

2020

ACCOUNTABILITY REPORT



MADISON POLICE DEPARTMENT

MESSAGE FROM THE CHIEF



Chief Shon F. Barnes

I am pleased to present you with the Madison Police Department's annual Accountability Report. One of our core values recognizes the need for continuous improvement, and this report is one attempt to fulfill that mission. This report provides an overview of the most critical aspects of policing:

- » Professional Standards & Internal Affairs complaint/investigation process
- » Vehicle pursuits
- » Use of force
- » Squad accidents

Improved data collection and oversight mechanisms allow us to provide more details about these key aspects of MPD operations. This report is one of many ways in which the Madison Police Department strives for transparency and accountability, and my hope is that it will help our efforts to build and improve trust with the community.



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CORE VALUES

Integrity

We are committed to performing our work with the highest degree of honesty, integrity and professionalism.

Human Dignity

We acknowledge the value of all people and carry out our duties with dignity, respect, and fairness to all. Furthermore, the Department recognizes and respects the value of all human life.

Service

We strive to deliver exceptional service in an unbiased manner.

Community Partnership

We believe that the police can only be successful in improving safety and the quality of life the community enjoys when police and community members work collaboratively to address issues of mutual concern.

Proficiency and Continuous Improvement

We are accountable to the public and ourselves for the quality of our service. We strive for proficiency in all facets of our work. We seek to continually improve ourselves and those systems in our midst and those in the community where police can effect meaningful change for better outcomes.

Diversity

We engage in continuous learning about different cultures, values and people. We promote mutual acceptance and inclusion of all.

Leadership

We acknowledge that leadership knows no boundaries and is more comprehensive than rank or title. We also recognize that being a good follower—whether sworn or civilian—is essential to our success as a Department. We value the talents, creativity, and contributions of all of our employees.



MISSION

We, the members of the Madison Police Department, are committed to providing high quality police services that are accessible to all members of the community. We believe in the dignity of all people and respect individual and constitutional rights in fulfilling this mission.

- » [MPD Code of Conduct](#)
- » [MPD Standard Operating Procedures](#)





PROFESSIONAL STANDARDS & INTERNAL AFFAIRS

The Madison Police Department assigns one Lieutenant and one Sergeant full-time to the Professional Standards & Internal Affairs (PS&IA) unit. The PS&IA unit is responsible for all aspects of the internal investigation process:

- » Accepting and reviewing complaints (internal and external)
- » Investigating complaints
- » Assigning complaints to MPD commanders or supervisors for investigation
- » Ensuring appropriate documentation of all complaints and investigations
- » Reviewing vehicle crashes involving MPD vehicles
- » Reviewing MPD vehicle pursuits

PS&IA reports directly to the Assistant Chief of Police for Investigative and Specialized Services, and provides a weekly update to the Chief of Police and Assistant Chiefs of Police.

Complaint Process

Complaints about MPD personnel can be submitted in person, in writing, or online. Once a complaint is received, it is entered into an electronic tracking/monitoring software and forwarded to PS&IA for review. PS&IA will review the circumstances surrounding the complaint and either retain investigative responsibility for the complaint or delegate investigative responsibility to the supervisory staff of the involved employee. Generally, PS&IA will investigate more serious allegations while minor allegations will be assigned to the employee's supervisory staff. In the event of an allegation of criminal activity or serious misconduct, an outside agency may be requested to assist.

The assigned investigator will perform a thorough investigation to determine the facts related to the allegation. The investigation will include interviews of all relevant parties (the complainant, witnesses, and any involved officers), as well as a review of other documents (like police reports) and physical evidence (photos, video, etc.).

At the conclusion of this process, the assigned investigator will make a preliminary determination on the complaint. In most instances, there are four possible outcomes:

- Exonerated: The alleged incident occurred, but was lawful and in accordance with MPD Code of Conduct and standard operating procedures (SOP).
- Unfounded: The evidence shows that the alleged conduct did not occur.
- Not Sustained: The allegation is not supported by a preponderance of evidence.
- Sustained: A preponderance of evidence shows that the action of the employee was not consistent with MPD Code of Conduct, standard operating procedures or City of Madison administrative procedure memoranda (APM).

The investigator's preliminary determination will first be reviewed by the employee's chain of command. If the commander concurs with the determination, it will ultimately be reviewed with the Chief for a final determination.

If the investigation finds a sustained violation that could result in a disciplinary sanction (a letter of reprimand, suspension, etc.), then PS&IA will schedule a pre-determination hearing with the employee. This is an opportunity for the employee to contest any factual findings or to offer any mitigating circumstances for the Chief to consider.

If, after the pre-determination hearing, the process shows that an employee violated the department's Code of Conduct or standard operating procedures, the Chief of Police will consult with the Assistant Chiefs and the employee's command staff to determine the appropriate sanction. The department's disciplinary matrix provides guidance to the Chief during this process:

cityofmadison.com/police/documents/sop/PSIAdiscMatrix.pdf

In all but the most serious cases, the process is not intended to be punitive. Instead it is designed to correct behavior and ensure that MPD employees are complying with the Code of Conduct and standard operating procedures as they serve the community. Low-level violations may be addressed through verbal counseling or training.

The most serious sanctions – demotion and termination – are the exclusive authority of the Police & Fire Commission (PFC). If the Chief determines that one of these outcomes is required, the department must file a complaint before the PFC. In some instances, the employee will resign from the department before the investigation can be concluded with a final disposition.

PS&IA releases quarterly summaries of investigations that result in discipline. These summaries are available here:

cityofmadison.com/police/PSIA

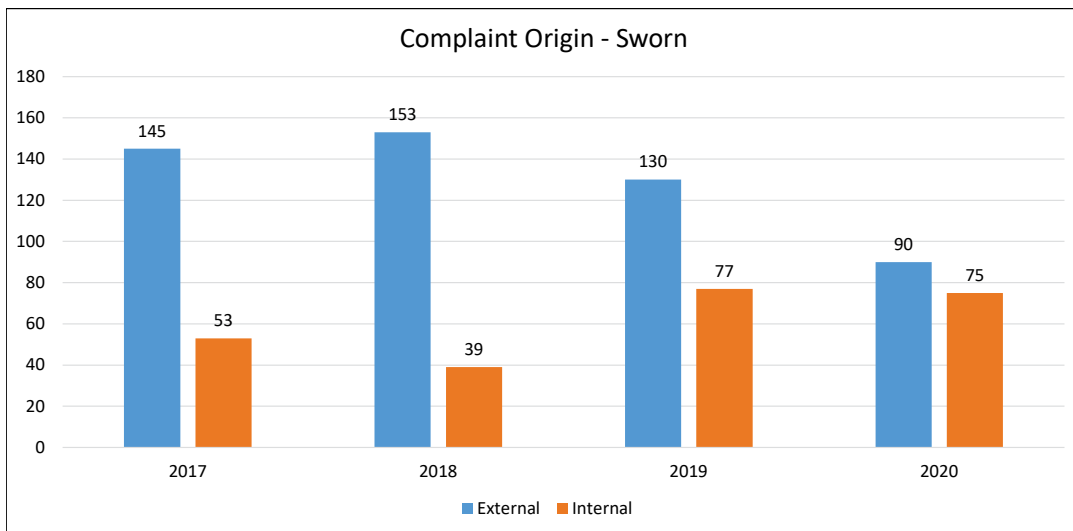
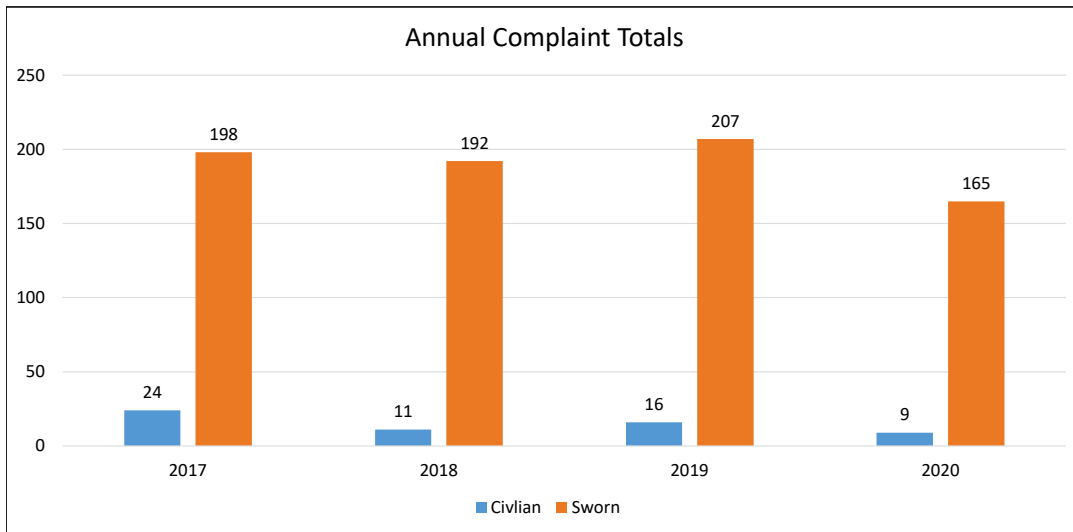
At the conclusion of externally-generated complaint investigations, MPD will reach out to the community member who brought the complaint forward to advise them of the disposition. When appropriate, the department will invite complainants to view video (if relevant) as part of this contact.

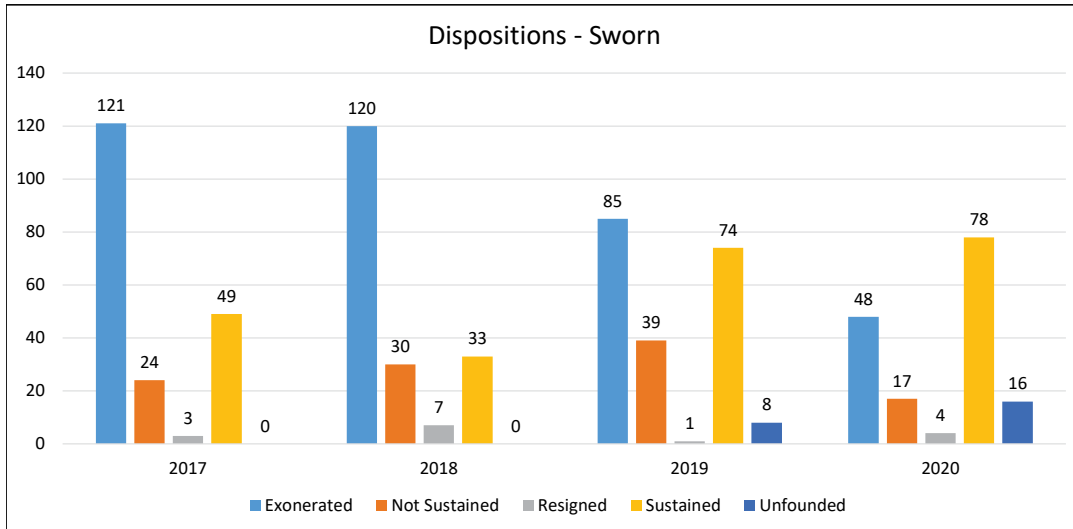
This investigative process is governed by MPD standard operating procedure:

cityofmadison.com/police/documents/sop/PSIAcomplaintInv.pdf

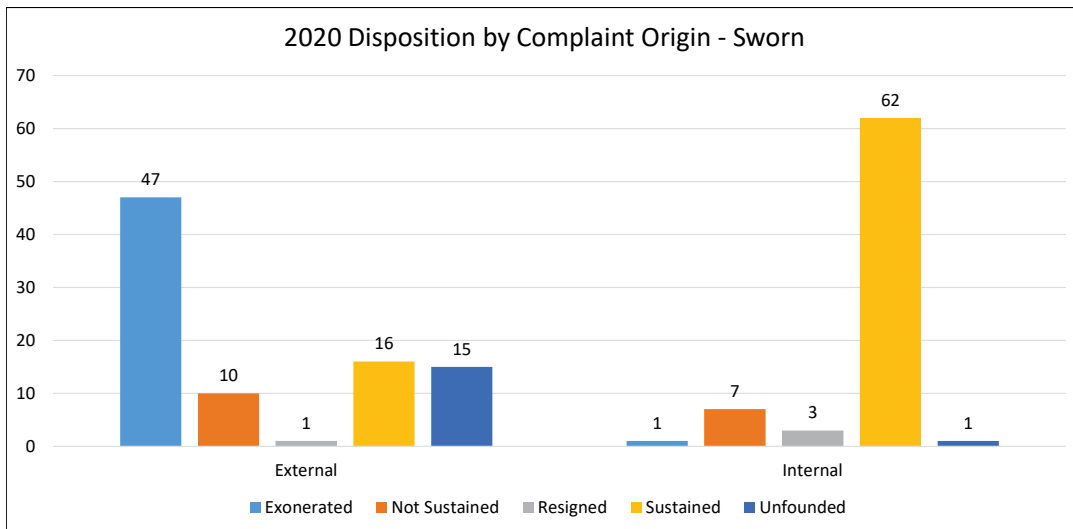


The following charts reflect complaint information for recent years:





As indicated above, some employees will resign or retire prior to the resolution of a PS&IA investigation, precluding a final disposition of the case. The resignation/retirement may or may not be directly related to the investigation. Two cases from 2020 were still pending at the time of this report.

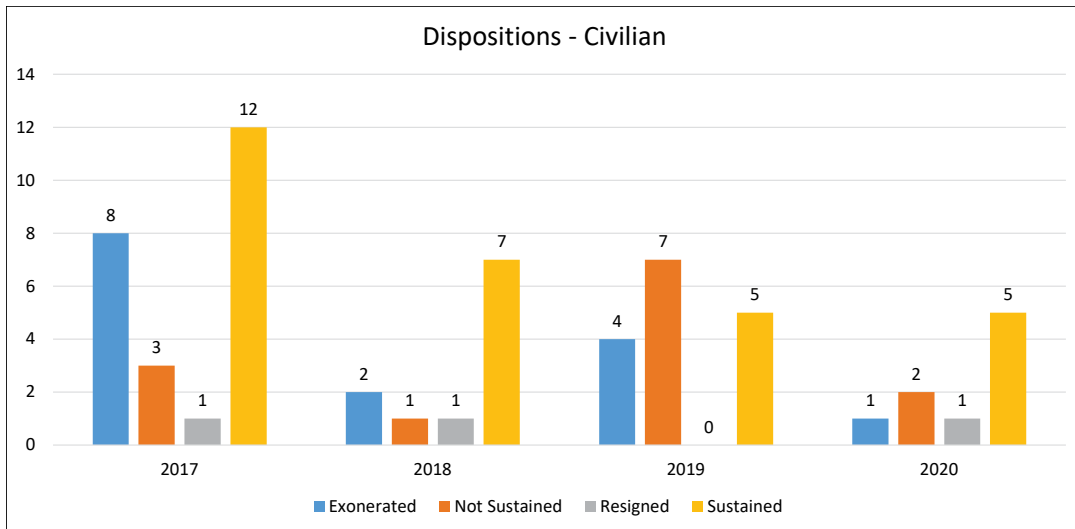
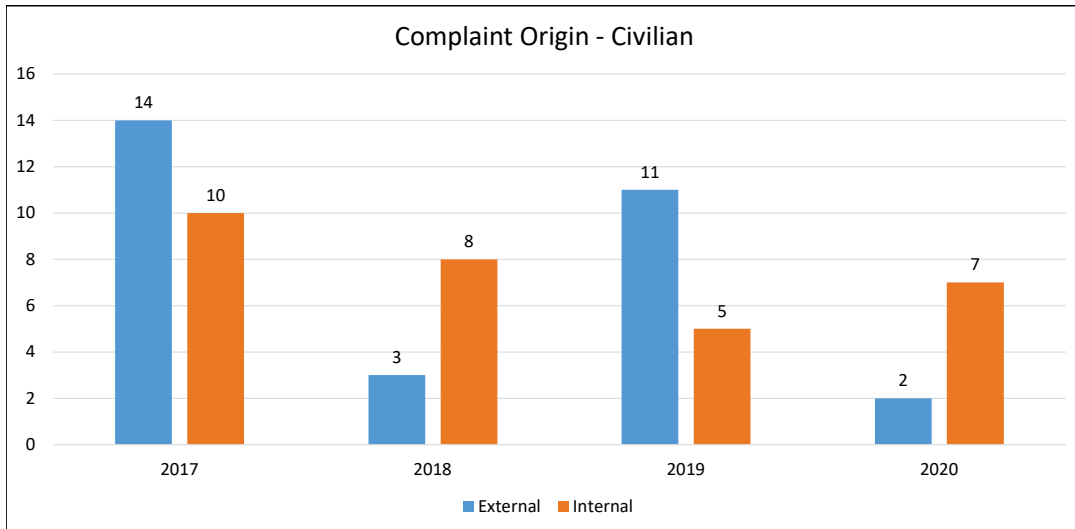


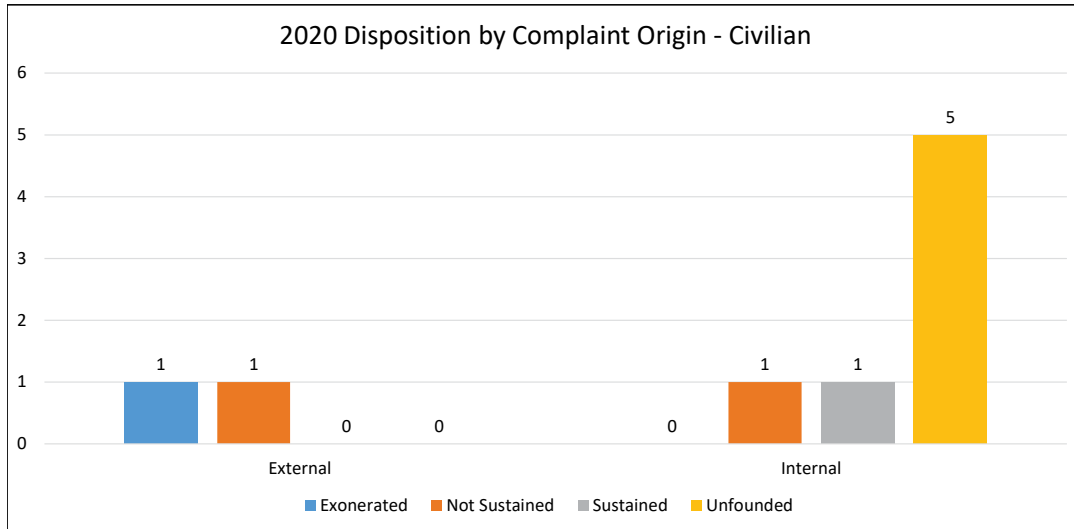
Sustained violations, sworn employees:

Violation	2017	2018	2019	2020
APM 3-5 Prohibited Harassment and/or Discrimination	0	0	3	0
APM 3-9 Appropriate Use of Computer Network Resources	2	0	0	1
Code of Conduct - Absence from Duty	4	4	4	5
Code of Conduct - Courtesy Respect and Professional Conduct	4	1	9	9
Code of Conduct - Insubordination	0	1	3	3
Code of Conduct - Legal Authority	0	0	0	3
Code of Conduct - Notification Required of Law Enforcement Contact	1	0	0	0
Code of Conduct - Performance of Duties	3	8	4	2
Code of Conduct - Truthfulness	0	2	0	0
Code of Conduct - Unlawful Conduct	0	1	0	0
Code of Conduct - Use of Force	0	0	0	1
Code of Conduct - Vehicle Operation	4	0	2	1
SOP - Back-Up	0	0	0	1
SOP - De-escalation	0	0	0	1
SOP - Domestic Abuse	1	0	0	0
SOP - Emergency Vehicle Operation Guidelines	1	3	37	48
SOP - Firearms Safety	0	2	0	0
SOP - General Duties & Expectations of Employees	0	0	0	3
SOP - Handling of Evidence Contraband Found or Lost Property	3	0	0	1
SOP - Hours Worked	0	0	1	0
SOP - Identification of Employees	0	0	0	1
SOP - In-Car Video System	5	7	5	19
SOP - Interviews of Crime Victims	1	0	0	0
SOP - Overtime Guidelines	2	1	0	1
SOP - Police Vehicle Parking	1	0	0	0
SOP - Police Weaponry	1	1	9	4
SOP - Property Handling	1	1	0	0
SOP - Records Inspection and Release	0	2	1	0
SOP - Reporting Procedure	6	2	1	3
SOP - Restricted Duty	0	1	0	0
SOP - Retail Theft	0	0	1	0
SOP - Searches	0	0	1	1
SOP - Telestaff Requirements	1	0	0	0
SOP - Traffic/Parking Enforcement and Crash Investigation	5	0	2	0
SOP - Use and Care of City-Owned Property	4	1	2	2
SOP - Use of Force Data Collection	3	1	1	0
SOP - Use of Mobile Data Computers	0	0	1	0
SOP - Use of Non-Deadly Force	0	1	0	1
Grand Total	53	40	87	111

* Some complaints/investigations involve more than one allegation.

Note: the 2019 data showed a large increase in sustained violations from 2017 and 2018. This largely is a result of an administrative change in documentation processes. In prior years, violations of the Emergency Vehicle Operations Guidelines Standard Operating Procedure that were associated with a vehicle pursuit or on-duty accident were not tracked with a separate PS&IA case number. That process changed in 2019 so those violations are now reflected as PS&IA cases. These sustained violations are mainly minor collisions during parking/backing maneuvers that are addressed with verbal counseling. This is also reflected in the 2020 data.





Sustained violations, civilian employees:

Violation	2017	2018	2019	2020
APM 2-22 Rules of Conduct	1	0	0	0
APM 2-31 Leave of Absence Without Pay	0	1	0	0
APM 2-33 #A1 Discourteous Behavior	-	-	-	1
APM 2-33 #A2 Insubordination	1	1	0	0
APM 2-33 #A3 Rules of Conduct	3	0	0	0
APM 2-33 #A4 Failure to Provide Accurate and Complete Information	1	0	0	-
APM 2-33 #A4 Unauthorized/Excessive Personal Business	-	-	-	1
APM 2-33 Rules of Conduct	1	0	0	0
APM 3-9 Appropriate Use of Computer Network Resources	2	0	0	1
Code of Conduct - Absence from Duty	3	3	2	1
Code of Conduct - Courtesy Respect and Professional Conduct	1	1	0	1
Code of Conduct - Insubordination	2	0	1	3
Code of Conduct - Notification Required of Law Enforcement Contact	0	1	0	0
Code of Conduct - Performance of Duties	1	0	0	0
Code of Conduct - Truthfulness	1	0	0	0
Code of Conduct - Unlawful Conduct	0	1	0	0
SOP - Telestaff Requirements	0	1	0	0
SOP - Emergency Vehicle Operation Guidelines	0	0	2	1
Grand Total	17	9	5	9

* Some complaints/investigations involve more than one allegation. City APM 2-33 was revised and renumbered in 2020.

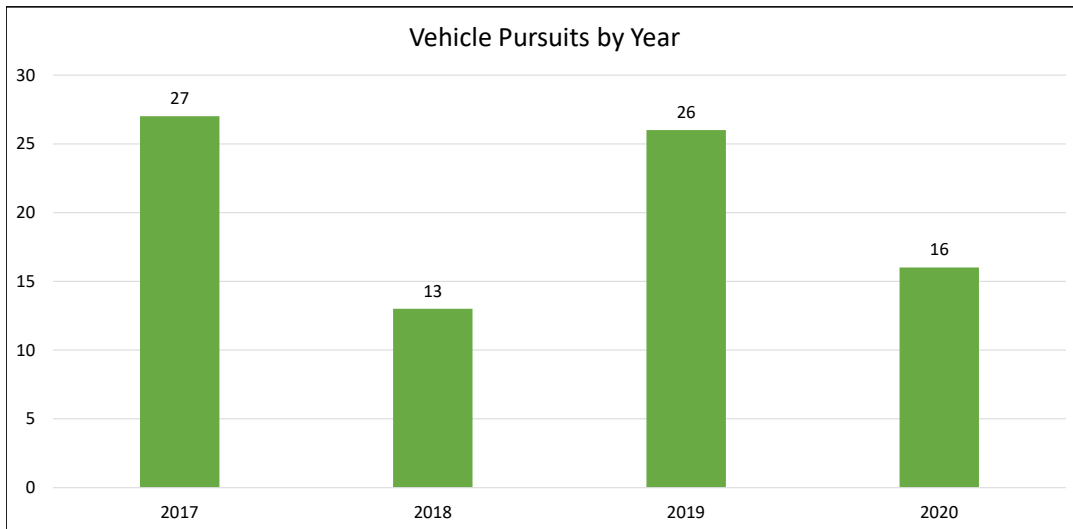
VEHICLE CRASHES & PURSUITS

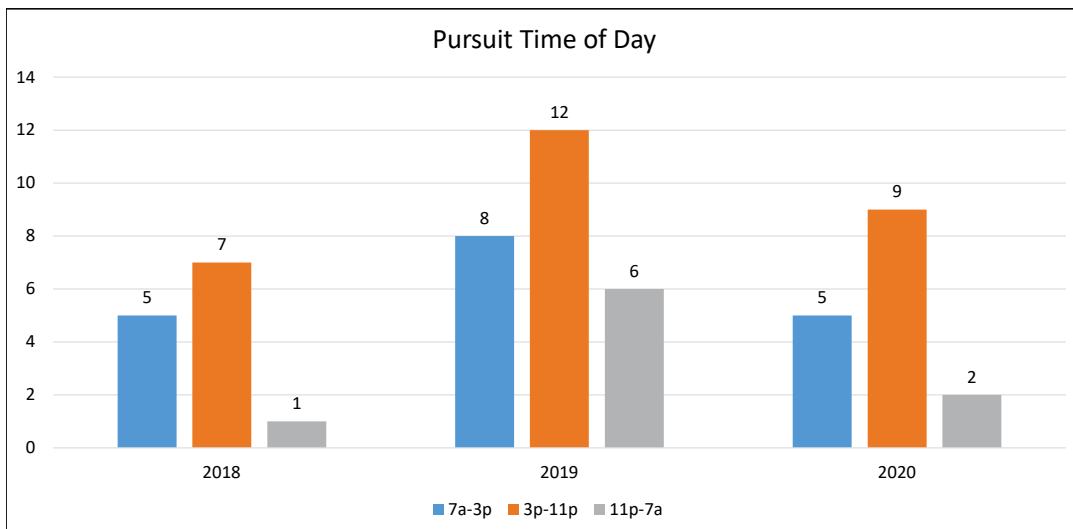
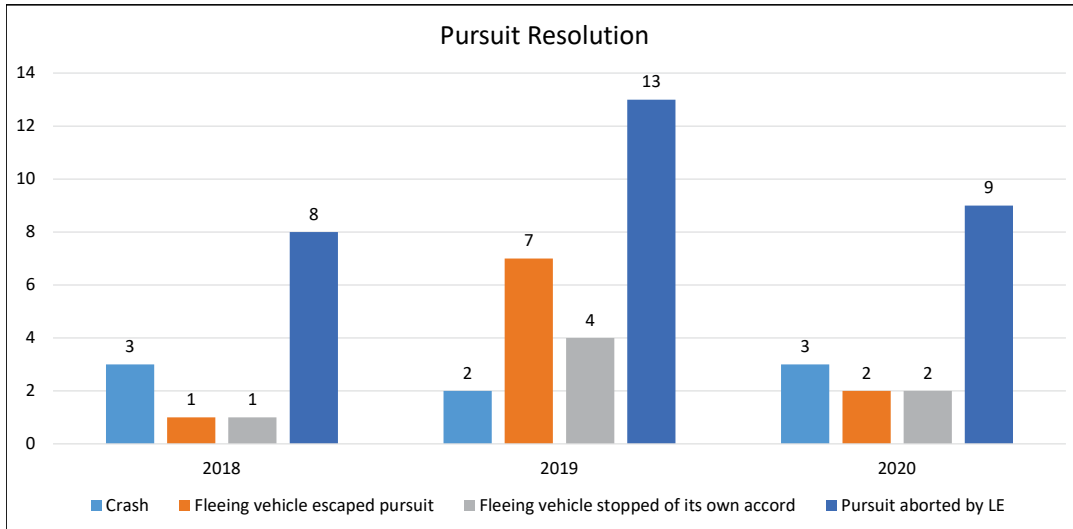
Emergency vehicle operations represent one of the most critical functions of any police agency. Officers must operate vehicles in all conditions while responding to emergencies. Safe driving is an expectation for all MPD employees and is emphasized in training and policy. The Chief of Police and Assistant Chiefs are updated on all MPD vehicle pursuits and crashes on a weekly basis.

All Wisconsin law enforcement agencies are required to report vehicle pursuit data to the State Department of Transportation annually. As part of this reporting and documentation process, every vehicle pursuit that an MPD officer is involved in goes through a thorough internal review process. This review includes:

- » An initial review by a field supervisor
- » Review by the employee's commanding officer
- » Review by the department's lead instructors/subject matter experts in emergency vehicle operation
- » Review by the Assistant Chief of Police for operations

This review process can result in coaching, additional training, or referral of the incident to PS&IA for further investigation.



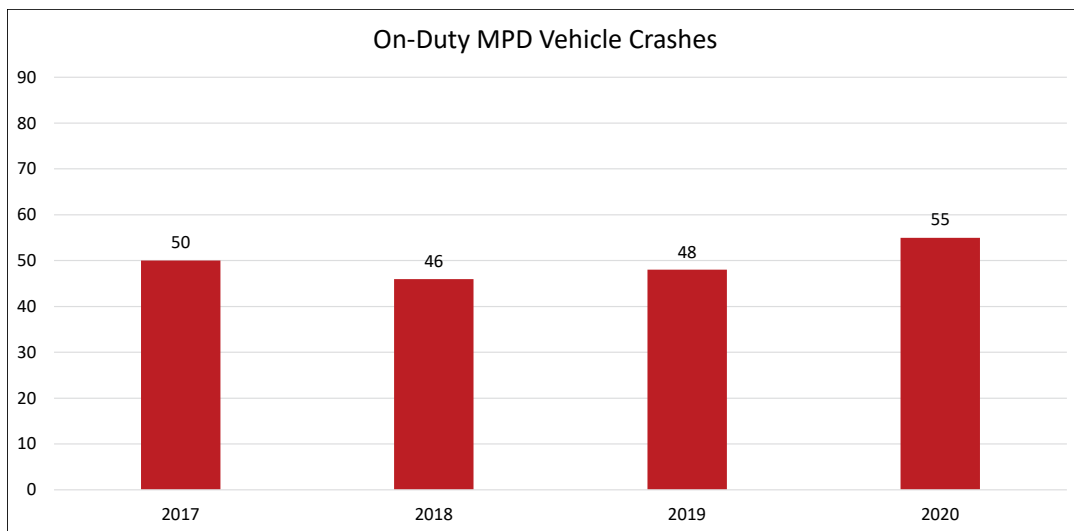


In 2015 the department modified its standard operating procedure governing emergency vehicle operation, significantly restricting the circumstances under which officers are authorized to engage in vehicle pursuits. This has resulted in a reduction in the number of pursuits officers are involved in, and corresponding reductions in injuries and property damage resulting from vehicle pursuits.

Any on-duty vehicle crash involving an MPD employee (sworn or civilian) must be investigated by a supervisor before going through an internal review process. This process includes:

- » Review by the employee's commanding officer
- » Review by the Vehicle Operations Review Committee
- » Review by PS&IA
- » Review by the Captain of Traffic & Specialized Services

When the accident was determined to be the fault of the employee, and when no mitigating circumstances are present, a citation may be issued or the employee may face internal sanctions (or both).



For perspective, MPD has about 600 employees (sworn and civilian). For many of these employees, their "office" is a vehicle, and they are driving all or most of each workday. In fact, MPD employees drive more than 2.5 million miles a year while on duty. Much of this driving is done under challenging circumstances, responding to emergencies in all weather conditions.

USE OF FORCE

In 2016 MPD established a full-time Use of Force (UoF) Coordinator position. The UoF Coordinator is an MPD sergeant with significant background and expertise in police use of force training and evaluation.

Whenever an MPD employee uses any type of force, they are required to document their actions in an MPD police report. In addition, if an officer uses recordable force, they are required to meet with a supervisor to review the incident and have the force use documented in a database. This process allows the department to analyze trends and patterns in how officers are using force. Recordable force is defined in MPD’s standard operating procedure to include takedowns, active countermeasures, OC spray, impact weapons, hobble (leg) restraints, Tasers, K9 apprehensions, less lethal projectiles and use of deadly force.



The MPD UoF Coordinator also reviews each incident involving the application of recordable force. This review assesses all aspects of the incident, to include report quality, decision-making, tactical deployment, use of de-escalation strategies, etc. Any incident that appears to reflect conduct not in compliance with MPD’s Code of Conduct or standard operating procedures is referred to PS&IA for investigation. Coaching, training or other remediation are also utilized to improve officer and agency performance.

MPD officers use force rarely. This chart compares annual calls for service to incidents involving the use of recordable force (**note: force applications occurring during the riots/unrest in 2020 are discussed separately below**):

	2017	2018	2019	2020
Calls for service*	144,586	143,359	145,205	125,272
Community member contacts where recordable force was used	231	217	322	222
Percentage	0.16%	0.15%	0.22%	0.18%

* This figure is limited to calls for service involving response of a sworn employee.

Use of force by type:

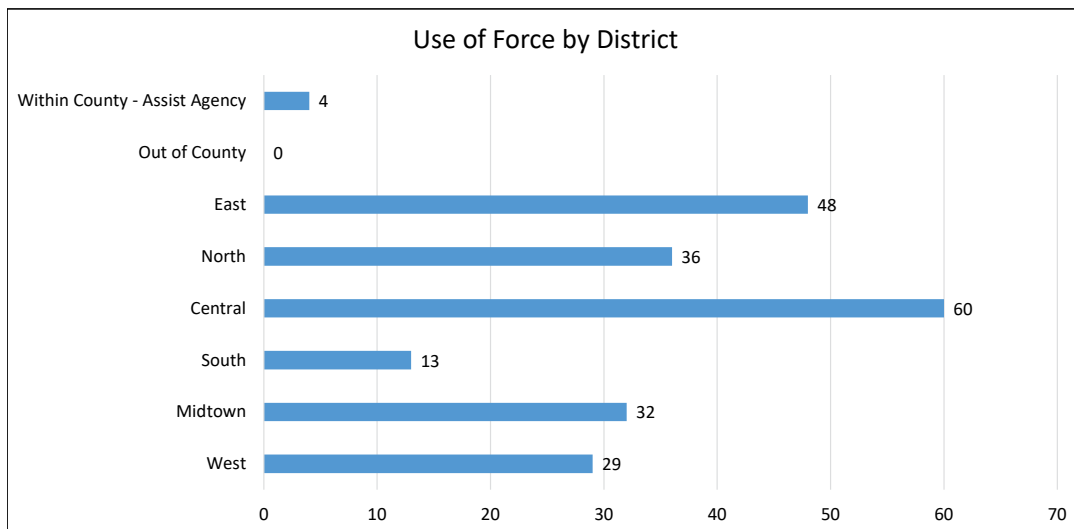
	2017	2018	2019	2020
Decentralization/Takedown	176	175	246	170
Active Counter Measures	78	73	74	46
Taser Deployment	22	27	40	41
Hobble Restraints	31	36	50	40
OC Spray Deployment	17	9	25	21
Baton Strike	1	1	1	0
K9 Bite	0	0	4	3
Firearm Discharged Toward Suspect	0	1	1	0
Impact Munition	4	2	5	6
Specialty (SWAT/SET)	0	0	2	0*
Total**	329	324	448	327
Firearm Discharged to Put Down a Sick or Suffering Animal (all wild animals, injured or ill)	62	38	46	58

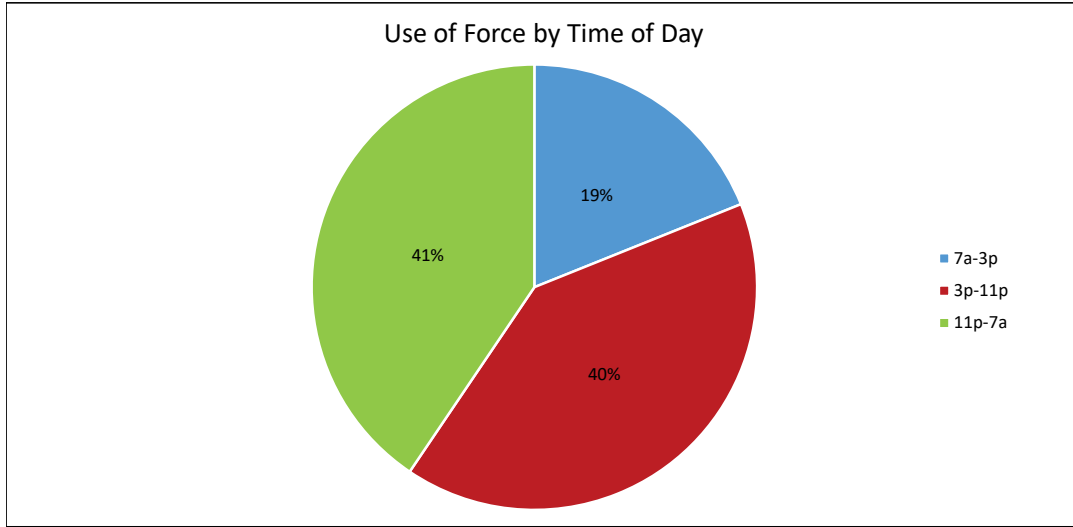
* Use of force applications related to 2020 riots/unrest are reflected separately below.

** Note that some incidents where force was used involved more than one type of force application, so the totals of the two charts will not match.

In 2019, MPD modified the way in which decentralization/takedown techniques were tracked. Now, anytime officers move a subject to the ground it is recorded in Blue Team and counted as a "decentralization/takedown." This reflects an adjustment from previous practice, and accounts for the increase in that category and overall recordable force.

2020 MPD use of force details:





MPD is comprised of about 71% male officers and about 29% female officers. Officers using force in 2020:

	Q1	Q2	Q3	Q4	Total	%
Male	91	60	61	41	253	87.8%
Female	9	11	8	7	35	12.2%
Total	100	71	69	48	288	100.0%

Subjects who had force applied by MPD in 2020:

	Q1	Q2	Q3	Q4	Total	%
Male	59	36	48	31	172	77.5%
Female	21	15	9	5	50	23.9%
Total	80	51	55	36	222	100.0%

MPD is comprised of about 78% white officers and about 22% minority officers. Officers using force in 2020:

	Q1	Q2	Q3	Q4	Total	%
Asian	1	0	0	1	2	0.7%
African-American	10	13	6	6	35	12.2%
Hispanic	9	7	6	4	26	9.1%
Native American	0	1	0	0	1	0.3%
Other	0	0	0	0	0	0%
Caucasian	80	50	57	37	224	77.8%
Total	100	71	69	48	288	100.0%

Subjects who had force applied by MPD in 2020:

	Q1	Q2	Q3	Q4	Total	%
Asian	0	2	0	1	3	1.4%
African-American	35	28	27	22	112	50.5%
Hispanic	14	3	4	0	21	9.5%
Native American	1	1	0	0	2	0.9%
Other	0	0	0	0	0	0.0%
Caucasian	30	17	23	13	83	37.4%
Unknown	0	0	1	0	1	0.5%
Total	80	51	55	36	222	100.0%

Influencing factors in 2020 use of force incidents:

	Q1	Q2	Q3	Q4	Total	%*
Alcohol	33	12	19	8	72	37.7%
Drugs	8	9	9	6	32	16.8%
Alcohol & Drugs	18	11	8	8	45	23.6%
Other	13	1	11	8	42	22.0%
Total	72	42	47	30	191	100%

* Percentage of total use of force incidents for the year.

MPD use of force incidents compared to MPD arrests:

	Arrests			Arrests Involving Use of Recordable Force*			% of Arrests Involving Use of Recordable Force		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Sex:									
Male	5,657	5,982	4,695	136	229	160	2.40%	3.83%	3.41%
Female	2,348	2,347	1,661	45	61	42	1.92%	2.60%	2.53%
Unknown	0	1	1	0	0	0	0.00%	0.00%	0.00%
Race:									
Asian	100	139	90	0	5	3	0.00%	3.6%	3.33%
African-American	3,871	3,932	3,096	88	166	104	2.27%	4.22%	3.36%
Native American	49	45	39	3	5	2	6.12%	11.11%	5.13%
Other	130	135	116	3	2	2	2.31%	1.48%	1.72%
Caucasian	3,855	4,079	3,016	87	112	91	2.26%	2.75%	3.02%
Total	8,005	8,330	6,357	181	290	202	2.26%	3.42%	3.18%
Hispanic**	495	522	438	9	23	17	1.82%	4.41%	3.88%

* Not all use of force incidents result in an arrest or charge. These figures reflect only those use of force incidents that resulted in an arrest so they will not match total use of force incidents.

** "Hispanic" is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD's records management system. The arrest figures above are based on that data; each arrest and use of force incident involving a person with a Hispanic ethnicity will also have a race indicated above and reflected in MPD's crime reporting.



UNREST/RIOTS

Over the course of 2020, Madison experienced several nights of significant civil unrest. This resulted in violence, property damage, looting, and arson. Law enforcement agencies from across the State were required to assist, as was the Wisconsin National Guard. Rocks, bottles, signs, and other projectiles were thrown at officers (resulting in multiple injuries). Officers utilized chemical agents and other tools/techniques to address this behavior. Use of force information for these events is being reported separately to clearly distinguish force used during these events. Quarter two unrest refers to the May 30 - June 1 time period; quarter three refers to August 24-25.

	Q2	Q3	Total
Decentralization/Takedown	7	4	11
Active Counter Measures	1	1	2
Taser Deployment	0	0	0
Hobble Restraints	0	0	0
OC Spray Deployment	96	8	104
Baton (push/shove)	56	0	56
K9 Bite	0	0	0
Firearm Discharged Toward Suspect	0	0	0
Impact Munition	20	3	23
Specialty (SWAT/SET)	135	24	159
Total	315	40	355



AUDITS

The department engages in a number of regular audits to ensure appropriate compliance with the Code of Conduct and standard operating procedures. Systems/process/inventories that are regularly audited include:

- » City email
- » Mobile Data Computer (MDC) communications
- » Squad video/audio
- » Property/evidence
- » Training aids
- » Federally regulated materials
- » Recordable force database entries

Code of conduct or standard operating procedure violations identified as part of an audit are forwarded to PS&IA for investigation.

TRANSPARENCY

MPD is committed to transparency, and routinely publishes a variety of information about department operations. Examples include:

- » Crime data
- » Arrest data
- » Traffic stop data
- » Use of force data
- » Personnel demographics/diversity data

This data is released quarterly, and is consistent with recommendations from the President's Task Force on 21st Century Policing:

cityofmadison.com/police/data

The Chief also releases a quarterly report for the Common Council. This report includes some of the 21st Century Policing data, with additional detail. The report also outlines changes to department standard operating procedures:

cityofmadison.com/police/data/ccReports.cfm

Finally, MPD releases quarterly summaries reporting disciplinary actions. These summaries include sustained complaints that result in disciplinary action:

cityofmadison.com/police/PSIA



MADISON POLICE DEPARTMENT

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