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PURPOSE

The purpose of this policy is to establish a balance between protecting the safety of the public and police officers during police pursuits on foot and law enforcement’s duty to enforce the law and apprehend suspects.

POLICY

The Department has the duty and responsibility to pursue and apprehend offenders. Foot pursuits are inherently dangerous police actions. It is the policy of the department that the safety of officers and the public shall be the overriding consideration in determining whether a foot pursuit will be initiated or continued. Foot pursuits occur in a wide variety of circumstances. Therefore, this policy is intended as a general guideline for officers when deciding if such pursuits are warranted and how they should be conducted.

DEFINITIONS

Foot Pursuit means a pursuit on foot by an officer(s) of a person who is evading detention or arrest.

PROCEDURE

Justification and Decision to Pursue

An officer has the authority to stop any person reasonably suspected of having committed an act that would warrant a stop, temporary investigative detention, or arrest. It is important to note that flight alone does not constitute sufficient legal justification to detain or arrest an individual. Flight must be accompanied by one or more other factors that together provide sufficient justification to support a temporary investigatory stop or arrest. While it is the officer who initiates the stop, it is the suspect who initiates the foot pursuit by fleeing. The decision to pursue should be made with an awareness of, and appreciation for, the risk to which the officer and others will be exposed.

No officer shall be criticized for deciding against initiating, discontinuing his/her involvement in or terminating a foot pursuit if, in the officer's assessment, the risk exceeds that which is reasonably acceptable under the provisions of this and related department policy and training.

Foot pursuits and tactical apprehensions present certain inherent risks, yet both are an important law enforcement tool. The principles outlined below should be considered when initiating, continuing or terminating a foot pursuit or tactical apprehension.

Preventing Foot Pursuits

While officers cannot totally prevent suspects from fleeing if the suspect chooses to make the attempt, officers can make it more difficult or reduce the likelihood of flight by taking simple preventive measures. The following measures should be followed to reduce the likelihood of becoming involved in a foot pursuit:

- A. Stay alert by remembering that escape is an option that most suspects have on their mind, regardless of the circumstances;
- B. Officers should always look for early signs of escape (e.g., the suspect may glance at a potential escape route or may move a foot in one direction or shift his or her weight when deciding whether or not to flee). If a suspect is standing with both feet pointed in one direction away from the officer, it should be considered a sign that the suspect is considering flight;
- C. If an officer is on foot preparing to make a "Terry Stop", whenever possible, the officer should approach the suspect when the suspect is situated in front of a barrier such as store front, fence, etc. Approaching a suspect standing in an open area, such as an alley or field, provides him or her with a flight advantage.

Alternatives to Foot Pursuit

- A. Establish a perimeter/containment area.
- B. Canine search.
- C. Saturation of the area with patrol personnel.
- D. Apprehension at another time and place when the officer knows the identity of the subject or has other information that would likely allow for later apprehension.

Factors to Consider When Initiating/Continuing a Foot Pursuit

In deciding whether to initiate or continue a foot pursuit, officers shall also consider risk factors whenever officers are acting alone, in an unfamiliar area, in an area that is hostile, such as a notorious drug trafficking location, pursuing suspects who are known to be or suspected of being armed, pursuing more than one person, unable to obtain backup in a timely manner, not in adequate physical condition to conduct a foot pursuit, unable to establish and maintain contact with the Communications Center, pursuing in inclement weather, darkness, or reduced visibility conditions and suspect behaviors including:

- A. Looking back may be an indication the suspect is targeting or "sizing up" a pursuing officer.
- B. Change in stride or pace or efforts to draw an officer in or allow an officer to close may indicate the suspect is preparing for an attack.
- C. Hand and shoulder movement is an indicator the suspect may be reaching into the waistband or other threat areas.
- D. Holding an area of clothing to keep a weapon from falling out.

Officer Responsibilities

- A. Once the foot pursuit has been initiated, the pursuing officer should notify the Communications Center and attempt to broadcast the following information:
 - 1. The suspect's physical description.
 - 2. The suspect's direction of travel.
 - 3. Whether the suspect is armed, if known.
 - 4. Number of fleeing suspects.
 - 5. The reason for the pursuit.
 - 6. If known, the identification of the suspect, or a physical description.
- B. Generally, the pursuing officer should not attempt to overtake the fleeing suspect but keep the suspect in sight until sufficient cover is available to take him/her into custody. The following are techniques to consider:
 - 1. Following and maintaining a safe distance - a reactionary gap that affords time/space to defensively react to something the suspect might do.
 - 2. Paralleling the suspect.
 - 3. Cover/contact pursuits (two officers).
 - 4. Following a different route than the suspect (i.e., wide corners).
 - 5. Using available cover (i.e., parked cars).
- C. The primary officer should attempt to immediately coordinate with secondary officers to establish a perimeter in the area to contain the suspect. Secondary officers may assist with the coordination if the primary officer is unable to do so.
- D. When two or more officers are in pursuit, they shall not separate unless it presents them with a tactical advantage and they are able to maintain communications. Staying together may allow the lead officer to concentrate on the suspect's actions while the second officer provides backup and maintains communications with dispatch and other assisting officers.
- E. Assisting officers shall immediately attempt to contain the pursued suspect by establishing and tightening the perimeter when the suspect is spotted. Officers should respond to the primary officer's location if the primary officer is alone, or if the primary officer has stopped the suspect and requests assistance to take the suspect into custody.
- F. Complete all applicable reports needed to document the incident.

Foot Pursuit Restrictions

- A. The pursuing officer shall terminate a pursuit if so instructed by a supervisor.
- B. Unless there are exigent circumstances such as an immediate threat to the safety of other officers or civilians, officers should consider whether the need for immediate apprehension justifies the risk of engaging in or continuing a foot pursuit under the following conditions:
 1. If the officer believes the danger to pursuing officers or the public outweighs the necessity for immediate apprehension.
 2. Armed suspects unless, in extreme circumstances, no other alternative strategy is feasible and a delay in the apprehension of the suspect would present a threat of death or serious physical injury to others.
 3. In the event that a suspect enters a building, structure, wooded area or otherwise isolated area officers, unless in extreme circumstances, will not pursue suspects into these areas without sufficient cover present (stand by, radio your location, and await the arrival of officers to establish a containment perimeter).
 4. If the officer is disarmed.
 5. If the officer loses contact with the Communications Center and no other means of communication exists.
 6. If the officer loses visual contact of the suspect(s) for more than a brief period of time.
 - a. If visual contact is lost, initiate tactical apprehension techniques (perimeter search, block search, cover/contact search, K9 track, MiFD infrared search, air support, call-in mutual aid or special units).
 - b. If the pursuit is terminated because the primary unit lost sight and the direction of the suspect, it may be reinstated if the primary or responding units regain sight of the suspect. If a witness provides officers with information regarding the direction of the suspect, officers who regain sight of the suspect may reinstate the pursuit. Officers who reinstate the pursuit become the primary unit.
 7. The officer is not familiar with and is unable to communicate the direction of travel or location sufficient enough for other officers to assist.
 8. The officer is unsure of his/her location.
 9. If an officer or third party is injured during the pursuit who requires immediate assistance and there are no other police or medical personnel able to render assistance.

Jurisdictional Considerations

- A. Officers engaged in a lawful pursuit falling within the guidelines of this policy may continue the pursuit outside the boundaries of the City of Middleton.
- B. The Communications Center should notify an adjacent agency of a foot pursuit approaching or entering their jurisdiction
- C. If the pursuit culminates with an arrest, officers should notify the authority having jurisdiction over the location where the pursuit has terminated.

Communications Center Responsibilities

- A. Receive, record, and immediately report incoming information from the officer(s) involved in the pursuit to other officers regarding the suspect(s).
- B. Alert the Shift Commander.
- C. Provide support and assist with unit coordination.

- D. Alert neighboring jurisdictions, where practical, that a pursuit is heading their way and updating the progress of the pursuit for the safety of officers in those jurisdictions.

Supervisor Responsibilities

- A. Respond to the location and continually manage the pursuit.
- B. Ensure the perimeter is set up appropriately.
- C. Consider the tactical apprehension strategies.
- D. Terminate pursuits that are not in compliance with this policy.
- E. Following each incident, debrief with the officers involved and, if feasible, his/her shifts.

Training Responsibilities

The Field Training function will ensure recruits receive training on foot pursuit policy and techniques. Follow-up training will occur, as needed, and delivered by debriefings, roll call training and inservice training.