




**Division of State Patrol  
Policy and Procedure**

Number  
**3-8**

Subject	
<b>GUIDELINES FOR PERMITTING NON-DIVISION AND NON-SWORN DIVISION PERSONNEL IN PATROL VEHICLES</b>	
Author/Originator	Approved by
Bureau of Field Operations	 <b>Superintendent</b>
Records Management Statement	
Supersedes P&P 3-8 dated January 12, 2017 Posted on WisDOT Internal Website (SharePoint) at <a href="https://wigov.sharepoint.com/sites/dot-dsp/policy/SitePages/Home.aspx">https://wigov.sharepoint.com/sites/dot-dsp/policy/SitePages/Home.aspx</a>	

**I. POLICY**

It is the policy of the Division of State Patrol (DSP) that persons who are not sworn Division employees may be permitted in patrol vehicles operated by troopers and/or inspectors under limited circumstances, so long as officer and rider safety can be protected within the guidelines contained herein.

**II. OBJECTIVE**

- A. Establish guidelines identifying circumstances where non-Division or non-sworn Division personnel may be an occupant of a Division patrol vehicle.
- B. Establish provisions and restrictions on the activities of non-Division or non-sworn Division occupants of Division patrol vehicles.
- C. Establish a process for documentation of understanding and agreement of the Division provisions and restrictions pertaining to this policy.

**III. DEFINITIONS**

- A. **Ride-along** – an arrangement which solely involves observation by an individual passenger, generally while in or outside of a patrol vehicle, of the activities of an on-duty sworn Division law enforcement officer.
- B. **Sworn law enforcement officer** – a certified law enforcement officer recognized as such in the State of Wisconsin.

- C. **DSP law enforcement chaplain** – a duly appointed Division law enforcement chaplain that volunteers their service and is an ordained or licensed clergy ecclesiastically certified in good standing by a recognized religious denomination.

**IV. GENERAL PROVISIONS**

- A. Persons are permitted in DSP patrol vehicles:
  - 1. When a full custody arrest of a person has been made requiring further transportation, but only after a proper search of the person has been conducted and the person and any portable property he/she may be carrying has been secured.
  - 2. When providing assistance to or interviewing persons or witnesses involved in a crash or other incident.
  - 3. When assisting motorists with disabled vehicles during inclement weather or transporting them to a location for service or emergency medical aid.
  - 4. On those occasions while interviewing operators of motor carriers when the bill of lading, registration papers, permits, etc., must be examined. This provision is not applicable to those situations where a routine traffic contact (i.e., issuance of a warning, violation notice, motorist assist or citation) takes place. Only unusual circumstances would allow a routine traffic violator to be present in a patrol vehicle.
  - 5. When transporting a hitchhiker or other pedestrian from an Interstate highway or other location where they are prohibited, and only after the individual(s) has/have been frisked.
  - 6. When transporting passengers as part of an official assignment or other Departmental business including, but not limited to, ride-along activity to observe a sworn officer's enforcement patrol duties and/or as related to participation in the Division Intern Program.
  - 7. When authorized by the Region Commander, Academy Commander, Bureau Director or designee.
- B. Factors in permitting a ride-along are as follows:
  - 1. There is a benefit to the DSP.
  - 2. There is a demonstrable need by the requester.

3. Persons under the age of 18 are generally prohibited from participation in a ride-along and all ride-along participants must be a minimum of 16 years of age on the day of the ride-along.
  4. All ride-along activity under Section IV. B. 3. of this policy requires written approval by the DSP Superintendent, Colonel, Bureau Director or designee as applicable.
- C. The Division of State Patrol recognizes the potential benefits derived from allowing ride-alongs by persons such as but not limited to:
- |                                 |                          |
|---------------------------------|--------------------------|
| Employee Family Member          | Judges                   |
| Legislators                     | District Attorneys       |
| DSP Law Enforcement Chaplains   | Law Enforcement Students |
| Other Law Enforcement Personnel | Media Personnel          |
- D. An “Agreement for Assumption of Risk, Indemnification and Release” form (Attachment A) and “Observer’s Agreement of Ride-Along Rules” form (Attachment B) shall be completed and filed at the Central Headquarters/Region/Post/Academy-level as appropriate for all ride-along activity pertaining to Section IV. A. 6. and 7. above.

## **V. PROCEDURE**

- A. Ride-Along Liability Release
1. Employee (assigned officer)
    - a. Prior to the start of a ride-along, a “Ride-Along Liability Release” form (SP4369) shall be completed by the ride-along observer/participant and the assigned officer. If under 18 years of age, it shall also be signed by a parent/legal guardian. NOTE: In the case of approved participants in the Division Intern Program, the designated Intern Supervisor may sign the form in lieu of the assigned officer.
    - b. The form shall be scanned and e-mailed, or otherwise delivered, to the Region Commander, Academy commander, Bureau Director or designee as applicable.
    - c. A signed copy received from the Region Commander, Academy Commander, Bureau Director or designee, as the DOT authorizing entity, must on file and available prior to the ride-along activity.

2. Region Commander, Academy Commander, Bureau Director or designee
    - a. Shall sign the SP4369 and provide a copy to the requesting employee if granting approval of the ride-along.
    - b. A copy shall be retained at the Region, Academy, or Central Headquarters as applicable.
  3. A SP4369 form is not required in the instances of ride-alongs for judges, district attorneys, media personnel, legislators, DSP Law Enforcement Chaplains, or other law enforcement personnel.
- B. Attachment A and B
1. Employee (assigned officer)
    - a. Prior to the start of a ride-along, an “Agreement for Assumption of Risk, Indemnification and Release” form (Attachment A) and “Observer’s Agreement of Ride-Along Rules” form (Attachment B) shall be completed by the ride-along observer/participant.
    - b. Assigned officer shall sign the “Observer’s Agreement of Ride-Along Rules.” NOTE: In the case of approved participants in the Division Intern Program, the designated Intern Supervisor may sign the form in lieu of the assigned officer.
    - c. Persons under the age of 18 years on the date of the ride-along shall have a parent/legal guardian sign the “Agreement for Assumption of Risk. Indemnification and release” form (Attachment A) and “Observer’s Agreement of ride-Along Rules” form (Attachment B).
    - d. The “Agreement for Assumption of Risk, Indemnification and Release” form (Attachment A) and “Observer’s Agreement of ride-Along Rules” form (Attachment B) shall be scanned and e-mailed, or otherwise delivered, to the Region Commander, Academy Commander, Bureau Director or designee, as applicable, prior to the ride-along.
    - e. The assigned officer must receive written approval from the applicable Region Commander, Academy Commander, Bureau Director or designee prior to the ride-along. This approval is considered granted with the signature of the appropriate authority under Section V. B. 2. of this policy on the “Agreement for Assumption of Risk, Indemnification and Release” form (Attachment A).
    - f. Shall ensure applicable rules outlined in “Observer’s Agreement of Ride-Along Rules” form (Attachment B) are adhered to.

2. Region Commander, Academy Commander, Bureau Director or designee
  - a. Shall approve or deny a ride-along once receiving the “Agreement for Assumption of Risk, Indemnification and Release” form (Attachment A) and “Observer’s Agreement of Ride-Along Rules” form (Attachment B) and provide a copy to the requesting employee.
  - b. A copy shall be retained at the Region, Academy, or Central Headquarters as applicable.

**VI. REFERENCE**

SP4369 Ride-Along Liability Release

### Agreement for Assumption of Risk, Indemnification and Release

I, \_\_\_\_\_ (print name), desire to participate voluntarily in the Wisconsin Department of Transportation – Division of State Patrol Internship Program and/or Ride-Along activity from \_\_\_\_\_ (date) to \_\_\_\_\_ (date).

I UNDERSTAND THAT I AM BEING ASKED TO READ EACH OF THE FOLLOWING PARAGRAPHS CAREFULLY. I UNDERSTAND THAT IF I WISH TO DISCUSS ANY OF THE TERMS CONTAINED IN THIS AGREEMENT, I MAY CONTACT \_\_\_\_\_ (designated Division of State Patrol Supervisor) AT TELEPHONE NUMBER \_\_\_\_\_.

**Assumption of Risks:**

I understand that the Wisconsin Department of Transportation – Division of State Patrol Internship Program and/or Ride-Along activity, by its very nature, carries with it certain inherent risks that cannot be eliminated regardless of the care taken to avoid injuries and/or illness. I am aware of the risks of participation, which include, but are not limited to, minor injury, such as bruises, contusions, broken bones, concussion, and catastrophic injuries, such as paralysis and even death. I understand that the Division of State Patrol has advised me to seek the advice of my physician before participating in the above-listed activity. I acknowledge that I have been advised to have health and accident insurance in effect and that no such coverage is provided for me by the Division of State Patrol, or the State of Wisconsin (collectively, the “Releasees”). **I know, understand, and appreciate the risks that are inherent in the above-listed activity. I hereby assert that my participation is voluntary and that I knowingly assume all such risks.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

PARENT/LEGAL GUARDIAN

**Hold Harmless, Indemnity and Release:**

In consideration of my participation in these activities, I, for myself, spouse, heirs, personal representatives, estate or assigns, agree to defend, hold harmless, indemnify and release the Releasees and their officers, employees, agents, and volunteers from and against any and all claims, demands, actions, or causes of action of any sort on account of damage to personal property, personal injury, or death which may result from my participation in the above-listed activity. This release includes claims based on the negligence of the Releasees, and their officers, employees, agents, and volunteers, but expressly does not include claims based on their intentional misconduct or recklessness. **I understand that by agreeing to this clause I am releasing claims and giving up substantial rights, including my right to sue.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

PARENT/LEGAL GUARDIAN

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

DOT AUTHORIZING SIGNATURE

**OBSERVER’S AGREEMENT OF RIDE-ALONG RULES**

- A. Ride-along individuals shall wear casual business attire and maintain a neat and clean appearance.
- B. Ride-along individuals must be physically able to perform the observation function without any assistance from any other person and must not require apparatus which may be deemed a hindrance to the safe operation of the patrol vehicle in which they are a passenger.
- C. Ride-along individuals have no law enforcement authority and are under the direct authority of the law enforcement officer to which they are assigned.
- D. Ride-along individuals shall not perform any law enforcement functions or become involved in any investigation including:
  - 1. Handling of evidence.
  - 2. Handling of any police equipment without authorization of a Division supervisor.
  - 3. Discussion of any case with victim(s), witnesses, or suspect(s).
  - 4. Any other activities that are reasonably deemed as law enforcement in nature as determined by a sworn Division supervisor.
- E. Ride-along individuals shall always abide by the direction of the law enforcement officer to which they are assigned and will not exit a patrol vehicle and observe calls for service unless authorized.
- F. Ride-along individuals may take written notes but shall not use any electronic recording device while in a ride-along capacity unless expressly authorized by a sworn Division supervisor.
- G. Ride-along individuals may be called as a witness in a court of law as a result of their activity and must abide by all applicable laws regarding the confidentiality of information pertaining to law enforcement action with anyone and any law enforcement interaction pertaining to juvenile subjects.
- H. Any Division supervisor, the officer to which the ride-along is assigned, and/or the ride-along individual may terminate the ride-along activity at any time.
- I. Ride-along individuals must obtain approval from a sworn Division supervisor for each individual occasion in which ride-along activity occurs.
- J. Ride-along individuals shall not possess any weapons/firearms while engaging in ride-along activity with the Division.
- K. A recognized law enforcement officer in Wisconsin is exempt from requirement (D) and (J).
- L. Ride-along individuals must acknowledge their understanding and agreement with the terms of this policy in writing.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
RIDE ALONG/OBSERVER

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
PARENT/LEGAL GUARDIAN

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
ASSIGNED OFFICER