If no supervisor is on duty, officer will make the decision with their knowledge base on what to do and later the on-call supervisor should be notified if a Induce-to-Stop or Force-to-Stop Technique is used.
3. The supervisor, or another at the Chief's discretion will be assigned to review the incident. Once the review is completed, this will be forwarded to the Chief.
4. These reports will also be reviewed annually, when the pursuits are reviewed in the first quarter of the calendar year.

F. Individual Pursuit Review

1. All police officers involved in a pursuit will complete a written report detailing the facts and circumstances surrounding the event. A supervisor will conduct an administrative review of the event for the purpose of determining compliance with this policy.

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2. Inter-Agency vehicle pursuits will be reviewed by a representative from each agency that was involved in the pursuit. A representative from the pursuing agency will schedule a date for the review. The review will consist of written reports, audio log recordings, in-car video cameras and any other pertinent information related to the pursuit. This review will be completed as soon as practical after the pursuit. The results of the review will be made available to all agencies involved in the pursuit.

G. Annual Pursuit Review

1. A documented analysis of pursuit reports, to include a review of policy and reporting procedures approved by the Chief of Police or designee will be conducted annually during the first quarter of the calendar year.
2. Review of policies, procedures and practices associated with the Pursuit reporting process will be conducted regardless of whether any pursuit reports exist for that year during the first quarter of the calendar year.

H. Pursuit Training:

1. There will be a documented initial training on the Pursuit Policy, including pursuit interruption techniques, for sworn UWYPD personnel upon being hired. The pursuit policy will be trained before the new employee is authorized to drive a vehicle. The pursuit techniques will be completed before field training is completed or during the Basic Law Enforcement Academy for employees.
2. There will be documented annual review of the pursuit policy, including pursuit intervention techniques, by all sworn personnel. Review may take place during shift briefings and/or in-service training sessions during the second quarter of each year.
3. Communications personnel are encouraged to be included in the Pursuit Policy initial training and annual review. There will be a documented initial training on the Pursuit Policy, including pursuit intervention techniques, for sworn UWYPD personnel upon being hired.
4. Additionally, all police officers will biennially complete at least four (4) hours of training from curricula based upon standards established by Statute, policies and the Wisconsin Law Enforcement Standards Board.

VII. Procedure – Escorting Vehicles (61.3.3)

A. Escorting Vehicles:

1. At no time will a marked or unmarked squad car be used to escort a civilian vehicle in an emergency circumstance, as the risk to the general public is too high.
2. Marked squad cars may be used to escort a civilian vehicle in slow speed situations such as a parade, large vehicle convoy or getting a vehicle through traffic during an event such as a football game.
3. Marked squad cars, in exigent circumstances, may be used to escort an emergency vehicle that has lost all or part of its emergency equipment such as an ambulance with a critical patient that has a siren that is not functioning. A high regard for safety must be used in these situations.

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4. In unusual circumstances, squad cars may also be used to escort emergency vehicles through high traffic areas during events.
5. The Communication Center will request an escort in emergency situations. In non-emergency situations, requests may be made by calling the non-emergency phone line 262-472-4660.

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Appendix A. Wisconsin State Statute 346.03

346.03 Applicability of rules of the road to authorized emergency vehicles.

- (1)** The operator of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law, when responding to but not upon returning from a fire alarm, when transporting an organ for human transplantation, or when transporting medical personnel for the purpose of performing human organ harvesting or transplantation immediately after the transportation, may exercise the privileges set forth in this section, but subject to the conditions stated in subs. (2) to (5m).
- (2)** The operator of an authorized emergency vehicle may:
 - (a)** Stop, stand or park, irrespective of the provisions of this chapter;
 - (b)** Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 - (c)** Exceed the speed limit;
 - (d)** Disregard regulations governing direction of movement or turning in specified directions.
- (2m)** Notwithstanding s. 346.94 (20), a law enforcement officer, a fire fighter, or emergency medical personnel may open and leave open any door of an authorized emergency vehicle when the vehicle is stopped, standing, or parked and the person is performing official duties.
- (3)** The exemptions granted by sub. (2) (b), (c) and (d) apply only when the operator of the emergency vehicle is giving a visual signal by means of at least one flashing, oscillating, or rotating red light, except that the visual signal given by a police vehicle may be by means of a blue light and a red light which are flashing, oscillating, or rotating, and also an audible signal by means of a siren or exhaust whistle, except as otherwise provided in sub. (4) or (4m).
- (4)** Except as provided in sub. (4m), a law enforcement officer operating a police vehicle shall otherwise comply with the requirements of sub. (3) relative to the giving of audible and visual signals but may exceed the speed limit without giving audible and visual signal under the following circumstances:
 - (a)** If the officer is obtaining evidence of a speed violation.
 - (b)** If the officer is responding to a call which the officer reasonably believes involves a felony in progress and the officer reasonably believes any of the following:
 1. Knowledge of the officer's presence may endanger the safety of a victim or other person.
 2. Knowledge of the officer's presence may cause the suspected violator to evade apprehension.
 3. 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.
 4. 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.
- (4m)** A law enforcement officer operating a police vehicle that is a bicycle is not required to comply with the requirements of sub. (3) relative to the giving of audible and visual signals.
- (5)** The exemptions granted the operator of an authorized emergency vehicle by this section do not relieve such operator from the duty to drive or ride with due regard under the circumstances for the safety of all persons nor do they protect such operator from the consequences of his or her reckless disregard for the safety of others.
- (5m)** The privileges granted under this section apply to the operator of an authorized emergency vehicle under s. 340.01 (3) (dg) or (dh) only if the operator has successfully completed a safety and training

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course in emergency vehicle operation that is taken at a technical college under ch. 38 or that is approved by the department and only if the vehicle being operated is plainly marked, in a manner prescribed by the department, to identify it as an authorized emergency vehicle under s. 340.01 (3) (dg) or (dh).

- (6) Every law enforcement agency that uses authorized emergency vehicles shall provide written guidelines for its officers and employees regarding exceeding speed limits under the circumstances specified in sub. (4) and when otherwise in pursuit of actual or suspected violators. The guidelines shall consider, among other factors, road conditions, density of population, severity of crime and necessity of pursuit by vehicle. The guidelines are not subject to requirements for rules under ch. 227. Each law enforcement agency shall review its written guidelines by June 30 of each even-numbered year and, if considered appropriate by the law enforcement agency, shall revise those guidelines.

Web Link: <https://docs.legis.wisconsin.gov/statutes/statutes/346/i/03>