



**Division of State Patrol
Policy and Procedure**

Number
3-6

Subject ROADBLOCKS	
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I. POLICY

It is the policy of the Division of State Patrol (DSP) to apprehend fleeing violators and criminals whenever apprehension can be accomplished without creating an unreasonable danger. Roadblocks or blockades may be a necessary escalation of force when other methods have failed to affect apprehension, provided it is the minimum force reasonably necessary to overcome the offender’s efforts to flee. Division employees shall balance the necessity for apprehension against the degree of hazard for those directly involved as well as others who may be affected. The use of a roadblock or blockade must be considered in direct relation to the seriousness of the violation for which the suspect is wanted.

All personnel operating Division vehicles shall exercise due regard for the safety of all persons. No assignment shall be of such importance and no task shall be expedited with such emphasis that the principles of safety become secondary. There are no tasks of such importance that justify reckless disregard for safety.

II. BACKGROUND

Wisconsin Statutes and Division policy authorize troopers and inspectors to pursue fleeing violators and criminals whenever such pursuit can be accomplished without creating an unreasonable danger as outlined in Division Policy and Procedure 3-9, “Pursuit Operations.”

III. OBJECTIVES

To establish uniform application, deployment and reporting of emergency roadblocks and blockades and to provide guidelines for employees which mandate the safe and efficient use of Division personnel and equipment.

IV. DEFINITIONS

- A. **Blockade** – an obstacle to approaching vehicles which is constructed with items of such density that any vehicle colliding with it will be stopped.
- B. **Bodily Harm** – physical pain or injury, illness or any impairment of physical condition. [ss. 939.22(4)]
- C. **Deadly Force** – the intentional use of force or use of a firearm or other instrument that creates a high probability of death or great bodily harm.
- D. **Force** – the intentional application of force other than deadly force.
- E. **Great Bodily Harm** – bodily injury which creates a substantial risk of death, or which causes serious permanent disfigurement, or causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily injury. [ss. 939.22(14)]
- F. **Emergency Roadblock or Blockade** – any roadblock or blockade implemented on extremely short notice such as those associated with a pursuit situation.
- G. **Non-Emergency Roadblock or Blockade** – any planned roadblock or blockade implemented in response to such occurrences as floods, tornadoes, natural disasters, etc.
- H. **Primary Pursuing Unit** – the police unit that initiates a pursuit or any unit which assumes control of the pursuit.
- I. **Roadblock (Stationary or Moving)** – any method, including the use of a moving vehicle, restriction or obstruction utilized or intended for the purpose of preventing free passage of vehicles on a highway.
- J. **Roadblock Vehicle** – any vehicle used to employ a roadblock.
- K. **Tire Deflation Device (TDD)** – a tool designed to stop a vehicle by deflating pneumatic tires (tube or tubeless type). The unit is constructed of hollow metal spikes mounted in a device which holds them in an upright position. The device is laid across the path of a target vehicle. When the vehicle passes over them, the hollow spikes penetrate the tire and are designed to pull free from the base. The tires are then deflated at a moderate rate, resulting in the safe and effective immobilization of the vehicle.
- L. **Rat Trap** – a pocket size TDD that that is specifically designed to prevent stationary vehicles from successfully fleeing. The device can be placed under a stationary suspect vehicle's tire in an attempt to preclude a potential pursuit.

V. GENERAL PROVISIONS

Roadblocks (excluding tire deflation devices) should be authorized by a Division supervisor and be visible from an adequate distance to allow the pursued vehicle sufficient time and distance, considering the vehicle size and speed, to safely stop before colliding with the roadblock or to utilize a provided escape route.

- A. **Stationary Roadblocks** – A stationary roadblock may be employed when a wanted person or vehicle is suspected or known to be in a general area. A roadblock may also be employed after other attempts to stop a fleeing vehicle have failed. Tire deflation devices may be deployed following the guidelines established in this policy and those contained in Policy and Procedure 3-9, “Pursuit Operations.” All emergency vehicles involved in the stationary roadblock shall have all appropriate equipment activated.
- B. **Moving Roadblocks** – A moving roadblock may be employed only with supervisory approval and after other attempts to stop a vehicle have failed. All emergency vehicles involved in a moving roadblock shall have emergency lights and siren activated.
- C. **Blockades** – Blockades must be used only in locations that would allow the operator of an approaching vehicle ample opportunity to stop or avoid striking the blockade.
- D. **Non-Emergency Roadblocks or Blockades** – Non-emergency roadblocks or blockades (as well as the use of TDDs or Rat Traps) should not be implemented without approval of sworn supervisory personnel.
- E. **Emergency Roadblocks or Blockades** – Emergency roadblocks or blockades, including moving roadblocks, may be used if any or all of the following conditions are met and only if such action creates no substantial risk of injury to innocent persons and such force is necessary to affect a lawful arrest.
 - 1. The violator is being pursued for a previously alleged commission of a felony.
 - 2. The driver is being pursued for a crime involving the use or threatened use of deadly force.
 - 3. There is substantial risk that the suspect will cause death or serious bodily injury if his or her arrest is delayed.
- F. Unless deadly force is otherwise justified by the provisions of policy and Procedure 2-1, roadblocks and blockade procedures must be executed in such a manner that they do not constitute the use of deadly force. All police vehicles used in establishing any type of roadblock shall have appropriate emergency equipment activated.

- G. Whenever a roadblock or blockade procedure is employed, it shall be established in a safe manner, taking into consideration the safety of the officer, the occupants of the vehicle to be stopped and innocent third parties

VI. PROCEDURE

- A. **Primary Pursuing unit Responsibilities** – The officer initiating a pursuit shall be responsible for assessing the need for a roadblock. Factors that should be considered prior to requesting a roadblock include:
1. Safety of all involved parties.
 2. Safety of affected third parties.
 3. Existing road and weather conditions.
 4. Area demographics and terrain.
 5. Traffic conditions.
 6. Severity of the known offense.
 7. Pursuit speeds.
 8. Necessity of pursuit and subsequent apprehension.
- B. **Deployment Responsibilities** – The first officer called upon to establish a roadblock shall assume operational responsibility for the roadblock unless relieved by a supervisor. This officer will direct all other responding roadblock vehicles to effectively staff the roadblock.
1. **Emergency Roadblocks** – Roadblocks will generally be employed only as a last resort and must be conducted in conformity with Policy and Procedure 2-1, “Use of Force.”
 2. **Use of Firearms** – Policy and Procedure 2-1, regarding the use of deadly force shall be followed. Firing at or from a moving vehicle is generally prohibited and may be utilized, but only in rare and unusual circumstances and then only when in compliance with Policy and Procedure 2-1.
 3. **Number of Roadblock Vehicles** – A roadblock should be employed with a minimum number of vehicles required to safely implement the process. Officers should consider terrain and the number of lanes to be controlled.

4. Positioning of Vehicles – The positioning of roadblock vehicles shall be determined by the types of vehicles involved (i.e., fully marked, clean top, or unmarked patrol vehicles). All DSP vehicles involved in the roadblock shall have emergency lights activated in order to maximize the warning and safety effectiveness. Vehicles shall be positioned to provide the pursued vehicle with the best possible view of emergency lights, the best possible protection to personnel involved and reduce the possibility of equipment damage under the existing circumstances. A reasonable avenue of escape shall be created by proper vehicle placement for safety and liability reasons, however, a complete blockade may be acceptable if deadly force is authorized under policy and Procedure 2-1.
5. Types of Roadblock Vehicles – Any emergency vehicle may be used in a roadblock or blockade. Due to their limited warning capabilities, unmarked patrol vehicles should be used only when fully marked or clean-top vehicles are not available. Private vehicles may be commandeered and used only when the seriousness and urgency of the roadblock requires it. **The commandeering of a private vehicle for this purpose will be conducted only with the express authorization of a sworn Division supervisor.**
6. Personnel safety – Division personnel should not remain in a roadblock vehicle when actually parked in a stationary roadblock position.
7. Tire Deflation Device (TDD) – The TDD should only be utilized upon approval of a sworn Division supervisor. If a supervisor is unavailable, the use of the TDD will be governed by sound professional judgement and the procedures outlined in this policy. All users must have received training in the use of the TDD.
 - a. This policy applies to Division deployment only and does not preclude other law enforcement agencies from assisting in the control of the pursuit as directed by individual agency guidelines.
 - b. The TDD is an intermediate intervention option (falls between pursuit of the violator and the use of deadly force). The intent in using this option is to stop the violator by disabling the vehicle.
 - c. TDD use may be undertaken when it is determined by the pursuing officer and by the supervisor monitoring the pursuit (if available) that the apparent risk of harm to the public, officers and suspect outweigh the risk involved in making a forcible stop and all of the following are present:
 - 1) The officer attempting to apprehend the suspect has given notice of command to stop the suspect by means of emergency lights and siren.

- 2) The suspect ignores the efforts and warnings which would be obvious and visible to a responsible person in the suspect's position.
 - 3) After other reasonable means of apprehension have been ineffective and/or have been rejected as impractical.
- d. **The TDD shall not be used to stop motorcycles, mopeds, or similar two-wheel vehicles unless use of deadly force is justified.**
- e. The TDD will be deployed according to Division policy and procedure.
- f. Placement of the TDD should be in the most effective location:
- 1) Officers shall identify potential strategic locations in advance of the need to use them.
 - 2) Deployment locations shall provide a good line of sight to enable the officer deploying the device to observe the pursuit and other vehicles as they approach.
 - 3) Traffic, construction, special events and areas with pedestrian traffic may create situations where the use of the TDD would be improper.
 - 4) When practical, the officers deploying the TDD shall choose a location with barriers such as roadway overpasses, guard rails or sturdy trees to provide adequate cover in the event that the fleeing offender should deviate his/her vehicle toward the officers. Such deviation of the offender's vehicle toward officers may or may not be a deliberate attempt to strike the officer(s) and the officer(s) must consider the circumstances when reacting to the situation.
- g. Coordination between the person deploying the TDD and the pursuing unit shall be maintained.
- 1) The pursuing unit shall notify those at the deployment site of their approach as far in advance as possible.
 - 2) The officer deploying the device shall be in position at a predetermined location in sufficient time for proper deployment. All pursuing units and the Communication Center shall be notified when the device is in place and at what location.
 - 3) After deploying the system, personnel at the scene shall immediately seek protection. All bystanders shall be removed from the immediate area. Uninvolved vehicles, in so far as practical, shall be moved to a position beyond the setup area to minimize the possibility of collision with the suspect vehicle.

- 4) The TDD shall be safely removed from the roadway immediately after the suspect vehicle has passed and prior to the passage of the pursuit vehicle(s) whenever possible. If it is not possible to safely remove the TDD prior to the passage of the pursuing vehicle(s), the deploying officer will not jeopardize his/her own safety in order to accomplish this task. The deploying officer shall notify the Communication Center of the TDD removal.
 - 5) The officer deploying the TDD is responsible for securing it immediately after its use. This will include searching the immediate area where the TDD was used and collecting any spike debris, properly maintaining, preparing for re-use, and storing the TDD.
8. Officers Involved – All involved officers will submit an incident report (eSP4500) documenting their involvement with the roadblock and related events. This report shall at a minimum include:
- a. Location
 - b. Other officers involved
 - c. Offenses discovered
 - d. Injured or killed
 - e. Crashes
 - f. All attempted and actual deployments of any TDD
 - g. All property damage including tire damage caused by deployment of any TDD to any involved or uninvolved vehicle
 - h. Reason for roadblock (requesting officer)
 - i. Reason for pursuit
 - j. Length of pursuit (time and distance)
- C. **Law Enforcement Dispatcher (LED) Responsibilities** – When notified of a roadblock, the LED shall:
1. Clear the radio frequency when emergency traffic is broadcast as a result of a pursuit or roadblock request.
 2. Receive and record all incoming information on the pursuit and roadblock.

3. Immediately inform the appropriate supervisor of the request for authorization to establish a roadblock.
 4. Dispatch backup units and provide relevant information.
 5. Perform relevant motor vehicle and record checks when possible.
 6. Facilitate Division communication between the pursuing vehicles and any officer deploying a TDD.
 7. Monitor roadblock until conclusion and advise all affected personnel and agencies.
- D. Supervisory Responsibilities – Upon being notified of the request for a roadblock or blockade, the supervisor shall approve or disapprove the request. If a roadblock is authorized, the supervisor shall:
1. Assume operational command from primary pursuit unit and the roadblock vehicle(s) when necessary.
 2. Determine there are an appropriate number of units involved in the roadblock.
 3. Ensure proper radio frequencies and procedures are being followed.
 4. Determine the appropriate Division use of any TDDs.
 5. Ensure that all required reports are completed.
 6. Analyze and critique the pursuit and roadblock to ensure compliance with Division policy and procedure and submit findings to the Region Commander. This report shall at a minimum include all elements as specified in Section VI.B.8.a. through j. in this policy, and a statement as to whether or not the pursuit and roadblock were performed in accordance with this policy. If there were deviations from this policy, those deviations will be identified in the supervisor's report.
 7. The region completing the post-pursuit analysis will submit the critique, the officer's report, and related video recordings to the Director of the Bureau of Field Operations and to the Division Emergency Vehicle Operations Course (EVOOC) Coordinator at the Wisconsin State Patrol Academy for review, training analysis and consideration.
 8. Facilitate notification of appropriate court jurisdiction(s) seeking restitution from the fleeing suspect for any damage that resulted. This shall also encompass any damage from the appropriate deployment of tire deflation device(s) including any damage occurring to the TDD.

- E. **Region Commander** – The Region Commander shall:
1. Notify the Director of the Bureau of Field Operations of all roadblock deployments (excluding the deployment of TDDs) as soon as practical following the conclusion of the event.
 2. Review all reports related to the roadblock.
 3. Submit a recommendation to the Director of the Bureau of Field Operations regarding the necessity for a Board of Review. The recommendation should be accompanied with all pertinent reports and supervisory review regarding the incident (this recommendation is not required following the typical deployment of TDDs).

V. **REFERENCES**

DSP Policy & Procedure 2-1, Use of Force
DSP Policy & Procedure 3-9, Pursuit Operations
eSP4500, Offense/Incident Report