



MIDDLETON POLICE DEPARTMENT

DATE
February 26, 2013

POLICY
6.1.03

SUBJECT: **Response to Routine and Emergency Calls**

REVIEWED
February 27, 2018

MRR

Refer to: [346.03\(3\)](#), [346.03\(2\)\(a\)](#), [346.03\(2\)\(b\)](#), [346.03\(4\)\(b\)](#)

History: 1995, Updated 3/2004, 6/2010, 2/2013, 5/2015

[WILEAG \(5th Ed.\) Standards](#): 6.1.3

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PURPOSE

This policy establishes procedures for responding to calls and includes guidelines for the non-emergency vehicle operation, authorized emergency vehicle operation, and the use of emergency equipment.

POLICY

Members of the Middleton Police Department are charged with the obligation to operate City owned vehicles in a safe and reasonable manner at all times. It is essential that the operators of emergency vehicles clearly understand their privileges and responsibilities. The Wisconsin Statutes and Department Policy provide guidelines for the use of emergency vehicles to ensure the safety of both our staff and the citizens we serve. Wisconsin statutes do not exempt or protect operators from the consequences of their reckless disregard for safety. In a situation where the operator doubts the need to violate the traffic laws, the operator shall rule in favor of safety.

Unmarked vehicles are subject to the same restrictions as marked vehicles and officers operating such vehicles must exercise extra care as their emergency lights are less visible.

PROCEDURE

Non-Emergency Operation

Personnel operating department vehicles are reminded that when operating police vehicles under non-emergency situations, they are no different than any other driver on the road. Officers must adhere to all traffic rules and regulations. Non-emergency situations are all those situations in which an officer cannot establish that an actual emergency exists. The use of red/blue lights and/or siren under non-emergency situations does not justify the violating of traffic laws in terms of civil liability. A distinction must be made between the use of red/blue lights and/or siren to gain the attention of a traffic violator and their use in emergency pursuit or response.

Authorized Emergency Vehicle Operation

It shall be the policy of this department that an officer may operate a vehicle using full emergency equipment under the following conditions:

- A. A felony is in progress or has just occurred.
- B. A misdemeanor is in progress and the violator is armed or is threatening serious bodily harm.
- C. An immediate and substantial danger to the safety of a person exists.
- D. A law violator has been signaled to stop and flees (consistent with pursuit guidelines).
- E. To signal a law violator to stop.
- F. Report of a traffic accident where injuries are reported or the emergency nature of the situation dictates an emergency response.
- G. Report of a serious medical emergency.

Operators of emergency vehicles shall respond in a reasonable manner after giving due consideration to the conditions present. Only police units that have been authorized to respond to an incident shall respond in emergency fashion to any of the above conditions. Units will be authorized to respond in emergency fashion if assigned to the call by a dispatcher or if given approval by the Shift Commander. Self-assigning is prohibited unless the Shift Commander is incapacitated or the clear emergency nature of the situation dictates the need for a universal emergency response (an active shooter for example).

Use of Warning Devices

Stop, Stand, or Park

The revolving, rotating and/or flashing red/blue lights must be used ([346.03\(3\)](#)) whenever a vehicle is stopped, parked, or left standing in violation of the rules of the road as authorized by [346.03\(2\)\(a\)](#).

Authorized Emergency Operation

Both the revolving red/blue light(s) and siren must be used whenever a vehicle must be driven in disregard of traffic laws governing speed, movement, turning or stopping for signs and signals ([346.03\(3\)](#)). A vehicle using both audible and visual warning devices may proceed past a stop sign or signal only after slowing down as may be necessary for safe operation ([346.03\(2\)\(b\)](#)).

Obtaining Evidence of a Speed Violation

An officer may operate his/her vehicle in excess of the speed limit without using warning devices, to obtain evidence of a speed violation ([346.03\(4\)\(a\)](#)). As soon as the evidence has been obtained the officer shall use warning devices to stop the violator.

Silent Runs

When making emergency runs on calls requiring speed and a surprise advantage, officers are reminded that often the use of red/blue lights and siren may alert the suspect(s) of your approach. In such cases, officers not using a siren or red/blue lights must drive with due regard for the safety of all persons. In addition, officers shall carefully weigh the risks involved, as well as the possibilities of civil liability. In making this decision, officers must decide if the action taken justifies the end results. Officers may exceed the speed limit without giving audible and visual signal under the following circumstances ([346.03\(4\)\(b\)](#)):

If an 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.