

Number
FPC212429

Version
PROPOSED SUBSTITUTE A

Reference

Sponsor
THE VICE CHAIR AND COM. WORLD-PATTERSON

Title
Resolution recommending modification of Milwaukee Police Department Standard Operating Procedures related to vehicle pursuits and video release.

Analysis
This resolution recommends that the Milwaukee Police Department or the Common Council modify Milwaukee Police Department Standard Operating Procedure (SOP) 660 – Vehicle Pursuits and Emergency Vehicle Operations. In its current form, SOP 660 permits department members to engage in vehicle pursuits when the member knows or has probable cause to believe, among other things, that a vehicle is engaged in reckless driving, including reckless driving observed before the initiation of a traffic stop or after an attempted stop. This resolution recommends that SOP 660 be modified to prohibit department members from engaging in vehicle pursuits for reckless driving that is observed after an attempted traffic stop. The resolution also recommends that SOP 660 be modified to explicitly provide that if the continuation of a vehicle pursuit for reckless driving increases the danger to the public, the department member shall terminate the pursuit.

The resolution further recommends that the Milwaukee Police Department or the Common Council modify Milwaukee Police Department SOP 575 – Video Release Policy, by adding vehicle pursuits involving death or great bodily harm to the categories of incidents requiring release of video evidence.

Body
Whereas, vehicle pursuits have been characterized by the United States Department of Justice as “possibly the most dangerous of all ordinary police activities”; and

Whereas, vehicle pursuits by the Milwaukee Police Department have significantly increased since 2017, reaching yearly average totals of 974 pursuits between 2018 and 2025; and

Whereas, these totals represent more than a threefold increase compared to the average number of pursuits during the previous three years; and

Whereas, in 2025, 33% (316) of vehicle pursuits by the Milwaukee Police Department involved vehicle crashes; and

Whereas, in 2025, vehicle pursuits by the Milwaukee Police Department involved injuries to individuals in 222 incidents, including 156 incidents where a pursuit subject or their passengers were injured, 53 incidents where third-parties were injured, and 13 incidents where department members were injured; and

Whereas, in 2025, vehicle pursuits by the Milwaukee Police Department included six (6) incidents involving a total of nine (9) fatalities, including six (6) third-party fatalities, two (2) fatalities of passengers in a subject vehicle, and one (1) subject fatality; and

Whereas, seven (7) of the nine (9) fatalities referred to above (all third-party or passenger-related) occurred during pursuits for reckless driving, including four (4) fatalities that appear to have occurred during pursuits for reckless driving that first occurred after the attempted traffic stop; and

Whereas, approximately two-thirds of all vehicle pursuits by the Milwaukee Police Department are now for reckless driving; and

Whereas, multiple experts in the field—including the Police Executive Research Forum (PERF) and the New York University School of Law Policing Project—recommend that vehicle pursuits for reckless driving be prohibited except in rare or exceptional circumstances; and

Whereas, the Milwaukee community has a strong and undeniable interest in being informed—in a complete, accurate, and timely manner—about officer-involved incidents that result in death or great bodily harm; and

Whereas, Wis. Stat. § 62.50(3)(a) allows the Common Council to “suspend or modify any policy established [by the Chief of Police] upon a two-thirds vote of all the members of the common council”; and

Whereas, the Fire and Police Commission is charged with oversight of the Milwaukee Police Department, pursuant to Wis. Stat. § 62.50 and Chapter 314 of the Milwaukee Code of Ordinances; and

Whereas, Wis. Stat. § 62.50(1m) specifically provides that the Fire and Police Commission “may advise the common council regarding any recommended policy changes”; now, therefore, be it

Resolved, by the Fire and Police Commission of the City of Milwaukee, that the Fire and Police Commission recommends that the Milwaukee Police Department or the Common Council modify Section 660.20(C) of Milwaukee Police Department Standard Operating Procedure 660 – Vehicle Pursuits and Emergency Vehicle Operations, as follows:

Vehicle pursuits are justified when the police member knows or has probable cause to believe:

1. The occupant(s) has committed, is committing, or is about to commit a violent felony (e.g., armed robbery, recklessly endangering safety, and other crimes against a person in which violence is an element to the felony offense); or
2. The specific vehicle was used in or taken during the attempt or commission of a violent felony (e.g., armed robbery, recklessly endangering safety, and other crimes against a person in which violence is an element to the felony offense); or
3. The vehicle or occupant(s) present a clear and immediate threat to the safety of others and therefore the necessity of immediate apprehension outweighs the level of danger created by the vehicle pursuit (e.g., misdemeanor shots fired incident in which a specific vehicle is described as being involved); or
4. The occupant(s) of the vehicle are engaged in drug dealing proximate in time to the initiation of the vehicle pursuit.

Note: This subsection is limited to only incidents in which the observed drug dealing is directly related to a substantive drug investigation or long term investigation. Members may initiate a vehicle pursuit under this subsection if the suspect flees while driving in a reckless manner after an attempted traffic stop or for a “refusal to stop” pursuit, as previously defined within this policy.

5. ~~The necessity of immediate apprehension outweighs the level of danger created by the vehicle pursuit, as in the case of the vehicle engaging in reckless driving~~>>suspect's driving prior to the attempted stop is so reckless that the driver would pose a substantial and unreasonable risk of death or great bodily harm to another if not apprehended<<.

Note: Members may initiate a vehicle pursuit for either (1) reckless driving observed by the member prior to the initiation of a traffic stop, but not solely for or (2) if the suspect vehicle flees while driving in a reckless driving observed manner after an attempted traffic stop for any state law or ordinance violation. However, vehicle speed in and of itself is not enough for a member to initiate a vehicle pursuit for reckless driving for either (1) or (2). Members shall also have at least one of the following, but not limited to, additional factors present to initiate a vehicle pursuit for reckless driving—(e.g., which demonstrates behaviors that show substantial and unreasonable risk of death or great bodily harm to another beyond just speeding). Examples of such factors include, but are not limited to:

1. Collisions with other vehicles or objects;
2. Forcing other vehicles to take evasive action to avoid collision;
3. Failure to stop at controlled intersections without slowing or stopping.

Moreover, if continuation of a pursuit for reckless driving increases the danger to the public, members shall terminate the pursuit.

6. A pursuit shall not be initiated or shall be terminated if the driver refuses to or fails to stop, and the only known reason for the attempted stop is an ordinance violation or misdemeanor (except as otherwise provided for in SOP 660.20(C)).

7. A “refusal to stop” pursuit, as previously defined within this policy, may be initiated and maintained for a lesser offense than described above.

(WILEAG 6.1.3.2)

; and

Further resolved, that the Fire and Police Commission recommends that the Milwaukee Police Department or the Common Council modify Milwaukee Police Department Standard Operating Procedure 575 – Video Release Policy, as follows:

575.00 PURPOSE

- A. The purpose of this standard operating procedure (SOP) is to foster greater public trust in the Milwaukee Police Department by increasing transparency with respect to department operations involving the use of deadly force >>and vehicle pursuits<<. The department recognizes that the Milwaukee community has a strong and undeniable interest in being informed—in a complete, accurate, and timely manner—about >>officer-involved<< incidents that result in death or great bodily harm ~~that is caused by a department member's actions or occurs while in police custody.~~

575.05 DEFINITIONS

>>E. VEHICLE PURSUIT

1. Eluding / Fleeing

An active attempt by one or more law enforcement officers to apprehend a suspect who is either an occupant of or operating a motor vehicle, during which time the operator of the motor vehicle is attempting to avoid capture by using high speed driving or other evasive tactics such as driving off a highway, or making sudden or unexpected maneuvers.

2. Refusal to Stop

An active attempt by one or more law enforcement officers to stop a motor vehicle by use of emergency lights and siren, during which time the operator of the motor vehicle is driving at a reasonable speed (e.g., at or below the established speed limit), but willfully refusing to pull over and stop.<<

575.15 RELEASE DEADLINE

- A. The department shall release video evidence of the following types of incidents to the public within fifteen (15) days of the incident:
1. Any officer-involved death as defined in SOP 575.05(C);
 2. Any other critical incident as defined in SOP 575.05(D); ~~or~~
 3. Any incident involving the death of a person where a department member discharges a firearm, even if the death was not the result of the firearm discharge by the department member:>>; or

4. Any vehicle pursuit as defined in SOP 575.05(E) involving great bodily harm to or the death of a person.<<

- B. The release shall, at a minimum, consist of relevant video footage that depicts the actions and events leading up to and including the officer-involved death, other critical incident, >>vehicle pursuit,<< or death. Relevant video footage includes accompanying audio records.

575.25 VIDEO ALTERATIONS AND WITHHOLDINGS

- E. In cases involving an officer-involved death>>, the<< ~~or~~ death of a person where a department member discharges a firearm>>, or the death of a person during an incident involving a vehicle pursuit<<, video footage may be redacted, edited, or withheld based upon requests from the person's next of kin.

575.30 NOTIFICATIONS AND CONSULTATIONS

- A. In cases involving an officer-involved death>>, the<< ~~or~~ death of a person where a department member discharges a firearm>>, or the death of a person during an incident involving a vehicle pursuit<<, the department shall make reasonable attempts to notify the person's next of kin and provide them an opportunity to view the video footage within forty-eight (48) hours of the incident. This requirement does not apply to situations where reasonable suspicion exists that the next of kin was a witness to or otherwise involved in the incident, or where there is a particularized, specific risk that the disclosure would endanger the safety of a person (including a department member).

Requestor

Drafter

Bridget Hughes

4/8/26