

New MPD Pursuit Policy Takes Discretion Away from Police Officers, Alderman Donovan Says

Statement of Ald. Bob Donovan March 29, 2010

I'm having a hard time accepting the Milwaukee Police Department's new vehicle pursuit policy, which requires police officers to establish probable cause that a violent felony has occurred before they can give chase to a driver who is fleeing (refusing to stop for a police vehicle that has activated its lights and siren). This change, made by Chief Edward Flynn and announced internally on Friday (March 26), is a huge one for officers who must make split-second decisions sometimes involving dangerous criminals – many of whom are desperate not to go back to jail or prison.

Before this change, an officer arriving at an armed robbery scene would be allowed to pursue a vehicle he or she observed driving quickly away from the scene. The officer's reasonable suspicion that someone involved in the robbery might be inside the vehicle was enough to initiate the pursuit.

Now, that same officer must only consider going after a possible suspect or suspects if the crime in question is a violent felony. Even then, they must observe something – a mask, a weapon, a specific vehicle or clothing description – that gives that officer probable cause to take part in a pursuit if the driver does not willingly pull over.

So now, if a burglary suspect or drug dealer jumps in a vehicle and refuses to stop for a patrol car, he'll be able to take off and get away because the crime was not a violent felony. You can bet that very few of these scumbags will be hitting the brake pedal when they get lit up by MPD – they'll be pushing the accelerator down hard because they know the cops won't pursue.

This change also takes the discretion out of the hands of our officers. Our officers go through intense training, commit themselves to professional standards, and even take a sworn oath to serve and protect, yet we apparently can't trust them to make proper pursuit judgments? Our officers really want to get bad people off the street – that's one of the key motivators for many of them each and every day! This change sends a poor message, reminding me almost of something we'd expect from the (Chief) Art Jones era, and I fear that it will cause possible serious morale problems down the road.

But what really gets me is that this change comes at a time when we can ill afford to give criminals any slack. Why? Because by this summer we'll be facing almost 300 officer vacancies, not to mention thousands of inmates will be roaming our streets thanks to an early release initiative brought to us by Governor Doyle. And right now we have such a shortage of MPD detectives, uniformed officers are taking on detective work (in addition to their regular assignments).

Lastly, I would like to know where the outrage is in our community about this (change)? I support Chief Flynn on nearly everything he does, but we part company when it comes to this change. We have people turning somersaults because Milwaukee had 72 homicides in 2009 (instead of 100). But Minneapolis only had 19 last year!

Have we really lowered our standards that much? Am I the only one wondering about the answer to that question?

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