

SECTION 1. LES 1.03(18m) is created to read:

LES 1.03(18m) In this chapter, "police pursuit" has the meaning given in sec. 85.07(8)(a), Stats.

SECTION 2. LES 3.07 is created to read:

LES 3.07 **Law enforcement pursuit standards and related training.** (1)

Model standards for initiating, continuing and terminating police pursuit. The following model advisory standards may be used by any law enforcement agency to determine whether to initiate, continue or terminate police pursuit:

(a) 'Initiation of pursuits.' A law enforcement officer in an authorized vehicle may initiate a police pursuit when the subject of the police pursuit is attempting to avoid apprehension.

(b) 'Continuation of pursuits.' In determining whether or not to continue a police pursuit that has been justifiably initiated, a law enforcement officer should consider the following factors:

1. Whether continuation of the pursuit would likely create a danger to the public, officer or subject which is apparently greater than the value of apprehending the subject, due to such factors as, but not limited to, road conditions, weather conditions, density of population, severity of the crime and necessity of pursuit by vehicle.

2. Whether the vehicle's registration or the subject's identity has been established so that later apprehension may be accomplished and, in the officer's opinion, there is no apparent continuing need for immediate apprehension.

(c) 'Termination of pursuits.' A law enforcement officer should terminate a police pursuit under any of the following conditions:

1. When a supervisor orders termination.
2. When the continuing distance between the pursuing and fleeing vehicles is such that further pursuit is futile.
3. When the location of the pursued vehicle is unknown.
4. When the officer's vehicle or emergency equipment malfunctions.
5. When it is necessary to stop to render aid to one or more injured persons and no other unit is available to do so.

(2) Model standards for police pursuit driving techniques. The following model advisory standards for police pursuit driving techniques may be used by any law enforcement agency. An officer engaged in a police pursuit should do all of the following:

- (a) Adhere to and apply all of the emergency vehicle driving techniques that the officer has been taught.
- (b) Assess and reassess weather, roadway and traffic conditions throughout the duration of the pursuit and make changes in speed and following distance where appropriate.
- (c) Consider and apply the officer's knowledge of the capabilities and limitations of his or her vehicle.
- (d) Consider and apply the officer's knowledge of his or her individual abilities and limitations.

- (e) Establish a position on the roadway and maintain sufficient maneuvering room to allow the officer to see and react to what may appear ahead.
 - (f) Maintain visual contact with subject of the pursuit and be alert to clues as to what the subject may do next.
 - (g) Be alert and prepared for road and traffic conditions that favor the subject of the pursuit.
 - (h) Try to end the pursuit as quickly as possible, while considering safety and using maximum caution.
 - (i) Remain alert for possible dangers, including the reactions of other drivers, and drive professionally, with good judgment and an awareness of the risks being taken.
- (3) Curriculum for preparatory training in police pursuit standards, guidelines and driving techniques. Preparatory law enforcement officer training under s. 165.85(4)(b)1., Stats., shall include all of the following:
- (a) At least 8 hours of classroom training in emergency vehicle operations.
 - (b) At least 20 hours of behind the wheel training focusing on specific emergency maneuver skills and techniques.
 - (c) At least 4 hours of training in decision-making regarding police pursuits and the conduct of police pursuits, including all of the following subjects:

1. Initiating, continuing and terminating police pursuit under sub. (1).
2. Police pursuit driving techniques under sub. (2).
3. Law enforcement agency pursuit guidelines established under s. 346.03(6), Stats.

(4) Curriculum for annual recertification training in police pursuit standards, guidelines and driving techniques. Law enforcement officer recertification training under s. 165.85(4)(bn), Stats., shall include at least 4 hours of training biennially in police pursuit standards, guidelines and driving techniques. This training shall include reference to law enforcement agency pursuit guidelines established under s. 346.03(6), Stats. Training may also include review, for policy development, of applicable research and new technology or training in other subjects related to police pursuits as determined by sheriffs, chiefs of police or other commanding officers.

(5) Approved training manuals. Law enforcement officer training manuals entitled "Use Pursuit Guidelines" and "Use Emergency Vehicle Driving Techniques" are approved by the board. Preparatory law enforcement officer training under s. 165.85(4)(b)1., Stats., and recertification training under s. 165.85(4)(bn), Stats., may include achievement of student performance objectives for police pursuit standards, guidelines and driving techniques included in these approved manuals.

EFFECTIVE DATE: This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (intro.), Stats.

Dated: June 20, 2001

Agency:

David O. Steingraber, Secretary
Law Enforcement Standards Board