

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

May 1, 2024

To: City of Madison Common Council Alders

From: Shon F. Barnes, Madison Police Department Chief of Police

Subject: Quarterly Report (1st, 2024)

Mission Statement of the Madison Police Department

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.

Community Policing

At MPD we start with a simple proposition—the police cannot go it alone. We cannot begin to address the complex issues affecting our quality of life without assistance. Assistance in the form of the help and collaboration from many diverse groups who work in and for the community, as well as enlisting the support of all of our community members!

<https://www.cityofmadison.com/police/community/policing/>

This document provides an update on selected MPD topics for the first quarter (January, February, and March) of 2024.

Please consider the data included in this update as preliminary and subject to modification.

Emergency and Priority Calls

During the 1st quarter, MPD patrol response was limited to emergency and priority calls about 7.9% of the time. Given the volume of 9-1-1 calls or the severity of calls requiring multiple resources, there were 83 instances where MPD's patrol response was limited. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the city. The 83 instances occurred on 56 dates (some days required limited call response multiple times); this means that at some point on 61.5% of the days during the 1st quarter MPD patrol response was limited. The 83 instances spanned about 172.4 total hours of limited call response, an average of 2.1 hours per instance.

Significant Incidents

SHOTS FIRED - FIREARM CRIMES ARE SERIOUS AND A THREAT TO LIFE. EVENTS INVOLVING FIREARMS ARE CONSIDERED A SIGNIFICANT INCIDENT WITHIN THE STRATIFIED POLICING CRIME REDUCTION FRAMEWORK. MPD INVESTIGATES ALL 9-1-1 CALLS INVOLVING A FIREARM AND SHOTS FIRED.

There were thirty-two (32) shots fired incidents in the City from January 1st through March 31st (2024). This represents a **3% change** from the 4th quarter of 2023.

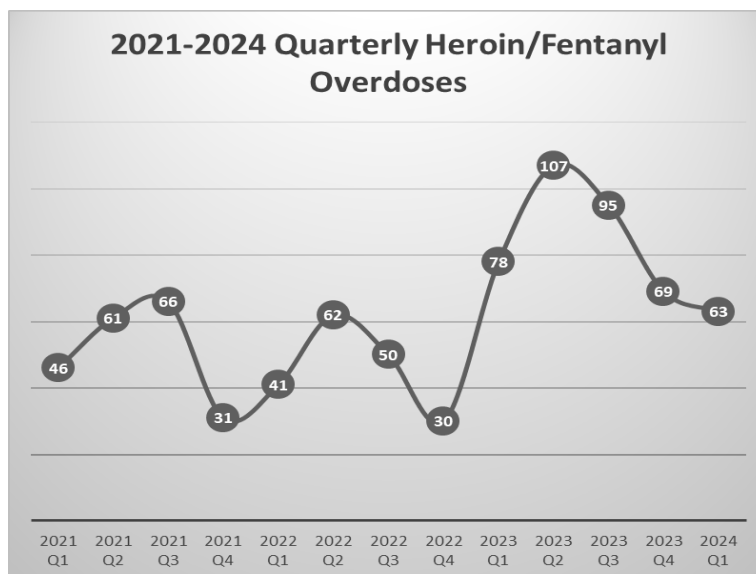


Shots fired are broken into the following categories and the count of casings recovered:

	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Total
Property Damage	9				9
Subjects Struck by Gunfire*	4				4
Accidental Discharge	1				1
Self-Inflicted (intentional)	5				5
Casings Recovered	44				44

*Excludes accidental discharge & self-inflicted

Heroin Overdoses – MPD responded to sixty-three (63) known heroin overdoses during the first quarter of 2024. This represents a **9% decrease** from the 4th quarter of 2023. [Note that these figures refer to known overdoses. It is likely that many overdoses are occurring without any report to MPD or MFD.]



There were ten (10) suspected overdose deaths during the first quarter of 2024. This is a **0% change** from the 4th quarter of 2023. [Note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

The Madison Police Department actively seeks opportunities to *divert* and *deflect* individuals from the justice system.

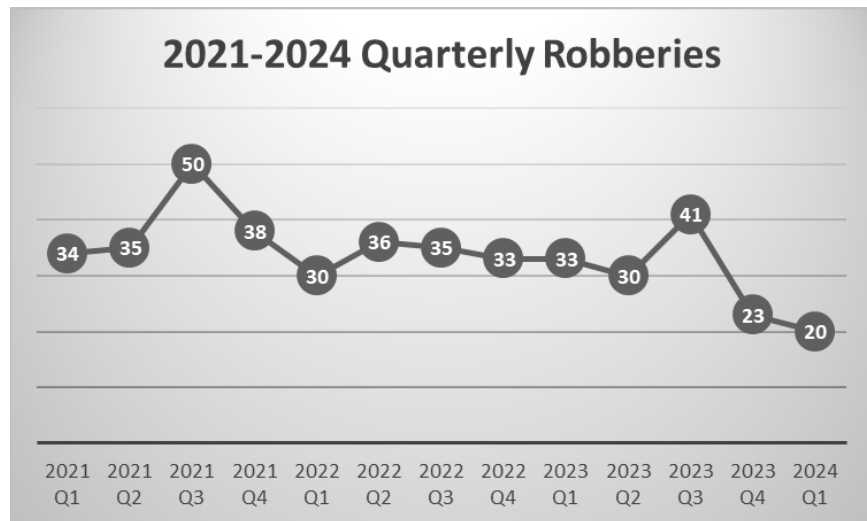
Diversion occurs when police refer individuals to a program or services in lieu of an arrest. Pre-arrest or pre-charge diversion seeks to connect individuals with community based help, while avoiding a damaging arrest record.

Deflection is community based, and entails no criminal justice system involvement beyond an individual’s interaction with a police officer in the field. Police deflection programs aim to reduce crime by connecting people living with mental health struggles or substance use disorder to treatment and recovery resources.

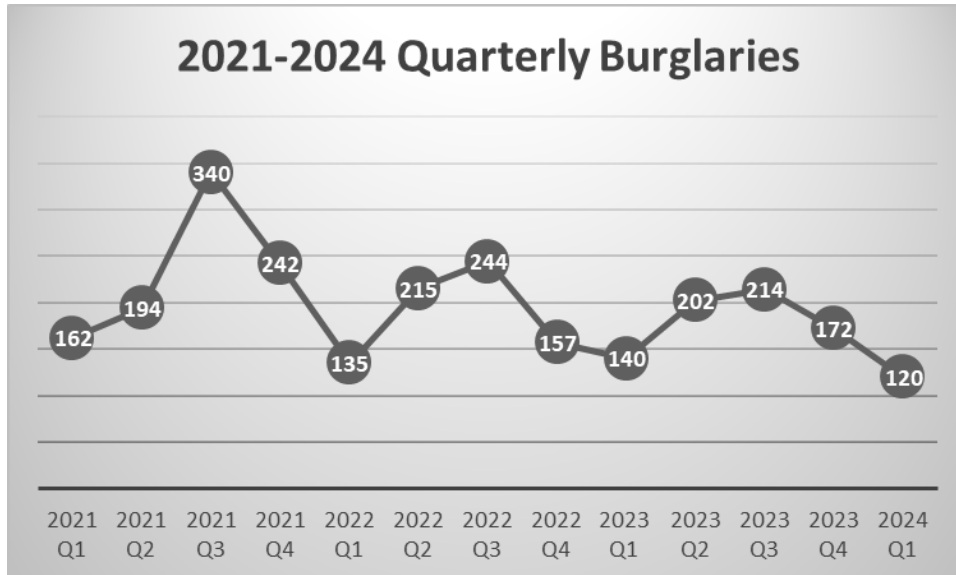
Madison Area Addiction Recovery Initiative (MAARI), is a program for individuals living with substance use disorders who have committed eligible, non-violent offenses stemming from their disease of addiction. The program offers six months of individualized treatment and coaching to participants. Participants must complete the program for non-prosecution of the charges they would have faced. Eligible charges include possession of drug paraphernalia, possession of a controlled substance, retail theft, prostitution, and theft/burglary if the victim of the theft/burglary agrees to the MAARI program being offered.

The **Addiction Resource Team** is multidisciplinary, and utilizes a police officer and a Peer Specialist from Safe Communities. The teams follows up with people who have experienced a non-fatal overdose or other precipitating event that brought them into contact with Madison Police or Madison Fire personnel. The purpose is to connect individuals with recovery resources, meet people where they are, and provide harm reduction materials. The team distributes the opioid reversal agent Naloxone and fentanyl test strips on outreach visits.

Robberies – Twenty (20) robberies occurred in the City during the first quarter of 2024. This is a **13% decrease** from the 4th quarter of 2023.



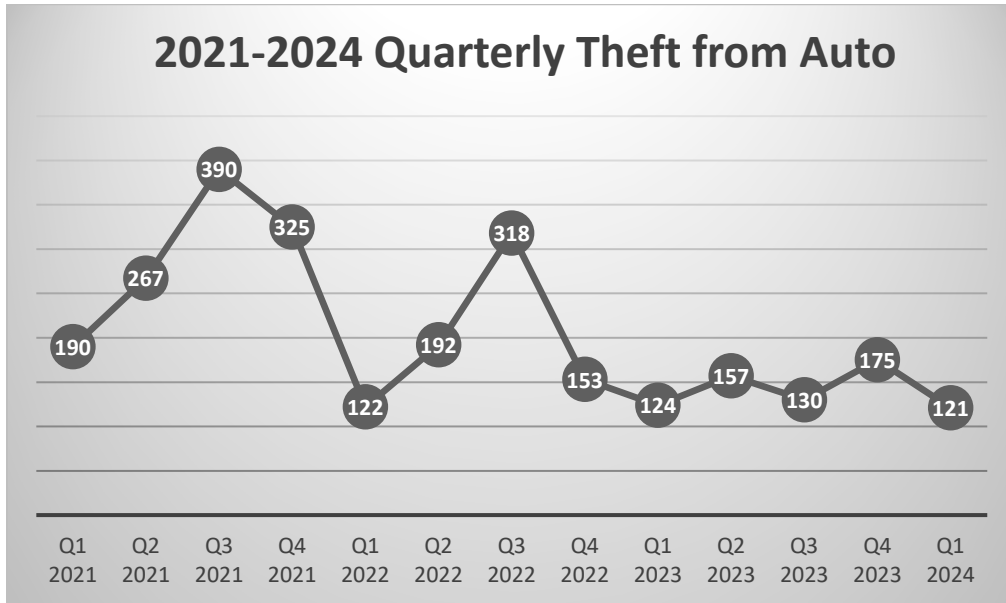
Burglaries – MPD responded to 120 burglaries during the first quarter of 2024. This represents a **30.2% decrease** from the burglaries reported in the fourth quarter of 2023.



Stolen Autos – MPD investigated sixty (60) stolen autos during the first quarter of 2024. This is a **30% decrease** from the 4th quarter (2023).



Thefts from Vehicles – MPD investigated 121 thefts from vehicles during the first quarter of 2024. From the fourth quarter of 2023, this is a **31% decrease**.



MPD encourages everyone in our community to remove valuables from their vehicle, lock their vehicles, and when possible, park near lights.

Arrest Data

On-view arrests: Law enforcement physically took someone into custody and transported them to jail.

Citations: This is an administrative arrest. The individual is issued a ticket and promises to appear in court.

In the 1st quarter of 2024, MPD responded to **38,144 calls for service**. Of this total, there were 1,471 on-view arrests and 795 citations issued (Group A and Group B offenses).

First quarter **on-view arrest** data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	1,106				1,106	75.2%
Female	364				364	24.7%
Unknown	1				1	.1%
Total	1,471				1,471	100%

Race	Q1	Q2	Q3	Q4	Total	%
Asian	23				23	1.6%
African-American	679				679	46.2%
Native American	3				3	0.2%
Other	34				34	2.3%
Caucasian	732				732	49.8%
Total	1,471				1,471	100%
Hispanic*	163				163	11.1%

“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, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD’s crime reporting.

First quarter **citation** data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	472				472	59.2%
Female	324				324	40.7%
Unknown	1				1	.1%
Total	797				799	100%
Race	Q1	Q2	Q3	Q4	Total	%
Asian	40				40	5%
African-American	170				170	21.3%
Native American	4				4	.5%
Other	15				15	1.9%
Caucasian	568				568	71.3%
Total	797				797	100%
Hispanic*	53				53	6.6%

“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, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD’s crime reporting.

The National Incident Based Reporting System (NIBRS) is used by MPD and follows the standards set by the FBI and Wisconsin Department of Justice. MPD is required to submit incidents and arrests for two different categories. Group A Offenses are reported violations and arrests of state statutes and city ordinances that are grouped into persons crime, property crime, and societal crime categories. Group B Offenses are arrest-only data. Arrests include citations and physical. Group A offenses are more serious crimes such as Murder, Rape, Robbery, etc. Group B offenses tend to be minor in nature, such as Curfew/Loitering/Vagrancy Violations, Disorderly Conduct, Driving Under the Influence, etc. (2023 NIBRS User Manual).

Resources:

<https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/home>

<https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/nibrs>

Group A Offenses	Q1	Q2	Q3	Q4	Total	%
Animal Cruelty	1				1	0%
Arson	1				1	0%
Assault Offenses	669				669	10.2%
Bribery	0				0	0%
Burglary	133				133	2%
Counterfeiting/Forgery	32				32	.5%
Damage to Property	307				307	437%
Drug/Narcotic Offenses	317				317	4.9%
Embezzlement	7				7	.1%
Extortion	9				9	.1%
Fraud Offenses	322				322	4.9%
Gambling Offenses	0				0	0%
Homicide Offenses	0				0	0%
Human Trafficking Offenses	0				0	0%
Kidnapping/Abduction	17				17	.3%
Larceny/Theft Offenses	1,139				1,139	17.4%
Motor Vehicle Theft	100				100	1.5%
Pornography/Obscene Material	6				6	.1%
Prostitution Offenses	0				0	0%
Robbery	20				20	.3%
Sex Offenses, Forcible	46				46	.7%
Sex Offenses, Non-Forcible	4				4	.1%
Stolen Property Offenses	11				11	.2%
Weapon Law Violations	53				53	.8%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	5				5	.1%
Curfew/Loitering/Vagrancy Violations	0				0	0%
Disorderly Conduct	636				636	9.7%
Driving Under the Influence	213				213	3.3%
Drunkenness	0				0	0%
Family Offenses, Nonviolent	30				30	.5%
Liquor Law Violations	61				61	.9%
Peeping Tom	0				0	0%
Runaway	0				0	0%
Trespass of Real Property	231				231	3.5%
All Other Offenses	2,161				2,161	33.1%
Total	6,531				6,531	100%

*More than one charge may be connected to an arrest.

Use of Force Overview

During the first quarter of 2024, MPD officers responded to 38,144 calls for service. In that time, there were seventy-seven (77) contacts in our community in which officers used recordable force during the encounter. This means that in the 1st quarter, MPD officers used recordable force **0.23%** (approximately one quarter of 1%) of the time when engaging with members in our community. Each of these force incidents was reviewed for compliance with MPD standard operating procedures.

Description	Q1	Q2	Q3	Q4	Total/%
Calls for Service	38,144				38,144
Contacts Where Force Was Used	77				77
% of CFS Where Force Was Used	.23%				.23%
Force					
Decentralization/Takedown (e.g. officer pushing or pulling a subject to the ground)	71				73.2%
Active Counter Measures (e.g. officer striking a subject with hand, forearm, foot or knee)	9				9.3%
Taser Deployment	1				1%
Hobble Restraints (a belt system that restricts a subject’s ability to kick at officers, squad windows, etc.)	11				11.3%
OC (i.e. Pepper) Spray Deployment	2				2.1%
Baton Strike	0				0%
K9 Bite	3				3.1%
Firearm Discharged Toward Suspect	0				0%
Impact Munition (firearm delivered projectile launched at a lower than normal velocity)	0				0%
Specialty (SWAT/SET)	0				0%
Total	97				100%
Firearm Discharged to Put Down a Sick or Suffering Animal	16				16

*Please refer to the MPD SOP on use of force data collection for the definition of recordable force and distinction between reportable and recordable use of force: <http://www.cityofmadison.com/police/documents/sop/UseOfForceData.pdf>

First quarter use of force data by district and time of day:

District	Q1	Q2	Q3	Q4	Total	%
West	6				6	7.8%
Midtown	8				8	10.4%
South	4				4	5.2%
Central	25				25	32.5%
North	14				14	18.2%
East	19				19	24.7%
Out of County	0				0	0%
Within County - Assist	1				1	1.3%
Total	77				77	100%
Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
1 st Detail (7am – 3pm)	14				14	18.2%
3 rd Detail (3pm – 11pm)	40				40	51.9%
5 th Detail (11pm – 7am)	23				23	29.9%
Total	77				77	100%

Restorative Justice Data (1st Quarter, 2024)

The Madison Police Department actively seeks opportunities to *divert* individuals from the justice system.

Diversion occurs when police refer individuals to a program or services in lieu of an arrest. Pre-arrest or pre-charge diversion seeks to connect individuals with community based help, while avoiding a damaging arrest record.

Restorative Justice is an approach that focuses on the needs of the victims, respondents, and the affected community. Victims can actively participate in the process, while respondents acknowledge responsibility for their actions.

The goals of restorative justice are to repair harm, reduce the risk of re-offense and rebuild community.

Community Restorative Court (CRC) is a diversion program for 17-25 year olds who are cited for disorderly conduct, simple battery, obstructing an officer, damage to property, or theft (including retail theft).

In lieu of any municipal citation, youth aged 12-16 are referred to our **Restorative Justice** program run by the **YWCA**. Any time an MPD police officer in the field investigates and has probable cause to write a municipal (forfeiture) ticket, that officer must instead issue a Restorative Justice Referral to the youth.

12-16 Year Old Youth Data from YWCA	17-25 Year Old Data from CRC																					
Total referrals issued: 51 Opted-in: 30 Opted out: 12 Neither: 3 (these referrals voided due to defendant’s age or per officer) Waiting for Opt-in/Opt-out: 6 Offenses: <ul style="list-style-type: none"> • Retail Theft: 7 • Theft: 1 • Trespass: 1 • Disorderly Conduct: 24 • Damage to Property: 5 • Battery: 5 • Intentional False Alarm: 1 • Resist Or Obstruct: 2 • Unlawful use of facsimile firearm: 2 • Possession of Marijuana: 1 	Referrals from January 1 st to March 31 st , 2024 Total MPD Referrals = 31 Total MPD Referrals by Offense Type = 36 <i>*Total is more than 31 due to Clients with more than one citation.</i> Direct Referrals = 0																					
2021 Updates (From what was resent to the Y on November 11, 2022) * No update	<table border="1" style="width: 100%;"> <thead> <tr> <th colspan="2" style="text-align: left;">Offenses</th> </tr> </thead> <tbody> <tr> <td>Municipal – Battery</td> <td style="text-align: right;">4</td> </tr> <tr> <td>Municipal – Unlawful Trespass</td> <td style="text-align: right;">2</td> </tr> <tr> <td>Municipal – Disorderly Conduct</td> <td style="text-align: right;">17</td> </tr> <tr> <td>Municipal – Resisting/Obstructing</td> <td style="text-align: right;">2</td> </tr> <tr> <td>Municipal – Retail Theft/Shoplifting</td> <td style="text-align: right;">5</td> </tr> <tr> <td>Municipal – Retail Theft – Intentional Take (<=\$500)</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Municipal – Theft</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Municipal – Theft – Movable Property</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">36</td> </tr> </tbody> </table>		Offenses		Municipal – Battery	4	Municipal – Unlawful Trespass	2	Municipal – Disorderly Conduct	17	Municipal – Resisting/Obstructing	2	Municipal – Retail Theft/Shoplifting	5	Municipal – Retail Theft – Intentional Take (<=\$500)	1	Municipal – Theft	1	Municipal – Theft – Movable Property	1	Total	36
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Total	36																					
2022 Updates (Cases past their 6 Month Deadline – From what was sent to the Y on January 13, 2023) * No update																						

Traffic

Traffic Complaints –

Community members may submit a traffic complaint or concern to the Madison Police Department by utilizing [online submissions](#) or calling the Speeder’s Hotline (608-266-4822). In the 1st quarter of 2024, MPD received 122 traffic complaints.

Serious/Fatal Crashes

In the 1st Quarter of 2024, MPD investigated 759 crashes that resulted in 2 fatalities, 15 serious injuries and 97 minor injuries.

Traffic Grants

Traffic Grant Data (1 st Quarter, 2024)	Number of Grants	Citations Issued	Warnings Issued
Alcohol	10	166	192
Speed	2	57	11
Seatbelt	6	113	54
Ped/Bike	4	74	33

*This number is the total number of citations and warnings issued. Citations and warnings issued in each grant can be for violations other than the violation for which the grant is intended.

Training

During the first quarter of 2024, the Personnel and Training Team completed the 2023-2024 hiring process, led instructor development courses and prepared for departmental spring professional development. The Police and Fire Commission approved thirty-two candidates for the 2024 Pre-Service Academy Class, set to begin on May 28, 2024. Conditional job offers were extended and all candidates have completed the required steps in preparation for the start of the academy. Our Master Instructor Trainers have facilitated instructor certification courses in Instructor Development, Defensive Tactics and Vehicle Contacts and we welcome a new class of instructors into the professional development and academy instructor cadres. Our Professional Development team developed two full days of curriculum for our spring sessions which are underway at this time and we look forward to welcoming all commissioned personnel to the MPD Training Center over the second quarter for this valuable training.

SOP Updates

A number of MPD SOPs were updated during the quarter. Copies showing the changes are attached to this memo as an appendix. Note that all MPD SOPs are reviewed regularly, with the most critical SOPs being reviewed annually. This process typically results in additional SOP changes/updates.

MPD posts drafts of new/revised SOPs on our website before final implementation, to allow for public review and comment.

Defense Logistics Agency/Law Enforcement Support Office (10-33 program)

MPD did not acquire any property through DLA/LESO during the first quarter of 2024.

2024 – First Quarter Promotions

Police Officer Pamela Hallsson to Investigator

Police Officer Jacob Conrad to Sergeant

Lieutenant Angie Kamoske to Captain

Discipline/compliments (links to quarterly PS&IA summaries)

<https://www.cityofmadison.com/police/documents/psiaSummary2024JanMar.pdf>

<https://www.cityofmadison.com/police/documents/psiaRecognition2024JanMar.pdf>

Updated/New SOPs for MPD: January-March 2024

Demonstrations and Assemblies: 1/3/2024

Professional Staff Hiring Process: 1/3/2024

Special Events Team Specialty Teams: 1/3/2024

Uniform Standards: 1/3/2024

Video Evidence Retrieval: 1/3/2024

Alder Notification: 1/4/2024

Dignitary Protection: 1/4/2024

Donation of Vacation and Compensatory Time: 1/9/2024

Emergency Vehicle Operation Guidelines: 1/9/2024

PSIA Complaint Investigation: 1/9/2024

PSIA Discipline Matrix: 1/9/2024

CFS Dispatch Guidelines: 1/22/2024

Civil Actions Against Employees: 1/22/2024

Foot Pursuits: 1/22/2024

News Media Relations: 1/22/2024

Pre-Employment Candidate Files: 1/22/2024

Stops and Frisks: 1/22/2024

SWAT Body Worn Cameras: 1/22/2024

Use of Force: 1/22/2024

Arrest, Incarceration and Bail – Youth: 1/23/2024

Line of Duty Death of an Employee: 1/23/2024

Officer Involved Deaths and Other Critical Incidents: 1/23/2024

Recording Suspect Interviews: 1/23/2024

Social Media – Investigative Use: 1/23/2024

Updated/New SOPs for MPD: January-March 2024

Arrest, Incarceration and Bail – Adults – 1/29/2024

Back-Up: 1/29/2024

Guidelines for Case Assignment and Management: 1/29/2024

Identification of MPD Employees: 2/7/2024

Changes to Code of Conduct and Standard Operating Procedures: 2/8/2024

Domestic Abuse: 2/8/2024

Police Vehicle Parking: 2/8/2024

Supervision Employee Check-Ins and the Early Intervention System: 2/8/2024

Traffic and Crash Investigation: 2/8/2024

Vehicle Use, Assignment and Maintenance: 1/3/2024; 2/19/2024

Police Weaponry: 3/4/2024

Interactions with Transgender and Gender Non-Conforming Individuals: 3/8/2024



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Alder Notification

Eff. Date ~~04/02/2018~~ 01/04/2024

Purpose

Outline the expectations for notifying Alders of significant incidents.

Procedure

In an effort to effectively communicate with Alders on significant issues related to their assigned Aldermanic District, below you will find a list of general criteria in which a Commander or department member should notify their District Alder when significant incidents occur. ~~Please keep in mind that this~~ This list is not meant to be inclusive, yet it is designed to be a starting point to further discussions with Alders ~~on appropriate notifications that meet everyone's needs~~. Each District Captain should communicate this list with their Alders and further clarify the notification process.

Notification to the Alder of the impacted district will be made as soon as practical. It is important to note that there can, at times, be a delay in making notifications to Alders for a variety of reasons. We have issued the notification memo to all Officers-In-Charge and Sergeants reminding them of our process for notifying Commanders of significant events. ~~Hopefully, this~~ This will minimize the delay in ~~getting~~ sharing information to our Commanders, but may ~~certainly will~~ not entirely eliminate potential delays associated with weekends, holidays, vacations, delays in reports, inability to contact Commanders, etc. For these reasons, Alders ~~may can and should~~ contact Commanders directly, during or after an incident, if they have questions about a particular incident.

General criteria for Alder notification:

- Homicides
- Fatal crashes
- Special Weapons & Tactics (SWAT) team call-outs
- Special Events Team (SET) activations
- High profile stabbings/shootings (serious injury)
- Unusually extensive criminal damage to property/graffiti
- Other issues that create significant concern to the community

Original SOP: 09/15/2015
(Reviewed Only: 02/22/2016, 01/09/2017, 12/26/2017, 01/11/2021)
(Revised: 04/02/2018, ~~01/04/2024~~)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Arrest, Incarceration, and Bail - Adults

Eff. Date ~~08/04/2023~~ 1/29/2024

Arrest Authority

The basic authority for police officers to make arrests derives from Wisconsin State Statute 62.09(13), which makes it a duty for a peace officer to arrest with or without a warrant and with reasonable diligence to take before the court every person found¹ in the city engaged in any disturbance of the peace or violating any law of the state or ordinance of such city.

This authority to arrest is further broadened by Wisconsin State Statute 968.07, which states:

1. A law enforcement officer may arrest a person when the officer:
 - a. has a warrant commanding that such person be arrested; or
 - b. believes, on reasonable grounds,² that a warrant for the person's arrest has been issued in this state; or
 - c. believes, on reasonable grounds, that a felony warrant for the person's arrest has been issued in another state; or
 - d. has reasonable grounds to believe that the person is committing or has committed a crime.³

1m Notwithstanding sub. (1), a law enforcement officer shall arrest a person when required to do so under s. 813.12 (7), 813.122 (10), 813.125 (6), 813.128 (3g) (b), or 968.075 (2) (a) or (5) (e).
2. A law enforcement officer making a lawful arrest may command the aid of any person, and such person shall have the same power as that of the law enforcement officer.
3. If the alleged violator under s. 948.55 (2) or 948.60 (2) (c) is or was the parent or guardian of a child who is injured or dies as a result of an accidental shooting, no law enforcement officer may arrest the alleged violator until at least 7 days after the date of the shooting.

Enforcement Action Outside of Jurisdiction

Wisconsin State Statute 175.40 empowers a law enforcement officer to take enforcement actions outside of the officer's territorial jurisdiction, within the state of Wisconsin, under certain circumstances. This standard operating procedure (SOP) outlines the circumstances under which Madison Police Department (MPD) officers may intervene while outside of the territorial jurisdiction of the City of Madison and the actions that may be taken.

This SOP applies only to those MPD officers who are on duty at the time of the incident. This SOP does not apply to officers who are off-duty or acting under a mutual aid request.

1. MPD officers may take intervention or enforcement action when:
 - a. The officer is on duty and on official business outside of the City of Madison, but within the State of Wisconsin; and
 - b. The officer would be authorized to take action if the incident occurred in the City of Madison; and

¹ "Found" or "in the officer's presence" means when officers receive knowledge of the commission of an offense in their presence through any of their senses, or by inferences properly drawn from the testimony of the senses. Usually the officer sees or hears, or both. Following learning that an offense is being committed, the officer must still make good use of the sense of sight in order to identify the specific person committing the offense, arrest the guilty person, and identify same at a later date in court.

² "Reasonable grounds" and "probable cause" are used interchangeably and justify an arrest without a warrant when: an officer in good faith believes that a crime has been committed; that the person in question committed it; and when the officer's belief is based on grounds which would induce an ordinarily prudent and cautious person, under the circumstances, to believe likewise. Mere "suspicion" alone is never sufficient to authorize an arrest without a warrant.

³ "Crime" is conduct that is prohibited by State law and punishable by fine or imprisonment or both. Conduct punishable only by forfeiture is not a crime.

- c. The officer is acting in response to:
 - i. An emergency situation that poses a significant threat to life or of bodily harm; or
 - ii. An act the officer reasonably believes is a felony.
 2. MPD officers may take enforcement action including making arrests and issuing citations:
 - a. On the entire width of boundary highways and on the entire area of boundary intersections for any violation of either the state criminal code or any City of Madison ordinance.
 - b. When in fresh pursuit of a person suspected of having committed a violation of either the state criminal code or any City of Madison ordinance in the City of Madison.
 3. Determining appropriate enforcement action includes the following considerations:
 - a. This SOP authorizes MPD officers to act as if they were within the territorial jurisdiction of the City of Madison.
 - b. When acting under this policy, the officer shall comply with all MPD regulations, policies, and procedures.
 - c. The officer shall consider a number of factors when determining the nature and extent of intervention action to be taken. These factors include, but are not limited to, the following:
 - i. The nature and particular circumstances of the situation
 - ii. The level of threat presented
 - iii. Availability of appropriate equipment and personnel
 - iv. Officer-Subject factors based on a tactical evaluation
 - v. The officer's assignment and whether taking action will significantly compromise that assignment
 - vi. Other tactical considerations
 4. Range of appropriate action(s) includes the following:
 - a. In the case of an emergency situation that poses a significant threat to life or of bodily harm, an officer shall take immediate intervention action to prevent such harm or stabilize the situation, or both. The action may include the following:
 - i. Any combination of stopping, detaining, or arresting a suspect;
 - ii. The use of force sufficient to control the situation and in compliance with MPD SOPs
 - iii. Rendering aid and assistance to victims;
 - iv. Identifying and interviewing victims, witnesses, and suspects;
 - v. Assisting local law enforcement agency as requested; or
 - vi. Taking other action that would be authorized under the same circumstances if the events had occurred in the City of Madison.
 - b. When encountering a situation that the officer reasonably believes constitutes a felony, the officer may:
 - i. Take immediate intervention action as outlined above; or
 - ii. Notify a local law enforcement agency for appropriate intervention.
 - (1) In determining the appropriate response, the officer shall consider the immediacy and level of threat presented by the crime.
 - c. Under this guideline, an officer may elect to report the incident to local authorities and serve as a witness in a property crime, or the officer may elect to intervene with appropriate force and make an arrest in the case of a personal crime that poses a significant threat to life or of bodily harm.
 - d. An officer is not required to take intervention action, even in the case of violent felonies, when doing so will either compromise the officer's current assignment or when circumstances present an unreasonable risk of escape of prisoners in the officer's custody. In such cases, the officer shall, at a minimum, immediately notify local authorities and take whatever action possible while maintaining the security of any prisoners.
 - e. When an officer takes action in a circumstance that poses a significant threat to life or of bodily harm, the officer shall:
 - i. Notify the local law enforcement authority as soon as practical;
 - ii. Assist and cooperate with local law enforcement agencies;

- iii. Notify the officer's supervisor, or the Officer in Charge (OIC) as soon as practical; and
 - iv. Upon return to the City of Madison, complete a **detailed police** report of the incident and action taken.
- f. When in fresh pursuit outside of the City of Madison for an offense committed in the City, an officer may take action as if the officer were in the City. In doing so, the officer shall:
- i. Comply with MPD regulations, policies, and procedures;
 - ii. Notify the local law enforcement agency and assist that agency in the investigation of any offenses that occur in that jurisdiction;
 - iii. Notify the officer's supervisor or the OIC; and
 - iv. Complete reports of the incident as required by MPD policy.
- g. When acting on boundary highways or in boundary intersections, an officer is not required to make any notification or take action other than that which is required if the incident occurred entirely within the City. This does not prevent the officer from informing the adjoining jurisdiction as a matter of professional courtesy.

Arrest Screening/Bail

It is the policy of the MPD to have the Officer in Charge (OIC) or a designee (**i.e. Sergeant or Commanding Officer**) **screen review** each custodial arrest before the person is incarcerated.

In view of the fact that the purpose of an arrest is to bring the arrested person before the court to answer to a violation, detention in jail until the next session of court is a lawful act by a police officer. However, as a matter of normal practice, certain procedures have been established that in some cases permit the release of the arrested person before the next session of court.

Bail can be set only by a judge or court commissioner and may be set by a judge or court commissioner endorsing the amount of bail on a warrant at the time of issuance, at the arraignment in court, or by endorsing and issuing a bail schedule in advance.

Felonies

All persons arrested and incarcerated on **a felony charge or felony charges** will, with reasonable diligence, be taken before the court where only a judge or court commissioner may establish bail.

State Statute Misdemeanor Citations

An officer arresting a person for a misdemeanor charge may elect to incarcerate the arrested person in the Dane County Jail, or may issue a misdemeanor citation without transporting the person to the Dane County Jail or to the City County Building (CCB). The arresting officer shall issue a misdemeanor citation only if all of the following criteria apply:

1. The arrested person is positively identified.
2. The arrested person currently resides in Wisconsin.
3. It appears the arrested person will not continue the behavior forming the basis for the charge.
4. The arrested person poses no apparent threat to persons or property.
5. The arrested person does not have a history of failing to appear at court dates for previous offenses.
6. The offense does not fall under the definition of domestic abuse, as defined by Wisconsin State Statute 968.075(1)(a).
7. The offense does not fall under the following statutes: 813.12(7), 813.122(10), 813.125(6), 813.128(3g)(b), or 968.075(2)(a) or (5)(e).

If the above criteria apply, the arresting officer may also convey the arrested person to the Dane County Jail to be booked and released. If **all of** the above criteria do not apply, the arrested person will be incarcerated in the Dane County Jail. Any deviations from this policy must be approved by a supervisor.

If the arrested person refuses to sign the citation, the officer shall inform the person of the court date and time and that court appearance is mandatory. The officer shall document these facts in a police report. Misdemeanor citations shall not be sent via mail (email or otherwise).

City Ordinance Violations (Non-Traffic)

CITATION

Most City Ordinance violations are processed by the issuance of a municipal citation. Officers shall obtain a case number for each incident resulting in the issuance of a citation. The deposit amounts to be used for City Ordinance violations have been established by the City of Madison Common Council and are indicated by ordinance number in the bail schedule pages.

In instances where a citation is appropriate, officers may should, in most cases, release the person after the citation has been issued. Officers shall not email the citation to the person(s). An incident police report must be completed when the citation resulted from a citizen's complaint or when there is not enough room on the citation to describe the circumstances of the violation.

PHYSICAL ARREST

A custodial arrest of a person found in violation of a City Ordinance is appropriate when a citation has been issued, but one or more of the following criteria exists:

1. The person involved refuses to cease behavior which is in violation of ordinance; or
2. The officer cannot positively identify the violator; or
3. The violator has no permanent address; or
4. The violator is an out-of-state resident; or;
5. When approved by the OIC or designee.

Alternatives to Arrest or Citation Issuance

The Madison Police Department can send referrals to Community Restorative Court (CRC), a criminal diversion program for adults aged 17-25 who have committed an eligible offense. Eligible offenses are

- disorderly conduct
- battery
- damage to property
- obstructing
- theft, including retail theft

Commissioned personnel can refer individuals to Community Restorative Court by issuing a municipal citation for any one or a combination of eligible offenses; personnel in the Community Outreach and Resource Education (CORE) unit cross-check all cited persons for CRC eligibility weekly.

Commissioned personnel can also make a direct referral, in which no citation is generated or custodial arrest occurs and the person is referred from the field to Community Restorative Court. All of the following must occur for a direct referral to take place:

- a. The officer verifies the individual is not on probation or parole
- b. The officer verifies the individual has no open criminal cases in CCAP
- c. The officer verifies that the individual has no violent criminal convictions in the past 3 years
- d. The officer determines that the charge(s) are eligible; both municipal and misdemeanor iterations of the five eligible charges can be direct referred
- e. The officer asks the individual about willingness to participate in a diversion program in lieu of being cited or arrested
- f. The officer collects the individual's full identifying information and contact information, and emails the Community Outreach Sergeant about the direct referral by end of shift
- g. The officer completes a basket 4 (priority report)

Traffic Violations (City Ordinance or State Statute)

If a person is arrested without a warrant for the violation of a traffic regulation, the arresting officer shall issue a uniform traffic citation. In most cases, the arrested person should then be released.

A custodial arrest for a traffic violation is appropriate when a citation has been issued, but:

1. The officer cannot positively identify the violator; or
2. The violator has no permanent address; or
3. The violator is an out-of-state resident; or
4. The offense is Operating a Motor Vehicle While Intoxicated (OMVWI) related; or-
5. The person involved refuses to cease behavior which is in violation of ordinance or state statute; or
6. When approved by the OIC or designee.

Any person physically arrested for a traffic violation, pursuant to this SOP, may be conveyed to the CCB or to the Dane County Jail. There are times when the arrested person may be taken to a medical facility (i.e. for a blood draw) and then released to a responsible party from the hospital.

The arrested person shall be released if the person:

1. Makes a deposit under Wisconsin State Statute 345.26 (driver posts on the citation); or
2. Complies with Wisconsin State Statute 345.24 (Officer completes the Release to a Responsible Party form).

A traffic violator who presents a guaranteed bond certificate (as provided for in Wisconsin State Statute 345.61) shall be released from the scene of the stop, provided that the card is not expired, the bail is covered by the guaranteed amount, and the charge is not listed as an exception on the card.

Mailing of Citations (City Ordinance Violations and Traffic Violations)

The preferred method of service at all times for both city ordinance citations and traffic citations is in person. Officers in most circumstances should serve the citation on scene. If that is not possible, reasonable attempts should be made to follow up and serve the citation in person. Officers should not mail citations simply because it is more efficient than in person service. An exception exists for officers working an enforcement project as part of a special team such as Central CPT.

If after following the above guidance, if it is not possible to serve a city ordinance or traffic citation in person, these citations may be mailed by **USPS First Class mail**. This must be documented in a report.

The same guidance is true for most traffic citations. For certain traffic violations involving owner liability, the law is very specific and requires mail service be made by **USPS Certified Mail**. Before mailing these owner liability traffic citations, the statutes require due diligence be made to serve the citation in person. Efforts to serve these owner liability citations in person should be documented in a police report. State statutes also require the mailing to occur within a certain timeframe and failure to do so may result in dismissal of the citation.

Below is the list of owner liability citations that require service either in person or by USPS Certified Mail:

1. 346.175; Eluding Officer
2. 346.195; Failure to Yield to Emergency Vehicle
3. 346.205; Failure to Yield to Funeral Procession
4. 346.452; Failure to Yield at Rail Road Crossing

5. 346.457; Illegally Passing a Firetruck
6. 346.465; Not Stopping for Crossing Guard
7. 346.485; Not Stopping for School Bus
8. 346.675; Not Stopping for an Accident
9. 346.945; Radio too Loud

In the event a certified mailing has been returned to the officer, the officer should then mail the citation through standard (regular) mail and document that in a police report. When this occurs, the officer must ensure the returned service is included in the case file and provided to court services.

Traffic Warrant Service Guidelines

Persons served warrants who are unable to post bail or who are served bench warrants will be processed in accordance with MPD guidelines, including the officers completing required reports and forms.

1. When a possible traffic or ordinance warrant contact is made, officers will always check with the Public Safety Communications Center Data Terminal Operator to ascertain if the warrant is active.
2. When Court Services personnel are unavailable, the opportunity to post required bail will be afforded. A receipt will be issued for all bail collected. If subject is unable to post, jail booking is required.
3. If bail is posted on a warrant and defendant wishes a court date, the officer will contact the court officer for the next available court date within two working days. Receipt should state that defendant wishes to appear in court.
4. Advise the Public Safety Communications Center Data Terminal Operator of identity of person served with the warrant to ensure removal from the MAPD Wanted Person File.

WHEN SERVING A WARRANT PROCEDURE

1. Read warrant to defendant.
2. If paying, place money, receipt, warrant, and jacket in CCB ticket slot.
3. If defendant is taken to the Public Safety Building, place warrant and jacket in warrant tray.

PROCESSING PHYSICALLY ARRESTED ADULTS

1. Appropriate Booking Forms must be completed prior to processing an arrested person into jail.
2. Prior to transporting an arrested adult to jail, officers shall search the person as a routine security measure to ensure that weapons/contraband are not introduced into the jail environment.
3. When processing an arrested adult or 17 year old:
 - a. Conveyance should be made directly to the Dane County Jail UNLESS the arrest is one which requires additional processing, e.g., an intoximeter, an interrogation, a strip search, to obtain a City of Madison arrest warrant, an extended consultation with OIC reviewing charges.
 - b. Arresting officer should contact the OIC via the telephone to approve charges and establish bail.
 - c. The OIC will confirm that the arrested person has been asked medical condition questions and, where appropriate, direct officers to convey the arrested to a medical facility for attention and medical release.
 - d. If a charge or charges are approved, the arresting officer will ensure completion of booking forms to include the specific charge(s) and established bail and will present this to the jail booking deputy along with the completed Probable Cause (PC) Affidavit.

- e. When an arrested person must be medically treated prior to incarceration, officers must obtain the medical clearance form(s) provided by medical staff. After leaving a medical facility, officers will convey the arrested person to the Dane County Jail where the medical clearance forms will be turned over to the jail booking deputy.
 - f. When an arrested person is taken to a detoxification facility prior to being taken to jail, a police report shall be completed prior to the end of the officer's shift. The Booking Forms and PC Affidavit will be placed in the locked file cabinet at Detox. Officers shall complete the release notification form and leave that form with the nurse at Detox.
 - g. Copies of the Booking Forms received at the jail are to be returned to the CCB for transfer to Data Control.
 - h. Seventeen-year-olds arrested only for ordinance violations shall not be incarcerated in the Dane County Jail.
 - i. Arresting officers will ensure the appropriate entries are made into the SharePoint Arrest log.
 - j. In the event that SharePoint is unavailable, the arresting officer will obtain a paper form from the OIC and will complete this paper form. The OIC will then forward that paper form to Records.
4. All **police** reports dealing with an arrested person must be completed prior to the officer ending their shift unless permission is granted by the OIC, designee, or supervisor.

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CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Arrest, Incarceration, and Bail – Youth

Eff. Date ~~05/02/2022~~ 1/23/2024

Purpose

The purpose of this standard operating procedure (SOP) is to provide guidelines for the proper processing of youth by Madison Police Department (MPD) staff at MPD facilities.

Procedure

In interactions with youth, more than anywhere else in police work, officers have many options available as alternatives to arrest or citation and are given wide latitude to make judgments about what will create the best possible resolution. The following are general principles set forth to establish the philosophical parameters for decision-making and to satisfy the need for consistency and uniformity.

1. Officers shall be mindful of the constitutional rights guaranteed to all youth.
2. MPD personnel recognize that the primary responsibility for the upbringing of youth is vested in the family structure, although there may be instances where police intervention will occur.
3. Alternatives to arrest and citation will be utilized in all situations in which officers are dealing with youth.
4. When youth are taken into custody or are the subject of a significant investigation, the youth's parents or guardian shall be notified as soon as possible.
5. All investigative, enforcement, and security procedures, including interviewing, gathering evidence, and apprehension, shall be carried out in a way that acknowledges that youth are psychologically, emotionally, and physically different than adults.
6. Every effort should be made to work cooperatively with other community agencies, schools, the juvenile court, and interested citizens, in a community-centered approach.

DEFINITIONS

Youth/Child/Juvenile

A person who is under 18 years old. For purposes of investigating or prosecuting a person alleged to have violated state or federal criminal law, or a civil or municipal ordinance, 'juvenile' does not include a person who has attained 17 years of age. (Wisconsin State Statute 48.02(2)).

Adult

A person who is 18 years or older. For purposes of investigating or prosecuting a person alleged to have violated any state or federal criminal law, or civil or municipal ordinance, 'adult' includes a person who has attained 17 years of age. (Wis. Stat. 48.02(1)(d)).

Parent

The biological parent, parent by adoption, or person acknowledged under Wis. Stat. 767.805 or a substantially similar law of another state as the parent. This is not to include persons whose parental rights have been terminated. (Wis. Stat. 48.02(13)) (Wis. Stat. 938.02(13)).

Taking Into Custody

The exercise of control over a youth's movement for the purpose of determining whether the youth has committed an act that requires the lawful obtainment of evidence from them, or whether they may be lawfully taken into physical custody of the officer. (Wis. Stat. 48.19(3)) (Wis. Stat. 938.18(3)).

Physical Custody

The actual custody of the youth absent a court order that they be returned to their guardian or parent. (Wis. Stat. 938.02(14)).

Legal Custody

A legal status created by an order of a court that confers the right and duty to protect, train, discipline a juvenile, and to provide food, shelter, legal services, education, and ordinary medical and dental care, subject to the rights, duties, and responsibilities of the guardian of the juvenile and subject to any residual parental rights and responsibilities and provisions of any court order (Wis. Stat. 938.02(12)).

Secure Custody Status - Confinement

When a youth is placed in a cell or handcuffed to a cuffing rail or other stationary object within a lockup facility, until the youth is released from custody or is removed from the secure portion of a police station. (Department of Corrections (DOC) Wis. Stat. 439.03(14m)).

Secure Detention Facility

A locked facility approved of by the Department of Corrections under Wis. Stat. 301.36 for the secure, temporary holding of youth. (Wis. Stat. 48.02(16)) (Wis. Stat. 938.02(16)).

Release

The returning of a child to the parent, guardian, or legal custodian without further action or pending action in juvenile court.

Juvenile Reception Center (JRC)

The point of referral for youth alleged to have committed a crime whom an officer is unable to release to a parent, guardian, or other responsible adult. Formally known as the Dane County Juvenile Reception Center.

CUSTODY

Authority for Taking a Youth into Custody

A youth may be taken into custody if, under the circumstances, an officer has an objectively reasonable belief that one or more of the following conditions exists (Wis. Stat. 938.19(1)), keeping in mind that alternatives to arrest or citation should be used whenever possible, consistent with public safety:

1. A capias or warrant for the youth's apprehension has been issued in the state of Wisconsin or another state, or the youth is a fugitive from justice.
2. Probable cause exists that the youth is committing or has committed an act that is a violation of a state or federal criminal law.
3. The youth has run away from the youth's parent, guardian, or legal or physical custodian, and officers have been informed of the youth's status as having run away. The taking into custody is solely for the purpose of returning the youth to the youth's parent, guardian, or legal or physical custodian.
4. The youth is suffering from illness or injury or is in immediate danger from the youth's surroundings making removal from those surroundings necessary, or the threat of harm or danger by the youth makes being taken into custody necessary. The officer should identify an appropriate place to which to transport the youth, utilizing community resources identified by the alternatives to arrest or citation training officers have received.

5. The youth has violated the terms of court-ordered supervision or aftercare supervision administered by the Department of Corrections or a county department, and those terms specify that the youth is to be taken into custody if a violation occurs.
6. The youth has violated the conditions of an order under Wis. Stat. 938.21(4) or the conditions of an order by an intake worker for temporary physical custody, and the order specifies that the youth is to be taken into custody if a violation occurs.
7. Probable cause exists that the youth violated a civil law or a local ordinance punishable by forfeiture. In that case, the youth shall be released immediately under Wis. Stat. 938.20(2)(ag) or as soon as reasonably possible under Wis. Stat. 938.20(2)(b) to (g).
8. An order of the judge demanding that the youth be immediately removed from the youth's present custody for the welfare of the youth. The order shall specify that the youth be held in custody under Wis. Stat. 938.207.

Notification of Parent or Guardian

The parent, guardian, or legal custodian of any youth, including a 17-year-old, taken into custody or who is the subject of a significant investigation must be notified as soon as possible. The responsibility for notification rests with the officer taking the youth into custody. The person notified, as well as the date and time of the notification, is to be recorded in the Arrest Report.

Serious Offenses

Youth who are observed committing, or are reasonably believed to have committed, an act which, if committed by an adult, would be a felony, or which involves serious physical harm or danger to others, are to be taken into immediate physical custody.

Aftercare Violators (Previously Probation & Parole Violators)

MPD will accept information concerning court-directed rules and conditions for youth on aftercare and/or court ordered supervision. When possible, MPD will assist county and state social workers with enforcement of stipulations and conditions of these agreements.

Capias or Apprehension Request

A capias or an apprehension request will be handled in the same fashion and receive the same attention as an arrest warrant.

Taking Into Custody on School Property during School Hours

An officer may take a student into custody during school hours if the officer has probable cause to arrest the student for a misdemeanor or felony crime, or pursuant to an arrest warrant or juvenile apprehension order and an alternative to arrest or citation cannot be utilized. The school principal or designee shall be informed of all arrests made on school grounds during school hours.

In cases when a student is to be taken into custody at school, an officer should first contact the school principal, when practical and applicable, and advise the school principal of the circumstances. When safe and reasonable, the student may be first summoned to the office by the principal.

Responding to Truancy

The MPD has an obligation to assist school authorities in Wisconsin's compulsory school attendance law. The primary and legal responsibility, however, for meeting the social and individual problems presented by a chronic truant is with the child's family and with the educational system.

Youth who are believed to be truant should be contacted and an attempt to identify them shall be made. If identified as truant, they are to be directed to return to school or conveyed if they are willing. School officials shall be notified of any identified truants.

TRANSPORTATION OF YOUTH

Transport to District Station or JRC

1. In general, youth taken into temporary custody shall be conveyed to the district station of the district in which the youth was taken into custody. JRC shall be the lockup facility for youth taken into secure custody. Youth will generally be transported in a squad car equipped with a safety shield. Youth shall be properly restrained in seat belts or child restraint systems during transportation, being mindful that this restraint is for safety, not restriction of movement.
2. Youth shall not be transported with adult prisoners unless the youth and adult have been arrested in connection with the same offense, or unless the adult is the parent or guardian of the youth.
3. Officers conveying youth to the JRC shall park in the basement of the CCB.
4. At the CCB, Officers will proceed to the processing area for Central District and perform all searching, citations, and pre-booking paperwork. Photographs/fingerprints will be performed in the GR-55 (Central District Intake Area) processing area. Under no circumstances will an adult prisoner be allowed entry into the processing area when youth are present.

Youth with Medical Issues or in Need of Medication

1. If a youth in police custody is in need of non-emergency medical care or medication, the youth shall be conveyed by a police patrol unit to a medical facility. For emergency medical care, a youth shall be conveyed by ambulance or fire department paramedic unit to a medical facility without delay.
2. When a youth is transported to the JRC, the transport shall be done in an expeditious manner. If intake staff determines the youth is in need of medical clearance, then the youth shall be transported to a hospital. Hospital discharge papers shall be submitted to intake workers when returned to JRC.
3. Any medication in possession of the youth when taken into custody shall be brought to the JRC with the youth.

PROCESSING AND BOOKING OF YOUTH

Mandatory Detention of Youth

1. A youth is arrested or taken into custody for an offense which is a felony, or which would be a felony if committed by an adult, and an alternative to arrest could not be utilized.
2. A youth is arrested or taken into custody for an offense which is a misdemeanor, which would be a misdemeanor if committed by an adult, or which is a violation of an ordinance and the offense involves burglarious tools, dealing in stolen property, controlled substances or controlled substance analogs under Wis. Stat. 961, firearms, dangerous weapons, explosives, and an alternative to arrest could not be utilized.
3. A youth is arrested or taken into custody for an offense charged or alleged as disorderly conduct, but which relates to an act connected with one or more of the offenses under subparagraph 2, and an alternative to arrest could not be utilized.
4. A youth is arrested or taken into custody as a fugitive from justice.
5. For any other offense designated by the attorney general, for which an alternative to arrest or citation could not be utilized.

“Offense” means any of the following:

- a) An act that is considered a felony or a misdemeanor, committed by a person who has attained the age of 17.

- ~~b) An act that would be a felony or misdemeanor if committed by an adult, committed by a youth who has attained the age of 10, but who has not attained the age of 17.~~
- ~~c) An act committed by any person that is a violation of a city, county, village, or town ordinance.~~

~~When deciding on a disposition for a youth, officers shall be mindful of the constitutional rights guaranteed to that youth.~~

Temporary Holding Facility (THF)

All police districts may be used as a **Temporary Holding Facility (THF)** for youth.

A youth alleged to have committed a delinquent act as defined by Wis. Stat. 938.02(3m) may be held in any of the THFs within the city under the following conditions:

1. An alternative to arrest or detention was sought, but exigent circumstances existed making an alternative implausible. A report made by officers shall specify what those circumstances were.

Youth who are taken to a THF or district facility shall be kept separate from adults in all areas of the THF and district facilities. There shall be no sight or sound contact with adult prisoners in any area of the lockup including entrances, booking areas, intake, elevators, staircases, cells, holding rooms, or any other area. Under no circumstances should district station interrogation rooms be used to hold youth who are in secure custody unless the youth is being interrogated and is accompanied by a detective/officer.

No youth shall be placed into any cell or any form of secure custody status until the youth has been completely processed (fingerprints and photographs). This means that the arresting officers/detectives shall physically stay with all youth in their custody. If youth meet the criteria established for “cite and release,” every effort will be made to utilize this process without taking the youth into custody.

Youth shall be processed in an expeditious manner and shall have priority in the booking process.

If a youth is placed in a cell, physical checks must be conducted at least four times per hour on an irregular schedule. These safety checks shall be staggered so as to not establish a noticeable routine that might allow the youth to hurt themselves, hurt the officer, or escape.

Youth shall not be held in secure custody status in THF for more than six hours. **This six-hour secure custody status time limit starts when the detained youth is placed in a secure custody status cell or handcuffed to a cuffing rail or other stationary object.** The six-hour requirement is mandated by the Federal Juvenile Justice Delinquency Prevention Act and is also required under Wis. Stat. 938.209 and DOC Administrative Code Chapter 349. Youth who have not yet been placed in secure custody status (e.g., those who remain with the arresting officer, are going through the booking, searching, fingerprinting, or photographing process, or those who are being interviewed by detectives) do not cause the clock to start as it pertains to the six-hour limit. These activities do not constitute secure custody status.

- a. **Once a youth has been placed in secure custody status, the six-hour time limit cannot be stopped or extended.** If, for example, a youth has been placed in a cell for a short time and then removed for an interview, the six-hour time limit would include the time in the interview. When a youth has been in secure custody status for five hours, notification shall be made to the shift commander at the location where the youth is in custody.
- b. Prior to the expiration of the six-hour maximum, the youth shall be transferred from secure custody status and removed from the cell or booking area.

Youth shall not be placed into secure custody status if they are in custody for status offenses (e.g., missing, runaway, child in need of protective services). Youth who are stopped for status offenses shall be provided every opportunity for an alternative to arrest or citation.

All THF records pertaining to youth held in secure custody status shall be maintained confidentially and shall remain separate from adult records.

The recording of a All youth arrests shall be documented using the SharePoint Arrest log. In the event SharePoint is unavailable, the arresting officer will obtain a paper form from the Officer in Charge (OIC) and will complete this paper form. The OIC will then forward the paper form to Records.

Photographing, Fingerprinting, and DNA Collection for Youth

1. Fingerprints of arrested youth are required by the Wisconsin Department of Justice (DOJ) Division of Law Enforcement Services (DLES) Crime Information Bureau (CIB) in order for the arrest to become a part of the youth's record.

WI Act 20 requires the collection of a DNA sample for all youth arrests for listed violent felonies. The process of DNA collection for youth arrested for violent felonies is conducted in the Central District Intake Area (GR-55). DNA collection kits are available in this area.

Wisconsin Statute 165.83 requires that fingerprints and an updated photo, if the arrested youth's appearance has changed, be taken each time a youth is arrested under any of the following circumstances:

- a. For an offense which is a felony.
- b. For an offense which is a misdemeanor or a violation of an ordinance involving burglarious tools, commercial gambling, dealing in gambling devices; for contributing to the delinquency of a child, dealing in stolen property, possessing and selling controlled substances under Chapter 161; for violations involving firearms, dangerous weapons, explosives; for pandering, prostitution, or committing violations involving sex offenses where children are victims; or for issuing worthless checks.
- c. For an offense charged as disorderly conduct, but which relates to an act connected with one or more of the above offenses.
- d. As a fugitive from justice.

For all other youth arrests, an officer may transport the youth to the police station to obtain fingerprints and/or a photograph prior to releasing the youth if an investigative benefit can be articulated.

2. When an arrested youth is brought into the station for photographs and fingerprinting, the following is required (runaways are excepted):
 - a. The primary fingerprinting system is the LiveScan electronic console. As a backup, ink and fingerprint cards are accessible and can be used. Two (2) green fingerprint cards with palm and rolled impressions, which are signed by the person printed and the person doing the printing.
 - b. A fingerprint is not mandatory in those instances where the violator has valid picture identification. This must be a Wisconsin operator's license or identification card, a passport or passport card, or state or federal government issued picture identification.
 - c. A front and profile photograph. If glasses are worn, one set with and one set without glasses.
 - d. The forwarding of all reports and fingerprint cards to the juvenile court detective in CIU.

Note: Discretion shall be exercised where a person refuses to be fingerprinted. In such cases, the officer shall consult with the officer's immediate supervisor.

Detention Facilities

1. JRC is the detention facility for all detained juveniles.
2. A complete booking entry, along with fingerprints and prisoner photographs, shall be completed prior to an arrested youth being conveyed to any detention facility.

Mandatory Detention of Youth

1. A youth is arrested or taken into custody for an offense which is a felony, or which would be a felony if committed by an adult, and an alternative to arrest could not be utilized.
2. A youth is arrested or taken into custody for an offense which is a misdemeanor, which would be a misdemeanor if committed by an adult, or which is a violation of an ordinance and the offense involves
burglary tools, dealing in stolen property, controlled substances or controlled substance analogs under Wis. Stat. 961, firearms, dangerous weapons, explosives, and an alternative to arrest could not be utilized.
3. A youth is arrested or taken into custody for an offense charged or alleged as disorderly conduct, but which relates to an act connected with one or more of the offenses under subparagraph 2, and an alternative to arrest could not be utilized.
4. The offense is one of a series of offenses that were previously handled without being referred to the JRC, not identified as an instance where an alternative to arrest or citation attempt should be utilized.
5. A youth is arrested or taken into custody as a fugitive from justice.
6. When a youth is the respondent of a harassment or child abuse restraining order or injunction pursuant to Wis. Stat. 813.122 and 813.125 and a police officer has knowledge of the temporary restraining order or injunction, together with probable cause to believe that the youth has violated the court order.
7. For any other offense designated by the attorney general, for which an alternative to arrest or citation could not be utilized.

“Offense” means any of the following:

- d) An act that is considered a felony or a misdemeanor, committed by a person who has attained the age of 17.
- e) An act that would be a felony or misdemeanor if committed by an adult, committed by a youth who has attained the age of 10, but who has not attained the age of 17.
- f) An act committed by any person that is a violation of a city, county, village, or town ordinance.

When deciding on a disposition for a youth, officers shall be mindful of the constitutional rights guaranteed to that youth.

Referral to Juvenile Reception Center (JRC)

1. Referral to the JRC shall take place in those misdemeanor cases where detention is not appropriate and an alternative to arrest or citation could not, due to exigent circumstances, be utilized.
2. When a youth is referred to the JRC for disposition, a minimum of 15 calendar days should be allowed between the date the youth was taken into custody and the date set for appearance.
3. The decision to detain a youth at JRC shall be made by the OIC. The OIC may consult with the JRC intake worker when considering detaining a youth at the JRC. Only the JRC intake worker is authorized by state statute to make the decision to admit or release the youth. Under no circumstances shall a youth be detained as a means of punishment, because it enhances pending investigations, or because the youth is a material witness, unless so ordered by a judge of the children’s court. If there is a need for secure custody of a youth, the officer taking the youth into custody shall complete a report documenting the need.
4. If the youth is hospitalized, all paperwork shall be filed and secured in the OIC’s office until the youth is medically cleared and ready to be discharged.

When Processing an Arrested Youth for JRC

1. Conveyance should be made directly to the City County Building unless release in the field is approved by a supervisor.

2. The arresting officer shall consult with the OIC to approve charges and shall make an entry into the SharePoint Arrest log. In the event that SharePoint is unavailable, the arresting officer will obtain a paper form from the OIC and will complete this paper form. The OIC will then forward that paper form to Records.
3. The Temporary Physical Custody Request Form should be completed prior to transporting the youth to JRC. A copy of this form should be forwarded to the Criminal Intake Unit (CIU).
4. Youth who are to be taken to JRC shall be photographed, fingerprinted, and a required deoxyribonucleic acid (DNA) sample taken for the arrest of listed violent felonies. Exception: If there is a recent photo on file and there are no changes in appearance, a new photograph is not required.

Notification of Parent or Guardian

The parent, guardian, or legal custodian of any juvenile, including a 17-year-old, taken into custody must be notified as soon as possible. The responsibility for notification rests with the officer taking the youth into custody. The person notified, as well as the date and time of the notification, is to be recorded in the Arrest Report.

TRANSPORTATION OF YOUTH

Transport to District Station or JRC

1. In general, youth taken into temporary custody shall be conveyed to the district station of the district in which the youth was taken into custody. JRC shall be the lockup facility for youth taken into secure custody. Youth will generally be transported in a squad car equipped with a safety shield. Youth shall be properly restrained in seat belts or child restraint systems during transportation, being mindful that this restraint is for safety, not restriction of movement.
2. Youth shall not be transported with adult prisoners unless the youth and adult have been arrested in connection with the same offense, or unless the adult is the parent or guardian of the youth.
3. Officers conveying youth to the JRC shall park in the basement of the CCB.
4. At the CCB, Officers will proceed to the processing area for Central District and perform all searching, citations, and pre-booking paperwork. Photographs/fingerprints will be performed in the GR-55 (Central District Intake Area) processing area. Under no circumstances will an adult prisoner be allowed entry into the processing area when youth are present.

Youth with Medical Issues or in Need of Medication

1. If a youth in police custody is in need of non-emergency medical care or medication, the youth shall be conveyed by a police patrol unit to a medical facility. For emergency medical care, a youth shall be conveyed by ambulance or fire department paramedic unit to a medical facility without delay.
2. When a youth is transported to the JRC, the transport shall be done in an expeditious manner. If intake staff determines the youth is in need of medical clearance, then the youth shall be transported to a hospital. Hospital discharge papers shall be submitted to intake workers when returned to JRC.
3. Any medication in possession of the youth when taken into custody shall be brought to the JRC with the youth.

BOOKING

Youth who are arrested and conveyed to JRC or to a district station for offenses described in the "Custody" section above shall be booked, except as indicated in the "Custody" section. The OIC must be notified that a youth is in custody.

DISPOSITIONS

When considering the proper disposition of a youth in custody, there are instances where the public interest would be better served by an officer not making an arrest or issuing a citation, even if it is legally justifiable,

when other alternatives exist to respond to the situation. MPD personnel are committed to exercising alternatives to arrest and citation for young people whenever possible, consistent with public safety to a degree even greater than that of adults. If it is determined that a citation will be issued, officers shall not email a copy of the citation to the youth, parent, guardian, legal custodian, or other responsible adult.

Disposition Alternatives

The general procedure of the MPD is to utilize alternatives to arrest, citation, and formal disposition, absent exigent circumstances.

Procedural Guidelines

Whenever a youth is involved in a significant investigation, officers should make every reasonable effort to notify the parents, guardian, or legal custodian and inform them of the circumstances surrounding the investigation. This notification shall be well documented in the report of the incident.

1. **Warn and Release:** a youth may be released with no further action, if the offense is minor in nature. This route shall be utilized as often as possible in alignment with MPD's goal of utilizing alternatives to arrest and citation when coming into contact with youth. When going the route of warn and release, the options that should be utilized except in exigent circumstances are:
 - a. **Verbal warning** with no further action.
 - b. **Informal counseling** by the officer, focused on helping the youth recognize the consequences of the youth's actions.
 - c. **Release** to a parent, guardian, or other responsible adult.
 - d. **Referral** to an appropriate community social service or mental health agency.
 - e. **Referral** to an existing diversion program. Any commissioned personnel who would issue a non-traffic municipal citation to a 12-16 year old shall instead issue a Restorative Justice Referral to the youth. After explaining the youth restorative justice process and providing a copy of the completed form to the youth, officers should complete a report detailing their investigation and the fact that a referral was issued, for the underlying municipal offense. If the referred youth does not engage in restorative justice, the investigating officer will be notified of this via an email from Court Services.
2. **Cite and Release:** a youth that is at least 12 years old may be issued a traffic municipal citation. Youth who are at least 15 years old may be released to themselves. If the youth is under 15 years of age, officers should make every effort to release the youth immediately to the youth's parent, guardian, legal custodian or other responsible adult.
3. **Criminal Charge:** a youth may be released after being taken into custody for the commission of a crime. Fingerprints shall be taken. A photograph should be taken unless the youth already has a photograph, and their appearance has not significantly changed since the last photograph. An Arrest Notification Form will be properly completed and disseminated. ~~Fingerprints shall be taken. A photograph should be taken unless the youth already has a photograph, and their appearance has not significantly changed since the last photograph.~~ The youth shall be released to a parent, guardian, legal custodian, or other responsible adult.
4. **Referral to Dane County Juvenile Reception Center (JRC):** the decision to refer a youth to JRC ~~the Reception Center~~ for the purpose of detention or intake will be reviewed by the Officer in Charge under any of the following conditions:
 - a. Commission of a serious criminal offense;

- b. A case involving the possession, use, or threatened use of a weapon.
- c. The youth is unwilling to appear in court and the parents or guardian will be unable to produce the youth upon proper notice;
- d. The youth is likely to repeat behavior harmful to the youth's self or to others;
- e. In incidents where a youth continues to resist, is uncooperative, and it appears that the youth will not submit to the control of parents or another responsible adult.

Administrative Release

When a youth has been properly taken into custody and investigation reveals that MPD is unable to pursue charges because the youth was not involved in the offense or there is insufficient evidence to adequately support the charge, the youth must be released. Every effort will be made to reveal this information as soon as possible after contact with the youth. The disposition shall be listed as "administrative release" and the reason for custodial detention and release will be documented in a report. A wanted check shall be conducted before release. The youth's parents shall be notified and noted in the report.

REFERRAL TO JUVENILE RECEPTION CENTER (JRC)

5. ~~Referral to the JRC shall take place in those misdemeanor cases where detention is not appropriate and an alternative to arrest or citation could not, due to exigent circumstances, be utilized.~~
6. ~~When a youth is referred to the JRC for disposition, a minimum of 15 calendar days should be allowed between the date the youth was taken into custody and the date set for appearance.~~

DETENTION AT JRC

1. ~~The decision to detain a youth shall be made by the OIC. The OIC may consult with the JRC intake worker when considering detaining a youth at the JRC. Only the JRC intake worker is authorized by state statute to make the decision to admit or release the youth. Under no circumstances shall a youth be detained as a means of punishment, because it enhances pending investigations, or because the youth is a material witness, unless so ordered by a judge of the children's court. If there is a need for secure custody of a youth, the officer taking the youth into custody shall complete a report documenting the need.~~
2. ~~Detention is mandatory when one or more of the following conditions or circumstances exist:~~
 - a) ~~The offense is a felony.~~
 - b) ~~The offense is a misdemeanor involving a weapon or resulting in injury or harm to others or a threat to public safety.~~
 - c) ~~The offense is one of a series of offenses that were previously handled without being referred to the JRC, not identified as an instance where an alternative to arrest or citation attempt should be utilized.~~
3. ~~If the youth is hospitalized, all paperwork shall be filed and secured in the OIC's office until the youth is medically cleared and ready to be discharged.~~

REPORTS

General Information

1. The officer taking the youth into custody shall be responsible for the proper custody, control, and care of a youth taken into custody and the submission of all reports relating to the apprehension.

2. When appropriate and as determined by MPD procedure (generally felony or controlled substances cases), the respective district must be notified so that they may provide whatever assistance is necessary.

Arrest/Detention Report Required

1. A report must be completed in the following cases:
 - a. When a youth is taken into custody for violation of a state law, municipal ordinance, or an order of the court. The reason or need for such detention must be clearly stated in the officer's report.
 - b. When a dependent child is taken into custody pursuant to Wis. Stat. 938.205.
 - c. When a 12 to 16 year old juvenile is taken into custody on a municipal warrant, traffic warrant, or traffic citations.
2. All reports must indicate the disposition of the youth, e.g., detained, released to appear.

FINGERPRINT REQUIREMENT

Whenever a police member issues a youth municipal court citation (Form CBP-201), a TraCS citation, or municipal citation to a youth for a violation, the member shall:

1. Indicate in the narrative portion of the citation how the youth was identified (e.g., fingerprint or valid picture identification card).
2. A fingerprint is not mandatory in those instances where the violator has valid picture identification. This must be a Wisconsin operator's license or identification card, a passport or passport card, or state or federal government issued picture identification.

Note: Discretion shall be exercised where a person refuses to be fingerprinted. In such cases, the officer shall consult with the officer's immediate supervisor.

VIOLATION OF HARASSMENT OR CHILD ABUSE/RESTRAINING ORDERS AND 2 YEAR INJUNCTIONS

When a youth is the respondent of a harassment or child abuse restraining order or injunction pursuant to Wis. Stat. 813.122 and 813.125 and a police officer has knowledge of the temporary restraining order or injunction, together with probable cause to believe that the youth has violated the court order pursuant to Wis. Stat. 813.122 or 813.125(6), the police officer shall take the youth into custody. The youth shall be interviewed concerning the allegation.

A report shall be completed charging the youth with violation of a temporary restraining order or injunction. An incident report should be completed explaining how the officer knew that the youth was the subject of a temporary restraining order or injunction, what probable cause the officer had to believe that the youth was in violation of the order, and what evidence is available to prove beyond a reasonable doubt that the youth violated the order. If possible, a copy of the court ordered temporary restraining order or injunction should be attached to the incident report. The youth, along with the completed reports, shall be conveyed to the JRC.

ARRESTS OF YOUTH

Serious Offenses

Youth who are observed committing, or are reasonably believed to have committed, an act which, if committed by an adult, would be a felony, or which involves serious physical harm or danger to others, are to be taken into immediate physical custody.

Aftercare Violators (Previously Probation & Parole Violators)

MPD will accept information concerning court directed rules and conditions for youth on aftercare and/or court ordered supervision. When possible, MPD will assist county and state social workers with enforcement of stipulations and conditions of these agreements.

Capias or Apprehension Request

A capias or an apprehension request will be handled in the same fashion and receive the same attention as an arrest warrant.

Taking Into Custody on School Property during School Hours

An officer may take a student into custody during school hours if the officer has probable cause to arrest the student for a misdemeanor or felony crime, or pursuant to an arrest warrant or juvenile apprehension order and an alternative to arrest or citation cannot be utilized. The school principal or designee shall be informed of all arrests made on school grounds during school hours.

Procedural Guidelines

In cases when a student is to be taken into custody at school, an officer shall first contact the school principal, when practical and applicable, and advise the school principal of the circumstances. When safe and reasonable, the student may be first summoned to the office by the principal.

Responding to Truancy

The MPD has an obligation to assist school authorities in Wisconsin's compulsory school attendance law. The primary and legal responsibility, however, for meeting the social and individual problems presented by a chronic truant is with the child's family and with the educational system.

Procedural Guidelines

Youth who are believed to be truant should be contacted and an attempt to identify them shall be made. If identified as truant, they are to be directed to return to school or conveyed if they are willing. School officials shall be notified of any identified truants.

When Processing an Arrested Youth for JRC

1. Conveyance should be made directly to the City County Building unless release in the field is approved by a supervisor.
2. The arresting officer shall consult with the OIC to approve charges and shall make an entry into the SharePoint Arrest log. In the event that SharePoint is unavailable, the arresting officer will obtain a paper form from the OIC and will complete this paper form. The OIC will then forward that paper form to Records.
3. The Temporary Physical Custody Request Form should be completed prior to transporting the youth to JRC. A copy of this form should be forwarded to the Criminal Intake Unit (CIU).
4. Youth who are to be taken to JRC shall be photographed, fingerprinted, and a required deoxyribonucleic acid (DNA) sample taken for the arrest of listed violent felonies. Exception: If there is a recent photo on file and there are no changes in appearance, a new photograph is not required.

Use of Youth as Paid Undercover Personnel

Juveniles will not be used as confidential informants except in cases of compelling need, with the approval of the Chief.

This procedure does not restrict or prohibit MPD personnel from accepting and utilizing intelligence-type information voluntarily offered by youth or obtained from them during the course of investigation. MPD personnel may actively solicit information and assistance from youth in the solving of crimes. Youth will not, however, be placed in situations by MPD personnel that jeopardize their physical or mental health or personal safety.

RECORDKEEPING

Photographing, Fingerprinting, and DNA Collection for Youth

1. Fingerprinting of arrested youth is required by the Wisconsin Department of Justice (DOJ) Division of Law Enforcement Services (DLES) Crime Information Bureau (CIB) in order for the arrest to become a part of the youth's record.

WI Act 20 requires the collection of a DNA sample for all youth arrested for listed violent felonies. The process of DNA collection for youth arrested for violent felonies is conducted in the Central District Intake Area (GR-55). DNA collection kits are available in this area.

Wisconsin Statute 165.83 requires that fingerprints and an updated photo, if the arrested youth's appearance has changed, be taken each time a youth is arrested under any of the following circumstances:

e. For an offense which is a felony.

f. For an offense which is a misdemeanor or a violation of an ordinance involving burglarious tools, commercial gambling, dealing in gambling devices; for contributing to the delinquency of a child, dealing in stolen property, possessing and selling controlled substances under Chapter 161; for violations involving firearms, dangerous weapons, explosives; for pandering, prostitution, or committing violations involving sex offenses where children are victims; or for issuing worthless checks.

g. For an offense charged as disorderly conduct, but which relates to an act connected with one or more of the above offenses.

h. As a fugitive from justice.

For all other youth arrests, an officer may transport the youth to the police station to obtain fingerprints and/or a photograph prior to releasing the youth if an investigative benefit can be articulated.

3. When an arrested youth is brought into the station for photographs and fingerprinting, the following is required (runaways are excepted):

a. Two (2) green fingerprint cards with palm and rolled impressions, which are signed by the person printed and the person doing the printing.

b. One (1) set of palm prints.

c. A front and profile photograph. If glasses are worn, one set with and one set without glasses.

d. The forwarding of all reports and fingerprint cards to the juvenile court detective in CIU.

3. Photographs, two green fingerprint cards, and palm prints of youth taken into custody will be the responsibility of the arresting officer. The camera in the Central District Intake Area (GR-55) will be utilized for photographs. Instructions on the camera operation are maintained at that location, as are fingerprint cards.

Recordkeeping

The Records Manager will maintain all juvenile records in conformance with the Wisconsin State Statute requirements for separate storage, release, and confidentiality. Reports shall only be released through Records.

Confidentiality of Records

Confidentiality of Records

MPD records of youth shall be kept separate from records of adults and shall not be open to inspection except by order of the court. This section does not apply to proceedings for violations of Chapters of State Statute 340 to 349 and 351 or any County or Municipal Ordinances enacted under State Statute Chapter 349. This section does apply to proceedings for violations of State Statute 342.06(2) and 344.48(1) and State Statutes 30.67(1) and 346.67(1) when death or injury occurs. Except for the following, all others will be directed to the Juvenile Court to seek a court order:

1. News media representatives;
2. The School District Administrator of the school attended by the child in question:
 - a. records relating to the use, possession, or distribution of alcohol, a controlled substance, or controlled substance analog;
 - b. records relating to illegal possession of a dangerous weapon;
 - c. records relating to a juvenile taken into custody under Wis. Stat. 938.19 based on a law enforcement officer's belief that the juvenile was committing or had committed an act that is a violation specified in Wis. Stat. 938.34(4h)(a);
 - i. Juvenile is 10 years of age or older for the following charges:
 - (1) 940.01 - First degree intentional homicide
 - (2) 940.02 - First-degree reckless homicide
 - (3) 940.05 - Second degree intentional homicide
 - ii. Juvenile is 14 years of age or older to the following charges:
 - (1) 939.31 - Conspiracy
 - (2) 939.32 - Attempted Felony
 - (3) 940.03 - Felony Murder
 - (4) 940.21 - Mayhem
 - (5) 940.225 - Sexual Assault
 - (6) 940.305 - Taking hostages
 - (7) 940.31 - Kidnapping
 - (8) 941.327 - Tampering with Household Products
 - (9) 943.02 - Arson of Building and damage of property by explosives
 - (10) 943.10 - Burglary
 - (11) 943.23 - Operating vehicle without owner's consent
 - (12) 943.32 - Robbery
 - (13) 948-02 - Sexual Assault of a child
 - (14) 948.025 - Engaging in repeated acts of sexual assault of the same child
 - (15) 948.30 - Abduction of another's child; constructive custody
 - (16) 948.35 - Solicitation of a child to commit a felony
 - (17) 948.36 - Use of child to commit a Class A felony
 - d. records relating to an act for which the youth was adjudicated delinquent.
3. Social welfare agencies;
4. Other law enforcement agencies;
5. Victim(s) of a youth act resulting in injury or loss or damage of property;
6. Insurer access when restitution has been court ordered and has not been paid for one (1) year;
7. Parents, guardians, and legal custodians;
8. Holder of notarized permission statement from parent, guardian, or legal custodian;
9. Victim-Witness Coordinator;

10. Fire Investigator investigating an arson;
11. The involved youth once they reach the age of 18.

Original SOP: 11/09/2015

(Revised: 02/10/2016, 04/02/2018, 09/09/2019, 12/04/2020, 05/02/2022, 1/23/2024)

(Reviewed Only: 01/09/2017, 12/26/2017, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Back-Up

Eff. Date: 01/14/2022-1/29/2024

Purpose

To outline the guidelines for Madison Police Department (MPD) utilization of back-up. Back-up refers to any additional commissioned personnel assigned to a call for service or other self-initiated activity beyond the primary officer responsible for handling the situation. The Madison Police Department believes that, under certain circumstances, multiple officers on a scene may increase the safety of all involved. The MPD also believes that a delay in initial contact could possibly lead to negative outcomes and therefore the decision to await backup should be a balancing test that accounts for the totality of the circumstances.

Procedure

Consistent with the department's Core Values, the members of the Madison Police Department are committed to valuing and preserving human life. The protection and preservation of all human life – including the lives of individuals being taken into custody – is the department's fundamental objective and the primary duty of all MPD employees. The department is committed to the attempted resolution of conflict, also committed to resolving conflicts through the use of communication skills, crisis intervention, and similar de-escalation tactics when it is feasible. De-escalation tactics and techniques are actions used by officers, when safe and without compromising law enforcement priorities, that seek to reduce the likelihood of the need to use physical force during an incident and to or may increase the likelihood of a positive resolution.

The number of officers on scene may increase the available force options and may increase the ability to reduce the overall force used. Accordingly, officers shall not disregard backup, if so assigned by dispatch, prior to arrival at the scene and assessment of the situation. Supervisors are expected to routinely monitor calls for service to ensure these guidelines and protocols are being followed. It is realized, however, that it may be occasionally necessary, when circumstances dictate, for a supervisor to direct a course of action outside these guidelines.

An officer should await back-up or proceed with back-up present or immediately available, if feasible, under the following circumstances:

- When approaching an individual whom they reasonably anticipate may be taken into custody (criminal suspects, potential chapter 51 protective custody/emergency detention, etc.)
- When officers reasonably anticipate the need to use force to temporarily detain persons as part of an investigatory stop
- When responding to incidents involving violence or the threat of violence
- When responding to incidents involving firearms or other weapons (use, display, or threat)
- When conducting follow-up or interviews in spaces where officers are expected to be disarmed by facility regulations (e.g. secured psychiatric ward), where responding officers may be delayed by access control or unfamiliar layouts, or where radio communications may be poor (e.g. schools, underground parking). This does not include secure law enforcement or correctional environments, such as a jail.

Instances where it is not feasible to await back-up may include, but are not limited to examples of exigent circumstances (such as a threat to the safety of the officer, subject, or member of the public, a likelihood the subject will flee or escape, or a risk that evidence will be destroyed), circumstances with an imminent risk of bodily harm (to officer or to member of the public), suspect flight or escape, etc.

When responding to any type of incident, officers should be aware of factors that might result in limited backup availability (being in an area with poor radio communications, during peak workload times when officers are not available, or when the Officer-in-Charge has initiated priority calls only status, etc.).

Original SOP: 09/15/2017
(Reviewed Only: 12/26/2017)
(Revised: 01/15/2020, 01/14/2022, 01/29/2024)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Calls For Service (CFS) Dispatch Guidelines

Eff. Date ~~01/16/2023~~ 1/22/2024

Purpose

This standard operating procedure (SOP) outlines guidelines and expectations for Madison Police Department (MPD) response to calls for service. Any questions about response to a particular call/incident should be directed to the Officer in Charge (OIC). If the OIC is unavailable, the 911 Center should attempt to contact a field supervisor (sergeant) for guidance. If the 911 Center has any question about whether a call should be dispatched and is unable to contact the OIC or a field sergeant for guidance, the call should be dispatched. Shift OICs (shift lieutenants or sergeants filling in as OIC) and field commanders (Lieutenants, Captains, Chiefs) have the authority to deviate from these guidelines on a case-by-case basis.

Procedure

CATEGORIES OF CALL TYPES

Calls/incidents should be categorized as follows for purposes of dispatching MPD officers:

Priority – Priority calls are urgent, requiring rapid police response. They generally include Echo, Delta, and certain Charlie level incidents. However, other incident types should be considered priority calls if one or more of the following criteria are present:

- Injuries requiring immediate medical attention (excluding emergency medical calls)
- Crimes in progress (excluding crimes that are referred to self-reporting)
- Incidents involving physical danger or risk to the public
- Most incidents involving firearms or other weapons
- Incidents where the potential for violence exists without police intervention
- Death investigations

Note that under certain circumstances, some Delta and many Charlie level calls may not require an immediate police response and should be considered routine calls. These circumstances would include incidents involving no risk to the public, a significant time delay between occurrence and reporting, and no risk that evidence will be lost if response is delayed.

Routine – Routine calls do not typically require an immediate police response and generally include most Bravo and some Charlie level calls. They typically include minor crimes with no suspects present, incidents not involving violence or a risk to the public, incidents with no apparent potential for escalation, etc. Any call should be considered a priority call if the criteria listed above (under the definition of priority calls) are present.

Low – Low priority calls are minor incidents, where the timeliness of police response is not an issue. These typically include some Bravo and all Alpha level calls.

DISPATCHING OFFICERS

Calls for service should be dispatched to an officer having responsibility for the sector where the incident is being reported, if possible. If multiple officers share responsibility for the sector, an officer the dispatcher reasonably believes is closest should be dispatched whenever possible. However, calls for service and workload should be balanced among officers sharing responsibility for a sector or sectors as much as possible (officers in the first two hours of their shift should be given initial consideration). If no officer having responsibility for the sector is available:

- Priority calls should be dispatched to the nearest available officer, regardless of district assignment.
- Routine and low call types should be dispatched to another district officer and should only be held for an officer responsible for that sector if that officer asks that the call be held and will be available to respond in a reasonable time (no more than ten minutes, except between the hours of 6 a.m. and 7 a.m.).

Officers shall not disregard backup, if so assigned by dispatch, prior to arrival at the scene and assessment of the situation.

Supervisors are expected to routinely monitor calls for service to ensure these guidelines and protocols are being followed. It is realized, however, that it may occasionally be necessary, when circumstances dictate, for a supervisor to direct a course of action outside of these guidelines.

Officers with questions about being dispatched to a call should contact the OIC or a field supervisor and should not question the dispatcher.

CALL REPORTING LOCATIONS

MPD response to incidents is related to the location of the complainant, not the location of the incident being reported. If a **community member citizen** is reporting an incident that happened at another location in the City of Madison, an officer responsible for the sector where the complainant is reporting the incident should be dispatched and shall investigate the incident. This includes incidents reported at the City County Building (CCB) or at MPD District Stations.

The only exception is for calls to hospital emergency rooms. When calls for service are received from a hospital emergency room, an officer responsible for the hospital should initially be dispatched (a district officer should be dispatched if an officer responsible for the hospital is unavailable). The officer should respond and obtain preliminary information from the complainant. If the incident being reported took place in another district and appears as if it will require significant follow-up or if a supervisor believes based on the type of incident reported that it will likely require significant follow-up, a supervisor may elect to have resources from the district where the incident occurred respond in addition to, or instead of, the officer responsible for the hospital.

If community members located outside the City of Madison call to report an incident that occurred in the City of Madison, an officer the dispatcher reasonably believes is closest to the community member's reporting location should generally be dispatched, unless the community member's reporting location is more than a reasonable driving distance from the City of Madison limits (generally, more than five (5) minutes driving time). In those instances, an officer responsible for the location where the incident occurred should be assigned to contact the complainant by phone.

DISPATCH PROTOCOLS AT SHIFT CHANGE

During the period of 6am to 7am, it is expected that 911 Center and patrol personnel will adhere to the following protocols:

- **Priority calls:** Shall be dispatched to an officer the dispatcher reasonably believes is closest regardless of district or shift assignment.
- **Routine calls:** Shall be dispatched for service when an early first detail officer responsible for the sector or district assigned officer is available; early first detail officers start their regular shift at 6:00am. Late fifth detail officers may be required to assist as backup in the last hour of the shift; late fifth detail officers end their regular shift at 7:00am.
- **Low priority calls:** Shall be held until late first detail cars are in service.

Officers shall check in by radio with dispatch immediately after citywide briefing.

OFFICERS IN THE LAST HOUR OF SHIFT

During the last hour of their shift, officers will be expected to be available in their assigned area. Officers should not be dispatched to low priority calls during the last hour of their shift (except to back up an officer if no other district officers are available) and should not be dispatched to routine calls in the last 30 minutes of their shift (except to back up an officer if no other district officers are available). When appropriate, an officer may go into the station prior to the end of their shift to complete necessary tasks when approved by the OIC. Approval should be requested via Mobile Data Computer (MDC) message or telephone, rather than through dispatch. Officers are reminded that the Madison Professional Police Officer Association (MPPOA) contract provides for eight minutes prior to the end of the tour to file reports and to clean and store equipment.

CFS RESPONSE LEVELS

Generally, MPD commissioned personnel will respond to calls for police service received by the Dane County 911 Center based on officer availability and prioritization of calls. However, on occasion it is necessary for a restricted response protocol.

MPD will have two levels of response:

- **Normal:** The assignment of police units to calls for service will continue under current guidelines and practices as outlined in this document. Officers will respond to calls for police service (depending on officer availability) and can continue to engage in pro-active activity (traffic stops, foot patrol, etc.).
- **Priority Call Response:** MPD will only respond to priority calls for service as defined on pages four and five of this document.

The OIC or a field commander can set this response level city-wide or can limit it to a specific radio channel response area (Central, East, and North/Channel 1 or Midtown, South, and West/Channel 3). Factors to be considered by OICs or field commanders when determining whether to modify MPD call response include the following: resource-intensive calls requiring a substantial number of assigned officers (i.e., tactical calls, large scenes, etc.), volume of calls requiring prolonged officer engagement (i.e., emergency detention conveyances, Operating While Intoxicated (OWI) warrant processing, etc.), staffing levels, special events, extreme weather conditions, or other unusual situations requiring significant MPD resources.

Before going to priority call response, the OIC should assess the availability of other MPD resources (Community Policing Team (CPT) officers, Neighborhood Police Officers (NPOs), Neighborhood Resource Officers (NROs), etc.) to supplement call response. When needs exceed resources, the OIC can request mutual aid, or require a shift holdover, or personnel call-in, or Special Event Team (SET) or Special Weapons and Tactics (SWAT) activation. Additionally, OICs should refrain from going to priority call response for on-duty trainings and patrol officers should refrain from pro-active activity to be available for calls.

OIC EXPECTATIONS FOR PRIORITY CALL RESPONSE

When an OIC or field commander determines that MPD response will be temporarily modified to priority call response the OIC should immediately notify the 911 Supervisor by telephone (608) 267-3913 (supervisor phone). The 911 Supervisor will immediately inform the primary MPD dispatchers who will notify their respective MPD personnel via radio.

The 911 Supervisor will create an "Information" incident and assign the Priority Call for Service ("PRCFS") unit. The OIC will notify the 911 Supervisor of the specific reason for the modified call response (resource-intensive call with case number, snowstorm, etc.) and any changes in modified call response

(from a city-wide limit to specific radio channel response area only, etc.) and this information shall be documented in the incident notes. If an OIC wishes to have the ability to add call notes, the OIC will need to specifically request to have ~~his or her~~ **their** unit number added to the incident as an additional assigned unit. The OIC will notify the 911 Supervisor via telephone when MPD response will be returned to routine response and clear the Information incident on the CAD without a report.

The purpose of this incident is to capture via the Computer Aided Dispatch (CAD) system the amount of time MPD spends on a modified call response. The 911 Supervisor and the OIC are encouraged to work together to evaluate the need for priority call or limited crash response status as conditions warrant.

911 CENTER EXPECTATIONS

Priority Call Response

During periods where MPD is in priority call response mode, the 911 Center should adhere to the following process when receiving incoming requests for MPD service:

- The call taker should obtain full information from the caller (location of incident, identity of complainant, nature of complaint, etc.) and enter it into the CAD as an incident. If the call is of a nature to which MPD will not respond at that time (based on the criteria explained above), the complainant should be advised that MPD response will be delayed. The caller should be advised to call back if the incident escalates or circumstances change in a way that would make police response necessary.
- The dispatcher will, as resources permit, dispatch officers to priority calls in accordance with the criteria explained above. Calls that do not meet the criteria will remain in queue.
- When MPD's response level returns to normal, calls in queue should be dispatched as resources permit.
- If a caller re-contacts the 911 Center and indicates an unwillingness or inability to continue waiting for MPD response, they should be advised to call back at another time and the call should be cleared with a CAD disposition code of D.
- If the 911 Center has **ANY** questions about whether a particular call should be dispatched, they should consult with the OIC (or a field supervisor if the OIC is unavailable).

If, at the time MPD transitions to priority call response mode, there are calls in queue of a nature to which MPD will not respond to under priority call response mode, officers should not be dispatched to those incidents. The 911 Center should, if possible, call the complainants back and advise them that MPD response will be delayed. Community members with concerns about MPD's response should be referred to the OIC.

GUARD DUTY

If MPD personnel are needed to perform the function of guarding a prisoner at a medical facility, the OIC or their designee, should generate a new case number (incident type: Assist – Guard Duty) after 24 hours. The new case number should use the medical facility as the address of occurrence. All subsequent guard duty assignments should be assigned on the CAD to the new case number.

CFS AT THE PUBLIC SAFETY BUILDING

MPD should not handle any calls for service occurring within the Public Safety Building (PSB). This does not prohibit MPD from assisting with crimes/disturbances in progress where a request for assistance has been made to stabilize and control the situation. Once stabilized, the incident should be turned over to personnel from the Dane County Sheriff's Office (DCSO). This restriction does not apply to incidents reported by callers in the Public Safety Building that occurred elsewhere in the City of Madison.

DANE COUNTY COURTHOUSE AND CITY-COUNTY BUILDING

MPD has responsibility for responding to incidents occurring within the City-County Building (excluding the jail).

MPD and DCSO share responsibility for the Dane County Courthouse. DCSO has responsibility for courtrooms, courtroom holding cells, and other non-public areas. MPD has responsibility for public areas (hallways, offices, entryway, weapons screening, etc.). MPD officers will respond to assist with emergencies occurring in areas of DCSO responsibility.

DETOX CONVEYANCES FROM HOSPITAL EMERGENCY ROOMS

Subject Conveyed to Emergency Room by Another Law Enforcement Agency – If a law enforcement agency conveys an individual from their jurisdiction to a Madison emergency room for medical treatment and that person needs transportation to Detox after being medically treated, it is the responsibility of the agency that conveyed the individual to the hospital in the first place to convey the incapacitated subject to Detox. This applies even if the officer/deputy has returned to their jurisdiction and applies to jurisdictions outside of Dane County. MPD officers will not make conveyances to Detox under these circumstances. If MPD conveys an individual from our jurisdiction to an emergency facility in another jurisdiction for medical treatment and that subject needs transportation to Detox after being medically treated, it is the responsibility of MPD to convey the incapacitated subject to Detox.

Subject Conveyed to Emergency Room from Detox – If a person who has been admitted to Detox is conveyed to a Madison emergency room for medical treatment, it is the responsibility of Detox to arrange for that subject to be conveyed back to Detox after they have been medically treated. MPD officers will not make conveyances to Detox under these circumstances. This applies even if the person was originally conveyed to Detox by an MPD officer.

Subject Conveyed to Emergency Room by Other Means – If a subject was conveyed to a Madison emergency room from another jurisdiction by a non-law enforcement agency, MPD officers should respond (if requested) to evaluate the subject and determine whether the subject is incapacitated by alcohol. If the subject is deemed to be incapacitated by alcohol, the subject will be placed under protective custody and conveyed to Detox. This includes subjects conveyed to Madison emergency rooms by ambulance from other jurisdictions. If a subject from Madison was conveyed to an emergency facility outside of MPD's jurisdiction without MPD, the jurisdiction where the emergency facility is located with the subject will respond and determine if the subject is incapacitated by alcohol. MPD will not make conveyances to Detox under these circumstances.

Deviations from these procedures must be approved by a supervisor.

EMERGENCY DETENTIONS FROM HOSPITAL EMERGENCY ROOMS

Subject Conveyed to Emergency Room by Another Law Enforcement Agency – If a law enforcement agency conveys an individual from their jurisdiction to a Madison emergency room for medical treatment and that person is determined to be experiencing a mental health crisis requiring an Emergency Detention, it is the responsibility of the agency that conveyed the individual to the hospital to make the Emergency Detention. This applies even if the officer/deputy has returned to their jurisdiction and applies to jurisdictions outside of Dane County. MPD officers will not make Emergency Detentions under these circumstances.

Subject Conveyed to Emergency Room by Other Means – If a subject was conveyed to a Madison emergency room from another jurisdiction by a non-law enforcement agency, responsibility for processing the emergency detention lies with the agency where the dangerous behavior (providing the basis for the emergency detention) occurred. If this is not immediately clear, MPD officers should respond (if requested) to evaluate the subject and determine where the dangerous behavior providing the basis for the emergency detention occurred. If that behavior occurred in another jurisdiction, it is the expectation of

MPD that personnel from the outside agency would respond and complete the Emergency Detention process.

Deviations from these procedures must be approved by a supervisor.

Detox

- MPD officers should not convey individuals from Detox to a hospital or other treatment facility.
- MPD officers should not convey individuals from Detox to jail if the person was originally placed in protective custody by another jurisdiction.
- MPD officers will convey our arrests to jail from Detox.

JRC

- MPD will respond to the Juvenile Reception Center (JRC) to investigate all calls for service occurring within JRC.
- Officers shall conduct assessment of persons taken to JRC and if necessary should have person medically evaluated prior to JRC intake.
- If MPD officers are presenting a person to JRC and, at the time of intake or shortly thereafter, it is determined that a medical release/clearance is necessary, MPD officers should convey the person to a medical facility for that evaluation.
- MPD officers should not make scheduled conveyances from JRC.

ALARM RESPONSE

- MPD officers will continue to be dispatched to residential burglary alarms as well as burglary alarms from government buildings and religious facilities.
- MPD officers will continue to be dispatched to community member-reported audible alarms.
- MPD officers will continue to be dispatched to any human-activated alarm, whether it originates from an individual, residence, or a business, including alarm activations where a person is on scene and is providing an incorrect passcode to disarm the alarm.
- MPD officers will continue to be dispatched to mechanically-activated commercial burglar alarms received between the hours of 10pm and 6am.
- MPD will utilize a "broadcast and file" protocol for mechanically-activated commercial burglar alarms received between the hours of 6am and 10pm. When calls of this type are received, the 911 Center should broadcast the information to officers working in the vicinity of the address where the alarm occurred. This is information for district officers, with no expectation that a police response will occur. Officers may elect to respond if they choose.
- MPD should only be dispatched to mechanically-activated commercial alarms if verification that a problem may exist has been received. There is no expectation that a community member will be asked to enter a potential crime scene; any observation that leads a reasonable person to believe that a crime may be in progress or may have already taken place will suffice.

Note that an MPD Commander must contact the on-duty 911 Center Supervisor with temporary deviations from this policy. These deviations can specify that officers should be dispatched to alarms from a particular address, in a particular district, during a particular time frame, etc. If the modified response will remain in place for more than a single shift, the request to the 911 Center must be in writing.

NOISE COMPLAINTS

If it has not been possible for MPD officers to respond to a noise complaint (call type L49) for one hour and the 911 Center has not received any additional calls on the incident, the call should be canceled from the pending queue and cleared with a disposition code of D. Noise complaints should not be dropped if multiple calls are received reporting the same problem, or if a complainant requests contact with an officer.

RETAIL THEFTS

Active Retail Thefts (Suspects on scene)

1. Officer will be dispatched as soon as possible per CFS guidelines if:
 - a. Theft is over \$50.00
 - b. Suspect is on-scene (or immediately in the area)
 - c. Store can articulate a willingness to pursue charges
2. Dollar amount requirement may be negated if theft involved another citable offense
3. If suspect is fleeing but no officer is available:
 - a. Dispatch should provide the Loss Prevention Officer (LPO) with case number
 - b. Dispatch will announce the information over the air in case any officers are nearby and want to break
 - c. LPOs will call back with the case number when documentation is ready for pickup
4. LPOs may pre-call if:
 - a. Suspect is utilizing an edged weapon to remove anti-theft devices
 - b. Suspect has fled in the past
 - c. Individual(s) concealing felony amount

Cold Scene Retail Thefts (Suspects not on scene)

1. Officer will be dispatched as soon as possible per CFS guidelines if all of the following exist:
 - a. Theft is over \$50.00
 - b. Store has suspect info that readily identifies the suspect (name, license plate, quality pictures)
 - c. Store can articulate a willingness to pursue charges
 - d. LPO has completed the store documentation and has two copies of video ready to turn over to officer
 - i. If not ready upon initial call, LPO should obtain the case number from Dispatch and call back when documentation is available
 - e. Exceptions:
 - i. The Retail Theft involves theft of a firearm
 - ii. LPO is injured

Self-Report Retail Theft

1. Retail thefts should be routed to the Self-Reporting System only if:
 - a. Loss is less than \$50, even with video evidence or cooperative suspect on scene
 - b. Theft over \$50, but not in progress and no readily identifiable suspect information
 - c. Incident does not involve multiple offenses or multiple stores
 - d. Does not involve theft of a firearm
 - e. Does not involve the use of force or the threat of force

SERVING WARRANTS FOR OTHER JURISDICTIONS

These guidelines should be adhered to when outside agencies request that MPD officers serve warrants.

Under the following conditions, MPD officers will respond and attempt service as requested, whenever possible:

- Felony warrants, where violence was involved.
- To locate subjects named in a probable cause affidavit if the probable cause affidavit is related to domestic violence.
- To serve a misdemeanor warrant related to domestic violence if exigent circumstances exist related to domestic violence.

- To serve apprehension requests from the Wisconsin Department of Corrections for probation and parole violations.

Under the following conditions, service requests will be forwarded to the OIC via inter-departmental mail for attempted service, as time/resources are available (officers should not be dispatched in these cases):

- Nonviolent felony warrants.
- Misdemeanor warrants unrelated to domestic cases.
- Traffic warrants from outside jurisdictions.
- Municipal Ordinance violations.

Deviations from these guidelines must be approved by a supervisor.

OUTSIDE AGENCY TRANSLATION REQUESTS

Requests from outside agencies for MPD officers to assist with language translation should be cleared through the OIC unless the need for assistance is urgent or requires immediate response. The OIC will determine whether MPD officers will assist and what the scope of their assistance will be.

OUTSIDE AGENCY VEHICLE PURSUITS

When an outside agency is engaged in a vehicle pursuit in the City of Madison or approaching the City of Madison, Dispatch will notify MPD officers of the reason for the pursuit as soon as possible.

CRASHES INVOLVING CITY EMPLOYEES

An MPD supervisor should be dispatched to any motor vehicle accident in the City involving an MPD officer (on or off duty) or any on-duty City of Madison employee.

TRAFFIC CRASHES (INCLUDING HIT AND RUN CRASHES)

- Officers should generally not be dispatched to vehicle crashes unless an injury is involved or there is road blockage unless other circumstances warrant a response (impaired driver, disturbance, hit and run, uncooperative driver, etc.). This includes vehicle crashes on private property.
- Officers should not be dispatched to vehicle crashes if all the vehicles/pedestrians involved in the crash have left the scene prior to contacting police, unless special circumstances prompted their leaving (following a hit and run suspect vehicle, seeking medical treatment, moving out of traffic, etc.)
- Officers will respond to vehicle crashes involving City-owned vehicles or off-duty MPD commissioned personnel regardless of injury or road blockage status.

Note: Traffic crashes are not handled through the MPD self-reporting system. Under the above circumstances, citizens should be referred to complete a State of Wisconsin Crash Report Form (DT4002) available on the Department of Transportation website.

DISPATCH PROTOCOL FOR COMMUNITY POLICING TEAMS

The Community Policing Teams (CPTs) are primarily intended to do proactive work related to Drugs, Traffic, Community Policing initiatives, and other District-related issues. CPTs are available to assist Patrol with Calls for Service in a limited capacity.

The CPTs may be used to assist with Calls for Service under the following circumstances:

1. When so directed by the Officer in Charge (OIC) or District Commander.
2. At the discretion of the CPT Sergeant.

Other personnel may request the use of the CPTs for assistance with issues. These requests should be routed through the District Commanders for planned events and through the OIC for issues arising during the working shift.

Calls most suitable for the CPTs to be utilized are as follows:

1. Calls involving drugs.
2. Calls involving significant threat to officer safety, where the coordinated response by a team of officers, under the direction of a Sergeant, would facilitate safe handling of the incident.
3. Priority calls at times when Patrol does not have sufficient staffing to adequately handle the situation.

DISPATCH PROTOCOLS FOR K9 TEAMS

Patrol K9 teams should be dispatched to calls where a K9 may be needed. These include burglaries and robberies (in-progress or recent), barricaded subjects, vehicle/foot pursuits, weapons offenses, drug investigations, etc. When not on a K9 incident, patrol K9 officers may be dispatched to back up patrol officers or to respond to minor incidents as needed, but should not be used as a primary unit.

Outside agency requests for an MPD K9 team should be approved by the OIC. This does not prevent a K9 officer from responding to assist with an emergency request outside the City.

SPECIAL DUTY RADIO NUMBERS

MPD officers working special duty assignments are required to have a portable radio and to check in with dispatch at the start and end of their assignments. Each special duty assignment will have an accompanying special duty radio/unit number assigned. Officers who are unaware of their assigned radio/unit number, or who were not assigned one, should contact the 911 Center data operator for their special duty radio number.

If a call is received from a location where a special duty officer is working, the appropriate patrol officer(s) should be dispatched. The special duty officer should be notified of the call and should assist if appropriate (based on expectations for that particular special duty assignment).

OFFICER SELF-INITIATED ACTIVITY

The 911 Center should generate incident numbers for all "traffic stops" called out by MPD officers. Incident type L60T shall be used to code this type of patrol activity. The 911 Center dispatchers will also create a single incident number (using incident type L60T) for pre-planned traffic initiatives and attach all involved officers to the incident on the CAD. Incident type 132B3 should continue to be utilized for all other traffic incidents.

The 911 Center should generate incident numbers for the below listed "patrol related activities" called out by MPD officers using the corresponding incident type:

Activity Type	Incident Type	
Traffic stop/enforcement	L60T	
Directed foot patrol	L66F	Check Area/Foot Patrol
Property Checks	L66P	Check Property
Community Policing (meetings, etc.)	L87C	Assist/Comm Policing
Language Translation	L87T	Assist/Translate
Follow up investigations	L88F	Assist/Follow Up

Activity Type	Incident Type	
On-Duty Court	L89C	Assist/Court
On Duty Training (ODS shoots, etc.)	L88T	On Duty Training
Any other self initiated activity	***	Most applicable call type

Officers who advise they do not want a case number should be cleared with a 'No Report' disposition.

CRITERIA FOR ROUTING TO THE SELF-REPORTING SYSTEM

The following criteria outline the circumstances under which incidents should be routed to the MPD Self-Reporting System. The 911 Center, using these guidelines, should determine whether a particular incident should be routed to the Self-Reporting System or be dispatched to a patrol officer. The OIC should be consulted with questions about how to handle a particular incident (what constitutes unusual circumstances, etc.).

Note: any complainants requiring special language assistance (translation, Telecommunications Device for the Deaf (TDD), etc.) should not be referred to the Self-Reporting System; an officer should be dispatched to assist.

Video Evidence

Any incident that involves video evidence which can be used to identify a suspect should be dispatched to an officer except in the case of a theft/retail theft in which the value of the loss is less than \$50.00.

Damage to Property and Theft (Including Stolen Bicycles*):

**Bicycles taken from a garage/building may constitute a burglary; should not be referred to Self-Report.*

Callers should be routed to the Self-Reporting System only if:

1. Not in progress (suspect is no longer on the premises, is not in custody, is not being pursued);
2. Loss/Damage is less than \$2,500 in value;
3. No suspect information readily identifies the suspect (name, license plate, video evidence, etc.);
4. No obvious physical evidence left behind by the suspect (does not include fingerprints/DNA);
5. The occurrence does not involve multiple offenses by the same suspect or at the same location;
6. Does not involve theft of a firearm.

Thefts from underground parking garages or entries into locked vehicles parked inside of underground parking garages may constitute a burglary. As a result, an officer should be dispatched to investigate.

In the case of multiple offenses that appear related (multiple autos entered/damaged, etc.), an officer should be dispatched to investigate. The officer should complete a report documenting the pattern and any specific offenses for which a complainant can reasonably be contacted. Self-reporting forms can be left for victims who are not able to be contacted (under a windshield wiper, in a door, etc.).

Officers should be dispatched to all graffiti complaints.

Theft of Electronic Devices

An officer should be dispatched to the theft of an electronic device (phone, tablet, computer, etc.) when the victim/owner of the device has device tracking information which may lead to a suspect.

Obscene/Annoying Phone Calls

Should be routed to the Self-Report System only if:

1. No threats were made.
2. The victim has no suspect information.
3. The victim does not wish to see an officer and only wants to document the incident.

Lost Property

All Lost Property calls are routed to the Self-Report System unless unusual circumstances require a police response.

Fraud on Hotel or Restaurant Keeper, Recreational Attraction, Taxicab Operator, or Gas Station

Should be routed to the Self-Report System unless other criminal behavior or unusual circumstances require a police response.

Worthless Checks

MPD officers should not be dispatched to Worthless Check complaints unless some unusual, special circumstances exist; all worthless check complaints should be routed to the Self-Report System.

Panhandling

Officers should generally not respond to complaints of panhandling unless other criminal activity is involved.

Forgery and Frauds

If the forgery or fraud is related to prescription drugs, the call type should be reclassified as a "Drug Incident" and an officer response is required.

For all other forgery, fraud, phone scams, financial, and credit card crimes, the incident should be routed to the Self-Report System only if:

1. The crime is not in progress (suspect is no longer on the premises, is not in custody, is not being pursued)
2. There is no suspect information that readily identifies the suspect (name, license plate, video evidence, etc.)
3. The financial offense is not related to another crime (checks stolen in a burglary, for example);
4. The amount of loss is less than \$2,500;
5. There are no special circumstances involving the victim (elderly, disabled, etc.).

If the above criteria are not met, officer response/investigation is required.

ASSIGNMENT OF OFFICER ID# NUMBERS TO SELF-REPORT CALLS FOR SERVICE

MPD staff may be generating case numbers for "self-report" calls (e.g., walk-in customers to the district stations). Therefore, should MPD support staff call the 911 Center and request a case number for a self-report, MPD staff will request that the 911 Center staff use the employee's assigned radio number to generate the case number and upon clearing the call, use a disposition code of S for "self report."

**For 911 Center staff: place the unit on duty, assign them, clear them, and return the unit to off-duty status.

If an officer is dispatched to an incident and after contacting a victim/witness/etc., determines that the incident would have qualified for diversion to the self-reporting system, the officer should

continue to investigate the incident and complete a report. OFFICERS SHOULD NOT PROVIDE SELF-REPORT FORMS TO CITIZENS IN LIEU OF PERFORMING AN INVESTIGATION AND COMPLETING A REPORT.

Disposition Codes

The following CAD/Law Enforcement Records Management System (LERMS) disposition codes should be used as indicated:

- A** – Crash report (the officer completes a DT4000 or MPD4000 crash report, including or an involved driver completes a DT4002 and MPD4000).
- C** – Citation issued (the officer completes and issues at least one citation without completing a report)
- D** – Dropped incident number (used for traffic crashes to which officers do not respond during priority call response periods, noise complaints to which officers are unable to respond within one hour, or any other incident to which officers are unable to respond due to limited resources, workload, etc. This includes calls cancelled by complainants, if the cancellation is due to lack of a timely MPD response).
- F** – Field Report (the officer completes a field report)
- N** – No report (the incident does not require a report)
- R** – Report (the officer completes a report, excluding accident reports and field reports)
- S** – Self report (the incident is referred to the self-reporting system)
- U** – Unfounded report (the incident is unfounded; no report is completed)

Officers should enter the disposition code via MDC when clearing from an incident, or, if unable to do so, notify dispatch of the proper disposition code.

PARKING ENFORCEMENT DISPATCH PROTOCOLS

Dane County 911 Dispatch personnel will use the Parking Enforcement Dispatch Protocols provided by the City of Madison Parking Division to dispatch Parking Enforcement Officers (PEOs) to parking calls for service within the City of Madison. During rare times when a Parking Enforcement Officer is not on duty and an imminent parking call for service arises, a Madison Police Officer may be dispatched to service the call. When necessary, MPD personnel will issue paper parking tickets to illegally parked vehicles. MPD Court Services personnel maintain MPD's supply of paper parking tickets.

~~The following guidelines are to help assist Dane County 911 Dispatch personnel when dispatching Parking Enforcement Officers (PEOs) to parking related calls. It is important to understand that PEOs are not armed law enforcement officers and should not be dispatched to a call requiring a sworn officer. These three guidelines should be followed at all times:~~

- ~~1. **Contesting Citations** – A PEO should never be dispatched to respond to a community member contesting a citation. All questions should be forwarded to the Traffic Office at 266-4622.~~
- ~~2. **Serious Police Incident** – Do not dispatch a PEO into an area of a serious police incident where the PEO's safety might be at risk (weapons offenses, barricaded subjects, etc.).~~
- ~~3. **Police Officer Back up** – There are several addresses tagged in the CAD system that require a police officer back up when dispatching for a parking call; an officer should be sent to accompany a PEO who is dispatched to these locations. Officers should only be dispatched to private parking complaints if a PEO is not available or not on duty.~~

4. **Severe Weather** — In the event there is severe weather (i.e., tornado, severe thunderstorm, blizzard, etc.) that would put the officer's safety at risk, dispatch should notify the PEOs of this warning. All parking calls should be held until the warning or severe weather has passed.

Calls for Service

The Madison Police Department utilizes PEOs to respond to parking complaints. Please use the following guidelines when dispatching PEOs to parking complaints. Please include the location and type of call over the air when dispatching a PEO for all complaint types. *Effective 2/10/17 — PEOs will no longer require the complainant to sign reports.

Private Property Complaints

In order for the PEOs to be efficient in their jobs and while responding to calls, please include the location and type of call over the radio. This allows for other PEOs that may be closer to the call to respond. **Please note that we will not tow for private property complaints. Parking will only tow a vehicle if it is blocking access to a parking lot or a driveway.**

When dispatching a private property call, make sure the following questions are being asked:

- Is the person calling authorized to make the complaint (an authorized person is a property manager, owner, maintenance person, or designee)?

If **YES**, include the following information in the call notes:

- First and last name of complainant
- Contact number with area code
- Exact address where complainant will be waiting

If **NO**:

- Inform the caller they will need to contact their management company.

All guidelines for the AM-shift apply with the following exceptions:

- From the hours of 3pm-6pm (peak hour tow routes), inform complainant that they may have a longer wait for a PEO to respond.
- PM-Shift PEOs will carry cell phones if callbacks are needed. However, the complainant should be informed to be waiting for PEO at the stated address.

Fire Lane Violations

These violations can be ticketed on sight and do not require a complainant.

Disabled Parking Violations

If the violation is on private property (residential, apartment complex, etc.), the complainant must be either a manager or resident from the property. Make sure to include the complainant's name and phone number in the call.

If the violation is on a property open to the public (mall, gas station, restaurant, etc.), no complainant information is needed.

Blocked Driveway

Ascertain if the complainant wants the vehicle towed. Verify that the complainant is a resident or has a connection with the property.

If YES:

The PEO will assess the situation and make a decision on whether or not the vehicle will be towed. The PEO no longer needs to make contact with the complainant.

If NO:

PEO will issue citation only without complainant contact.

Less Than Four Feet of Mailbox

This type of complaint can only be addressed if it is the property owner/manager/resident calling. This ordinance is only enforced during normal mail delivery hours and days (Monday – Saturday 8a-6p). Complaints cannot originate from a member of the United States Postal Delivery Service.

No Motor Vehicle Idling

The “Motor Vehicle Idling” ordinance prohibits vehicles from idling for longer than five (5) consecutive minutes when the outside temperature is between 20-90 degrees. This type of complaint will originate primarily from the Dispatch Center or contacts with citizens.

Parking Enforcement will only respond to vehicles **on the City street or public right of way**. Complaints regarding vehicles idling on private property will need to be routed to City Zoning.

Street Storage Complaints

All complaints regarding abandoned vehicles are to be forwarded to the Abandoned Vehicle line at 608-266-4624 or pdparking@cityofmadison.com.

Temporary Posting

All temporary postings must be checked 48 hours in advance by a PEO before any action can be taken. If the caller is requesting for the signs to be checked, transfer the call to the Traffic Office at 608-266-4622 during the hours of 8a-4p, Monday-Friday. We do not check temporary postings on the weekends or evenings.

If the call is to tow from a posted area, make sure to obtain the complainant’s contact information and inform them they will need to meet the PEO onsite to point out the vehicle(s) in violation. The PEO will verify if the posting has been approved and will take proper action.

School Zone Enforcement

Currently, there are four PEOs assigned to enforce school zones enforcement in the morning and afternoon.

Alternate Side Parking

The Alternate Side PEOs are hired as hourly employees during the winter months (November 15–March 15). These employees are scheduled to work between the hours of midnight-6a. There are a total of 11 officers that are comprised of three (3) Lead Workers and eight (8) officers. They are only authorized to issue Alternate Side Parking and Snow Emergency citations and should not be utilized for other parking complaints. They are not authorized to tow vehicles.

All alternate side parking complaints should be forwarded to the Traffic Office at 608-266-4622.

Questions regarding Alternate Side Parking or Snow Emergency can be directed to the Winter Parking Hotline – at 608-261-9111 or at www.cityofmadison.com/winter.

Original SOP: 03/01/2014

(Revised: 10/03/2016, 11/16/2016, 05/12/2017, 08/18/2017, 01/25/2018, 07/05/2018, 09/24/2018, 01/15/2019, 07/22/2019, 03/23/2020, 02/25/2021, 01/16/2023, 1/22/2024)



**CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE**



Changes to Code of Conduct and Standard Operating Procedures

Eff. Date ~~06/02/2023~~ 02/08/2024

Code of Conduct

The Code of Conduct is based on the values of the Madison Police Department (MPD) and thus it is anticipated that little change will be necessary. Any member of the MPD may recommend a change to the Code of Conduct. The changes must be in writing and show the edits from the most current edition of the Code of Conduct. The written request should be directed to the Assistant Chief of Support and Community Outreach.

It shall be the responsibility of the Assistant Chief of Support and Community Outreach, on the behalf of the Chief, to follow-up on any proposal and to complete any needed action.

Standard Operating Procedures (SOP)

SOP REVIEW

All SOPs shall be subject to regular review. The Police Executive Office Supervisor will initiate the process no later than ~~October~~ ~~November~~ 1 of each year. SOPs due for review will be sent to a lead Captain (generally the process owner) to conduct the review. Any revisions to the SOP are due back the Chief's office by ~~November 1~~ ~~December 31~~ of that year.

By ~~shift change~~ ~~February 1~~ of the following year, the SOP revision process shall be completed, with the posting of the most current SOP and date of revision to the current departmental reference site.

SOPs will be reviewed annually, every other year, or every three years as follows:

Annual Review	Every Other Year	Every Three Years
Active Shooter Incidents	Arson Investigations	Abatement Documentation
Arrest, Incarceration, & Bail – Adults	Back-Up	Alder Notification
Arrest, Incarceration, & Bail – Youth	Bomb Threats	Cellular Telephones – Use of
Barricaded Person Incidents	Court Overtime	Changes to Code of Conduct and Standard Operating Procedures
Canine Use	Guarding of Persons in Police Custody at Hospitals	City-County Building Access - Non-Business Hours
Calls for Service (CFS) Dispatch Guidelines	Guidelines for Case Assignment and Management	City Owned Property - Use and Care
Civil Actions Against Police Department Employees	Hours Worked	Civilian Hiring Process
Crime Scene Response	In-Car Video System	Cold Case Review Team
Critical Incident Stress Management	Interactions with Transgender and Gender Non-Conforming Individuals	Community Rooms
De-Escalation	Interviews of Crime Victims	Custody of Newborn
Demonstrations & Assemblies	Intoxicated and Incapacitated Persons	Departmental Awards and Recognition
Detox, JRC, Jail, and Probation and Parole Responses and Conveyances	Investigation of Cases Involving Officers as Victims of Serious Crimes	Dignitary Protection
Digital Forensics	Investigation of Incidents Involving Shots Fired	Donation of Vacation and Compensatory Time
Domestic Abuse	Language Access Services	Drug Recognition Expert (DRE)
Emergency Vehicle Operations Guidelines	Missing Child	Employee Assistance Program (EAP)

Annual Review	Every Other Year	Every Three Years
Enforcement of Immigration Laws	Mobile Fingerprint Readers	Funerals and Ceremonies of Law Enforcement Officers (LEO)
Enforcement of Marijuana Laws	Mutual Aid Requests and Enforcement Action Out of Jurisdiction	Identification of MPD Employees
Evidence-Based Problem Oriented Policing	Naloxone - Narcan – Protocol	Incident Review Process
Foot Pursuits	NIBIN	Interns Application and Acceptance Process
General Duties and Expectations of Employees	Overtime Guidelines	Landlord Tenant Unwanted Guest Criminal Trespass
Handling of Evidence, Contraband, Found, or Lost Property	Overtime Protocols for Police Report Typists	Law Enforcement Officer Safety Act (LEOSA) for Former Madison Police Officers
Handling of Informants	Patrol Leave Requests	Life Threat Emergency at Facility Public Windows
Hostage Situation Incidents	Patrol Staffing Hold Guidelines, Special Events, and Special Assignment Scheduling	Lost and Abandoned Property
Identification Procedures	Personal Appearance	Mendota Mental Health Institute Response
Interactions with Youth	Police Weaponry	Military Leave
Labor Disputes and Picketing	Precautionary Measures and Significant Exposure to Infectious Pathogens	Mobile Data Computers - Use of
Line of Duty, Life-Threatening Injury, or Death of an Employee	Preserve the Peace	Mounted Patrol Use
Major Case Investigations	Probation and Parole Searches	MPD Locker Rooms
Mental Health Incidents and Crises	Recording Suspect Interviews	News Media Relations
Notification of Commanding Officers	Reporting Procedure	Off-Duty Officer Responsibilities
Officer Involved Deaths and Other Critical Incidents	Restricted Duty	Outside Employment
Professional Standards & Internal Affairs (PSIA) Complaint Investigation	Retail Theft	Peer Support Program
PSIA Discipline Matrix	Social Media - Investigative Use	Personnel File Contents and the Process for Accessing these Records
PSIA Electronic Complaint File Management System	Social Media – Non-Investigative Use	Police Motorcycles
Records Inspection and Release	Social Media - Off Duty Use	Police Vehicle Parking
Response to Persons with Altered State of Mind	Special Events Team Specialty Teams	Political Activity
Robberies in Progress and Silent Robbery Alarms	Stratified Policing	Pre-Employment Candidate Files
Search Warrant Service	SWAT Body Worn Cameras	Professional Staff Hiring Process
Searches	System Audits	Replacement of Lost, Stolen, or Damaged Equipment
Sexual Assault Investigations	Third Party Database Use and Dissemination	Requesting Additions or Changes to Approved Uniform and Equipment Lists
Stops and Frisks	Transaction Information for the Management of Enforcement (TIME) System Use and Dissemination of Records	Sex Offender Notifications
Supervision and the Early Intervention System	Traffic and Crash Investigation	Soliciting and Receiving In-Kind or Cash Donations and Applying for Grant Funding
Threats of Targeted or Mass Casualty Violence	Uniform Standards	Special Duty

Annual Review	Every Other Year	Every Three Years
Unmanned Aircraft Systems (UAS)	Uniform Standards	Stolen Vehicle Reporting Guidelines
	Use of Tire Deflation Devices	Tours, Visitors, and Ride-Alongs
Use of Force	Workplace Safety	Tuition Reimbursement and Educational Incentive (MPPOA)
Use of Force Data Collection		U Visa Program Participation
Use of the Superhailer Long Range Communication System		Uniform Accounts
Video and Audio Surveillance		Update of Payroll Status for Promoted Employees
Video Evidence Retrieval		Vehicle Escorts
		Vehicle Use, Assignment, and Maintenance
		WI Prescription Drug Monitoring
		Workforce Telestaff Requirements

MID-YEAR ADJUSTMENTS

Any member of the MPD may recommend a change to any SOP or recommend creating a new SOP. The changes must be in writing and show the edits from the most current edition of the SOP. The written request should be directed to the Police Executive Office Supervisor. Members of the public may also suggest changes or provide feedback on existing SOPs.

PROCESS FOR CHANGES

For potential changes, either at the annual review or per a recommendation, the SOP must have the edits visible on the current version. If the recommendations are for major substantive process changes, the drafts will be scheduled for a review at the Field or Support level. Final draft review will be sent to the Management Team in writing for feedback. Minor changes will only be reviewed with a draft showing mark-ups sent to the Management Team.

Once edits have completed the internal review process, public/community input on the changes will be solicited. Any input/feedback received will be shared with the Chief prior to final approval of the changes.

Changes that are time-sensitive may be implemented prior to the formal input process.

Non-substantive changes to an SOP (such as edits to grammar, punctuation, or word usage) that do not have an operational impact are not required to go through the formal change process.

It shall be the responsibility of the Police Executive Office Supervisor, acting as a delegate to Assistant Chief of Support and Community Outreach, to follow-up on any proposal and to complete any needed action.

Nothing in the Code of Conduct or Standard Operating Procedures is intended to create an enforceable legal right or private right of action.

Original SOP: 04/08/2015
 (Reviewed Only: 03/01/2016, 01/09/2017, 11/29/2023)
 (Revised: 01/20/2017, 03/08/2018, 08/27/2018, 01/30/2019, 09/09/2019, 01/03/2020, 10/12/2020, 08/31/2021, 03/21/2022, 01/31/2023, 02/23/2023, 06/02/2023, 02/08/2024)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Civil Actions Against Employees

Eff. Date ~~08/11/2016~~ 1/22/2024

Purpose

To outline the proper procedure for employees to follow when they are named as a defendant in a civil suit or similar proceeding stemming from their employment with the City of Madison.

Procedure

INITIAL SERVICE

- All civil service should come through the Chief's office. If civil service is attempted at any other location (directly to the OIC, at a district station, etc.) the process server should be directed to the Chief's office during normal business hours. Employees should not personally accept or admit any work-related civil service attempt.
- Upon receiving service, front office staff will deliver the original notice/summons and a copy to Professional Standards.
- Professional Standards will coordinate delivery of the copied notice/summons personally to the affected employee. In the event that Professional Standards personnel are not available, the OIC will coordinate delivery. It is important that the employee personally receives the notice/summons in a prompt manner (do not simply leave the documents in the employee's box).
- The original copy of the notice/summons will be forwarded promptly to the City Attorney's Office by Professional Standards. This original copy should be hand delivered to the City Attorney's Office during business hours.

POST-SERVICE

- The named employee should confirm with Professional Standards that they have received the notice/summons.
- Professional Standards should notify the captain of the named employee about the notice/summons so that unit / district supervisors can provide any needed support and assistance.
- The employee should send an email to the Police Executive Office Supervisor ~~also forward a memo to the Chief's office~~ notifying the Chief of the pending legal action and requesting legal representation in the matter.
- The Professional Standards Lieutenant serves as the liaison with the City Attorney's office for civil actions against MPD employees, so any correspondence or other activity concerning employment-related civil actions should be copied and forwarded to the PS&IA office.

It is very important that these steps be followed to ensure that the City Attorney's office is able to defend these cases in a prompt and effective manner, and to ensure that named employees are properly protected and represented.

These guidelines apply only to civil actions related to acts or omissions undertaken during the course of employment with the City of Madison. They do not change the current procedures relating to subpoenas to appear for criminal cases in circuit or federal court, or for forfeiture actions in municipal court. They also do not apply to any civil actions that are unrelated to employment with the City.

Original SOP: 03/01/2014

(Reviewed Only: 02/17/2016, 01/09/2017, 12/26/2017, 01/30/2019, 01/31/2020, 01/11/2021, 02/04/2022, 01/31/2023)

(Revised: 03/16/2016, 8/11/2016, 1/22/2024)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Demonstrations and Assemblies

Eff. Date ~~01/31/2023~~ 01/03/2024

PURPOSE

The purpose of this standard operating procedure (SOP) is to establish guidelines for managing crowds, protecting individual rights, and preserving the peace during crowd events.

POLICY

It is the policy of the Madison Police Department (MPD) to protect individual constitutional rights related to assembly and free speech; to effectively manage crowds to prevent loss of life, injury, or property damage; and to minimize disruption to persons who are not directly involved in any particular assembly or demonstration.

DEFINITIONS

Freedom of Speech and Assembly: For the purposes of this SOP, as articulated in the United States Constitution and the Constitution of the State of Wisconsin, the collective rights of the people to peaceably assemble, to consult for the common good, and to petition the government, or any department thereof.

Demonstration (or Protest): An assembly of persons organized primarily to engage in free speech activity. These may be permitted and scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention.

Community Dialogue Representative (CDR): Community members and leaders who serve as communication conduits between demonstrators and law enforcement and who possess credibility with the community to defuse tense situations without law enforcement intervention.

Community Dialogue Team (CDT): Members of the MPD Special Events Team who serve as communication conduits between law enforcement and demonstrators and who engage in regular informational and educational sessions with CDRs and general community members at large.

Demonstration/Event Liaison: Member(s) of MPD who attempt(s) to engage in dialogue with known event or demonstration organizers to assist MPD in its planning and to develop a shared understanding of the organizers' needs and objectives.

Civil Disobedience: A non-violent form of protest or resistance to obeying certain laws, demands, or commands of a government.

Civil Disturbance or Unlawful Assembly: Per Wisconsin State Statute Sec. 947.06, three or more people who cause such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed. An unlawful assembly may also be known as a civil disturbance or a riot.

Crowd Management: Techniques used to facilitate lawful assemblies before, during, and after the event for the purpose of maintaining lawful status through event planning, pre-event contact with event organizers, issuance of permits when applicable, information gathering, personnel training, and other means.

Crowd Control: Law enforcement response to crowds that have become an unlawful assembly / civil disturbance that may require dispersal and / or arrests.

Protective Equipment: Additional clothing items and equipment that law enforcement personnel may don to help protect them from physical injury. Protective equipment includes, but is not limited to, helmets; gas masks; chest, arm, and leg protectors; and gloves.

PROCEDURE

MANAGEMENT AND ORGANIZATION PRINCIPLES

It is the responsibility of MPD personnel to protect the rights of people to peaceably assemble, to consult for the common good, and to petition the government or any department thereof.

When working with crowds, the overall police philosophy must be one of moderation and flexibility. To the degree that it can be done safely, it is preferred that crowd participants self-regulate and manage their own events.

Communication between police and event organizers before and during events can create mutual understanding, generate cooperation and compliance, and prevent disorder.

Crowds are dynamic in nature. The totality of the circumstances must inform the decision to introduce police action to maintain public safety. The preferred police response is one of crowd management rather than crowd control.

MPD personnel have an obligation to protect community members' rights while maintaining order, protecting property, and ensuring safety, peace, and order. Freedom of speech, association, and assembly, and the right to petition the government are subject to reasonable restrictions on the time, place, and manner of expression.

When deciding whether to use certain police tactics within a crowd, MPD personnel must always balance the benefits of such action(s) to maintain public safety and order along with the impact on the demonstration participants' freedom of speech and assembly, and the impact on people and property. MPD personnel prioritize life, safety, protection of property, and constitutional rights, with an emphasis on life safety.

When safe and feasible and without compromising public safety, MPD personnel should seek opportunities to reduce the likelihood of the need to use force. Mass arrests should be avoided unless necessary.

Officers will utilize seven principles, known as the "Madison Method," when working with crowds:

1. We protect community members' constitutional rights to assemble, to petition the government, and to engage in free speech.
2. We are impartial and remain neutral regardless of the issue.
3. We maintain open dialogue with community members and the news media before, during, and after demonstrations.
4. We monitor demonstrations and marches to protect individual rights and ensure public safety.
5. We balance the rights of demonstrators with the rights of the community at large.
6. We use restraint in the use of force; we protect people first and property second.
7. We, as peace officers, pursue continuous improvement of our method.

ORGANIZATIONAL RESPONSIBILITIES

A Federal Emergency Management Agency (FEMA) Emergency Management Institute Incident Command System (ICS) will be used by MPD personnel to plan for, to staff, and to manage crowd events. FEMA defines ICS as follows:

“A standardized approach to the command, control, and coordination of on-scene incident management, providing a common hierarchy within which personnel from multiple organizations can be effective. ICS is the combination of procedures, personnel, facilities, equipment, and communications operating within a common organizational structure, designed to aid in the management of on-scene resources during incidents. It is used for all kinds of incidents and is applicable to small, as well as large and complex, incidents, including planned events.”

Organization of responsibilities for managing demonstrations and assemblies shall be as follows:

- 1) The Incident Commander (IC) is the individual responsible for on-scene incident activities and has overall authority and responsibility for conducting incident operations. The IC shall:
 - a) Oversee the development, dissemination, and implementation of written operational plans, also known as the Incident Action Plan (IAP), for planned crowds and events. Documentation of and about a spontaneous event may occur as the spontaneous event develops and shall be formally preserved as soon as practicable after the spontaneous event;
 - b) Determine the mission and objectives and consider what deployment options and tactics are objectively reasonable under the totality of the circumstances;
 - c) When deciding whether to use certain police tactics within a crowd, the IC shall balance the benefits of such action(s) to maintain public safety, peace, and order along with the impact on the demonstration or event participants' First Amendment rights and other constitutional rights;
- 2) The Operations Section Chief is the individual responsible for implementing tactical incident operations described in the IAP, or other available written event documentation. The Operations Section Chief shall:
 - a) Assist the IC in determining staffing levels, probable missions, and possible tactical strategies during the planning for the event; and
 - b) Assign units to specific missions during the event to meet the objectives established by the IC.
- 3) The Special Events Team (SET) Incident Command Post (ICP) Commander is the SET representative assigned to the incident/event command post and is responsible for the overall deployment and management of SET resources. The SET ICP Commander shall:
 - a) When feasible, facilitate pre-event informational briefing prior to planned events;
 - b) Effectuate tactics designed to accomplish mission objectives;
 - c) When feasible, and through the use of the Demonstration/Event Liaison, attempt to establish and maintain communication, with the Person-In-Charge / Event Point of Contact, or designee, during demonstrations;
 - d) Communicate updates and information from the Incident Command Post (ICP) to the SET Field Commander(s) and from SET Field Commander(s) to the ICP;
 - e) Ensure that grenadier munition deployments reported over the radio are recorded in the ICP event log;
 - f) Record SET activity on an ICS-214 form.
- 4) The SET Field Commander(s) / supervisor(s) is/are the highest-ranking supervisory SET member(s) assigned to the event in the field. SET Field Commander(s) shall:
 - a) Assess the behavior of the crowd and regularly provide updates to the IC;

- b) Serve as or designate an alternate Demonstration/Event Liaison;
 - c) Direct SET members to attempt to positively interact with the crowd when safe and appropriate.
- 5) SET Sergeants are the direct supervisors of squads of SET Officers. SET Sergeants:
- a) Shall verify that SET officers have the proper equipment;
 - b) Shall ensure that all SET officers are briefed prior to the start of the event;
 - c) Should maintain close contact with their assigned officers during deployments to ensure compliance with directives, monitor behavior and disposition, and ensure that they are aware of any changes in crowd behavior or intent;
 - d) Shall ensure the completion of required documentation for any use(s) of force and/or injury.
- 6) The SET Lead Grenadier is the SET Grenadier Team member designated to serve as the team leader for a given event deployment. The SET Lead Grenadier shall:
- a) Ensure SET grenadiers are equipped with a proper grenadier equipment prior to deployment;
 - b) Ensure that additional equipment is loaded in an event accessible vehicle for deployment;
 - c) Confirm additional munitions and a system for dissemination are available in case of deployment and need for resupply;
 - d) Track the distribution of chemical and impact munitions to SET grenadiers and audit the use or return of such munitions after they are deployed into the field.
- 7) SET Grenadiers have specialized training, equipment, and skills in the use of chemical (CS) and oleoresin capsicum (OC or Pepper Spray) munitions, sprays, and aerosols, and in the deployment of impact munitions. SET Grenadiers:
- a) Shall be issued a standard array of SET munitions and equipment and at a minimum, individual grenadiers will inspect and inventory their assigned load out at a minimum frequency of twice per year;
 - b) Should inspect and inventory their assigned grenadier equipment and supplies at the beginning of each activation;
 - c) When authorized, shall deploy to the field with the standardized complement of grenadier equipment and shall only deploy with authorized equipment for which they have received proper training;
 - d) Should not carry Grenadier equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee. In exigent circumstances, grenadiers may deploy specialized grenadier equipment with the permission of a supervisor, but shall inform a SET commander as soon as practicable;
 - e) Shall, as soon as practicable, relay information over the police radio about any munition deployed so that an audio record of the deployment exists; information relayed should include the type, quantity, and location of any munition deployed.
- 8) SET Field Extrication Team (FXT) members have specialized training and skills to extricate persons from protest devices. When demonstrators' actions and/or practices unreasonably impede traffic, restrict the public's freedom of movement, and/or jeopardize public safety, SET FXT members will be activated to respond. SET FXT members:
- a) Shall ensure the safety of demonstrators, the public at large, and themselves when responding to a protest device;
 - b) Shall utilize techniques based on training, the MPD Code of Conduct, and other MPD SOPs to assess, plan, and when necessary, extricate a person from a protest device;
 - c) Shall demonstrate the safe and proper use of all FXT tools and equipment;

- d) Shall inspect and maintain an inventory of all equipment and the equipment shall be stored in the designated department-issued vehicle;
 - e) Should not carry FXT equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee.
- 9) SET Medics have specialized training and skills to provide immediate emergency casualty care to officers and to citizens within an austere environment. SET Medics:
- a) Should be incorporated into as many platoon or squads as staffing assigned to the event allows;
 - b) Shall be issued a standard array of SET medics supplies and equipment and shall carry this equipment with them during events;
 - c) Are authorized to keep their SET-issued specialized medical equipment with their regular work equipment to allow them to respond to any incident involving mass casualties or a clear need for emergency casualty care response;
 - d) Shall follow appropriate protocol for emergency medical treatment established by the following authorities:
 - i) The State of Wisconsin Department of Justice Law Enforcement Standards Board for Tactical Emergency Casualty Care
 - ii) The directions, trainings, and protocol as ordered by the Medical Director of MPD.
- 10) SET Bike Team members have specialized training and skills to use police bikes to perform crowd engagement and management duties. SET Bike Teams:
- a) Should be deployed in teams of a least two riders/team;
 - b) Shall wear approved bike uniform or a high-visibility vest over a standard MPD uniform when riding;
 - c) Shall wear helmet at all times when the bicycle is in operation;
 - d) Should follow rules of the road when riding, to include the display of proper front and rear lighting, except under the following conditions (Wisconsin State Statute 346.03(3)):
 - i) In response to an emergency call;
 - ii) While engaged in rescue operations;
 - iii) In the immediate pursuit of an actual or suspected violator of the law.
- 11) SET Community Dialogue Team (CDT) members will have additional training to serve as the communication conduits between law enforcement, demonstrators, and the community. SET CDT members:
~~serve as the communication conduits between law enforcement, demonstrators, and the community. SET CDT members:~~
- a) Will serve as Demonstration/Event Liaisons when available;
 - b) Should attempt to dialogue with event organizers/persons-in-charge and should convey information to the ICP personnel;
~~information to the ICP personnel;~~
 - e) Will facilitate informational and educational sessions throughout the year outside of any event or demonstration. ~~event or demonstration.~~
- 12) SET Dignitary Protection Team (DPT) members have specialized training in the area of providing protection to dignitaries and planning dignitary visits. SET DPT members:
- a) Will participate in planning of dignitary visits;

- b) Are prepared to provide protection to dignitaries, or to serve in a supplementary role to a dignitary providing their own protection detail;
 - c) Are trained and equipped to serve in either uniformed or plainclothes capacities.
- 13) SET Officers:
- a) Are uniformed personnel assigned to work an event or demonstration, primarily in an on-foot capacity;
 - b) Shall wear identification (nameplates, IBM/badge number) in a visible location on their person at all times;
 - c) Should focus on conveying the message that law enforcement is present at the event to protect crowd participants and their right to demonstrate peacefully;
 - d) Shall report and document any use of force according to the Use of Force Data Collection and Review SOP.

COMMUNICATION

MPD's goals during demonstration and assembly events are to facilitate participants' lawful objectives and protect their rights to freedom of speech and to assemble. Furthermore, where event participants comply with statutes and ordinances, MPD personnel should encourage and support participants' efforts to monitor themselves in an attempt to limit police involvement.

When a police response is requested or deemed necessary, the IC shall designate at least one Demonstration/Event Liaison who shall:

- a. Make reasonable efforts to contact and engage in dialogue with known event or demonstration organizers to assist MPD personnel in their planning and to develop a shared understanding of the organizers' needs and objectives. Similarly, the Demonstration/Event Liaison(s) should communicate law enforcement's expectations and inform participants on permissible and restricted actions during the event or demonstration and should be prepared to explain specific safety concerns and how MPD may intervene if safety becomes an issue
- b. Attempt to maintain communication with known event or demonstration organizers or the Person(s)-In-Charge before and during the event. The Demonstration/Event Liaison(s) shall maintain communications with the IC to keep them apprised of the situation. Consideration should be given to multilingual communication needs.

MPD, through the Public Information Officer (PIO) or another designee and in coordination with the IC, may communicate through the use of social media and other conventional outlets to keep the public, including the crowd, informed throughout the event.

During crowd events, MPD personnel may make announcements to the crowd designed to convey general information, to communicate targeted information to specific individuals, and to serve as a de-escalation tool by directing and informing the crowd in an attempt to prevent the need for police action.

MPD may request the presence of Community Dialogue Representatives (CDR) who can facilitate productive public safety interactions and communications at demonstrations when the presence of these community representatives may assist in achieving public safety.

PLANNED CROWDS AND EVENTS

Planning for events or demonstrations will be the responsibility of the affected district command staff where the event is scheduled to occur, or of the MPD Traffic & Specialized Services Lieutenant, or of the designee of the Chief. The designated IC shall determine the level of police response, if any, is warranted.

The IC, or designee, shall make reasonable efforts in advance to contact event organizers and attempt to gather as much of the following necessary information about the event from the event organizers and other available information sources (Criminal Intelligence Section, social media, past event experience, etc.) to ensure accurate assignment of personnel and resources:

- a. What type of event is involved?
- b. When is it planned to occur?
- c. Will the event coincide with other routine, large-scale events (e.g., sporting events)?
- d. Is opposition to the event expected?
- e. How many participants are expected to attend the event?
- f. What are the assembly areas and movement routes in and around the event location?
- g. What actions, activities, or tactics are anticipated, to include use of demonstrator devices designed to thwart arrest?
- h. What critical infrastructures are in the proximity of the event?
- i. Have permits been issued?
- j. Have other agencies, such as the Madison Fire Department (MFD), Madison Metro, and/or Traffic and Engineering been notified?
- k. Is there a need to request mutual aid?
- l. Will off-duty personnel be required?
- m. What is the history of conduct at prior such events?
- n. Are event organizers cooperative with police communication and coordination attempts?
- o. Who are the potential counter-protest groups?
- p. Is there a history of violence between the group demonstrating and potential counter-protest groups?

The IC or designee shall prepare a written plan subject to the approval of the chief executive officer or designee. The plan should address the following and should be distributed to all participating agencies and special response teams:

- a. Command assignments and responsibilities
- b. Personnel, unit structure, and deployment considerations to include the need for special response teams (i.e., SET, MFD, Special Weapons and Tactics (SWAT), Unmanned Aircraft System (UAS), etc.)
- c. Information obtained through liaison(s) with event planners
- d. Communication plan, to include release of information to the media
- e. Pre-event intelligence analysis
- f. Weather and terrain at the event location
- g. Transportation, support, and relief of personnel
- h. Staging points for additional resources and equipment
- i. Traffic management plan
- j. First aid stations established in coordination with emergency medical service providers
- k. Demonstrator devices, extrication teams, and equipment
- l. Transportation of arrestees
- m. Arrestee processing areas, to include required considerations for youth arrests
- n. Any laws, ordinances, or administrative rules specific to the event

SET ACTIVATION

SET may be activated for a special event, demonstration, dignitary protection, or any unlawful assembly / civil disturbance. SET personnel may deploy on foot, on bicycles, and/or in vehicles for any planned or spontaneous event to which the team is assigned to work.

Initial requests for SET activation should be made to the Lead SET Commander. If that person cannot be contacted immediately, a deputy SET commander shall be contacted. A full-team SET activation should generally be approved by the lead SET Commander and designated Assistant Chief; however, SET use may be approved by any MPD supervisor if no SET commander/supervisor can be contacted, or in case of extraordinary emergency where command approval would be impractical. A SET commander will be notified as soon as possible of any SET usage that did not have prior authorization.

SET personnel, under the direction of a SET commander or designee, will have primary responsibility for on scene management and control of all crowd events in which any significant portion of the team is activated. SET personnel shall avoid leaving MPD vehicles unattended at any point during a deployment. SET personnel shall stow their protective equipment at the stand-down location(s) for the team or in their assigned vehicle during a mobile event responses.

Whenever two or more SET platoons are activated, or when determined at the discretion of a SET commander, an incident command post (ICP) will be designated and staffed. When possible, the ICP will be staffed by a SET commander, an affected district commander, a camera operator, and a recorder. The camera operator is responsible for accessing available camera footage of the event area in the ICP and requesting the preservation as evidence of any such footage. The recorder is responsible for maintaining an event log and other necessary documentation while the ICP is active.

SET DEMOBILIZATION

At the conclusion of any SET deployment:

- a. SET supervisors shall account for all personnel engaged in the incident and shall assess and document any personal injuries.
- b. Equipment used during the deployment should be inventoried and inspected for damage and replaced when necessary.
- c. Any arrests shall be reported to the incident commander.
- d. All SET field personnel shall report any and all uses of force to a supervisor before the conclusion of their assignment. SET supervisors shall complete the MPD SET demobilization checklist whenever uses of force or injury occurred during a deployment.
- e. All SET field personnel shall complete a police report on any uses of force before the conclusion of their assignment.

After a crowd control incident, SET personnel should debrief and conduct an after-action review of the incident when practicable.

SPONTANEOUS CROWDS

A spontaneous crowd is not necessarily unlawful, nor does it automatically require a significant police response. If the crowd is at an MPD station or facility, refer to the District Station and Facility section of this SOP.

A sergeant shall respond to the location of a spontaneous crowd and determine if a police response is warranted. If a police response is warranted, the sergeant shall coordinate the response and notify the Officer in Charge (OIC).

When safe and feasible, the on-scene sergeant or designee may attempt to engage the spontaneous crowd organizer in an effort to determine an appropriate police response.

If crowd behavior escalates beyond civil disobedience to a level that may pose a threat to public safety during a spontaneous crowd event that is being managed by a sergeant, the OIC shall contact a commander in the affected district to assess the needs for additional resources.

SPONTANEOUS CIVIL DISTURBANCE

The first officer(s) to arrive on the scene of a spontaneous civil disturbance should:

- a. Observe the situation from a safe distance to determine if property damage or acts of violence are occurring;
- b. Advise on the police radio of the nature and seriousness of the disturbance, particularly the following:
 - i) the location and estimated number of participants,
 - ii) the presence of weapons,
 - iii) current activities (e.g., blocking traffic, violence, looting),
 - iv) direction of movement of participants,
 - v) routes of ingress and egress for emergency vehicles;
- c. Request the assistance of a supervisor and necessary backup officers; and
- d. Attempt to pinpoint crowd leaders and agitators engaged in criminal acts;

A supervisor at the scene of a spontaneous civil disturbance should:

- a. Deploy officers at vantage points to report on crowd actions;
- b. Depending on intelligence and observations, consider attempting to establish contact with the demonstrators;
- c. Move and reroute pedestrian and vehicular traffic around the event location;
- d. Ensure, to the degree possible, that uninvolved individuals are evacuated from the immediate area of the event location;
- e. Designate a secure staging area for emergency responders and equipment;
- f. Provide ongoing situational assessments over the police radio and request a dedicated, encrypted police radio channel;
- g. Establish a temporary command post;
- h. Form Strike Teams: Responding officers should be formed into strike teams of generally three (3) to four (4) officers (minimum) and a sergeant. For officer safety, officers should always work in teams in crowd environments. Sergeants should rely on the experience of on duty SET members to help organize teams and tactics.
- i. Announcements: At the first available opportunity, make audible requests that the crowd voluntarily disperse. This can be done from a safer distance by using the squad public address (PA) device. When possible, make repeated announcements and allow enough time for voluntary compliance. When feasible, note announcement times with dispatch over the police radio.
- j. Ensure that adequate security is provided to MFD and Emergency Medical Services (EMS) personnel in the performance of emergency tasks.
- k. Isolate and arrest: Only when sufficient resources are on hand, strike teams should identify and attempt to arrest individuals who are engaging in criminal conduct. Officers should communicate with each other to identify individuals involved in criminal conduct and then work as a team to safely take those individuals into custody using contact / cover principles.

Other considerations:

- a. Cameras: Valuable intelligence and situational awareness can be gained by utilizing city cameras. While strike teams are responding, and if resources allow, consider assigning an officer to access the city camera network to communicate with on-scene officers.
- b. When possible, an event log can be helpful to document activities and actions taken during the course of the incident; if resources allow, consider assigning an officer to maintain an event log.
- c. Video evidence should be preserved as needed.

When civil disturbances cannot be controlled with available field personnel within a reasonable period of time, the OIC shall contact the lead SET Commander.

PROTECTIVE EQUIPMENT

Absent exigent circumstances, protective equipment may only be donned at the direction of a commanding officer. The decision to don protective equipment shall be based on several factors, including, but not limited to, the following:

- a. the safety of officers
- b. individual and / or group physical resistance
- c. the presence of items that can be used as weapons
- d. criminal actions or their threat
- e. violent behavior or its threat
- f. the potential impact or perceived effect that appearing in protective equipment may have on the crowd.

When practicable, the officers wearing protective equipment should be positioned in locations that minimize visibility until deployment is necessary. Officers may elect to don helmets separately from the rest of their protective equipment if they can articulate that the additional protection is necessary.

Mounted Patrol (MP) officers and their horses shall have their protective gear readily available at the MP stand-down location during any event deployment; this gear may be donned at the direction of a commanding officer.

MPD VEHICLES AND EQUIPMENT

When civil disobedience or civil disturbance can be reasonably anticipated to occur in a particular area, officers should avoid leaving any MPD vehicles unattended in those areas.

If rifles are brought in squad cars to an area where civil disobedience or civil disturbance can be reasonably anticipated to occur, the rifles must be locked in a rifle rack or in a secured cabinet in the squad car, unless the rifles are being actively handled by an officer. Any rifle that cannot be secured in the locked rack or cabinet in the vehicle should be stored at a secure MPD location.

All MPD personnel shall abide by any parking directives set in place for any planned or spontaneous events.

UNLAWFUL ASSEMBLY

Pursuant to Wisconsin State statute 947.06, an "unlawful assembly" is an assembly which:

1. Consists of three (3) or more persons, and
2. Causes such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed.
3. An unlawful assembly includes:
 - a. an assembly of persons who assemble for the purpose of blocking or obstructing the lawful use by any other person or persons of any:
 - i) private or public thoroughfares, or
 - ii) property of or any positions of access or exit to or from any private or public building; or
 - iii) dwelling place, or any portion thereof
 - b. and which assembly which assembly *does in fact so block or obstruct* the lawful use by any other person, or persons of any such:
 - i) private or public thoroughfares, or
 - ii) property of or any positions of access or exit to or from any private or public building; or
 - iii) dwelling place, or any portion thereof

DISPERSAL

If it is reasonable to believe that a significant number individuals will cause injury or property damage if not immediately dispersed, the IC may declare an unlawful assembly. The IC shall strive to accomplish the following primary objectives at an unlawful assembly:

- a) Protect people,
- b) Disperse disorderly or threatening crowds in order to mitigate the immediate risks of continued escalation and further violence;
- c) Arrest law violators, including those responsible for property damage, and remove or isolate persons inciting violent behavior.

Prior to giving the order to disperse the crowd, the IC must consider the following:

- a. The severity and degree of the threat to people or property
- b. The number and nature of unlawful acts within the crowd
- c. The number and nature of violent acts within the crowd
- d. Whether separate crowds have merged and now the group has internal conflict between participants
- e. Whether sufficient police resources are available on scene to manage the incident effectively
- f. If there are reasonable alternatives to dispersal, including
 - i) Communicating with event organizers or persons-in-charge in order to restore order through collective agreement of action
 - ii) Targeting for arrest specific individuals who are engaged in unlawful action that are driving crowd behavior
- g. Whether dispersal unduly endangers the public, the police, or participants in the crowd
- h. The mere failure to obtain a permit, such as a parade permit or sound permit, is not a sufficient basis to declare an unlawful assembly
- i. The sole fact that some of the demonstrators or organizing groups have previously engaged in violent or unlawful acts is not grounds for declaring an assembly unlawful.

Prior to forcibly dispersing the crowd and when tactically feasible and time reasonably permits, officers will issue repeated audible warnings for the crowd to voluntarily disperse and allow for reasonable time for the crowd to comply.

- a. Designate an officer to issue loud verbal directives, using, when feasible, voice amplification (Superhailer, squad PA, SET megaphone, etc.). Notify dispatch of the issuance of each audible warning to disperse over the police radio.
- b. The audible warning to disperse should contain the following information:
 - i) That the gathering has been determined to be an Unlawful Assembly
 - ii) That participants are ordered to disperse
 - iii) Designated dispersal routes
 - iv) Descriptions of the prohibited behaviors
 - v) That those failing to disperse will be subject to arrest
 - vi) That the use of chemical munitions may be used to disperse the crowd.
 - 1) Example announcement:
This gathering has been determined to be an unlawful assembly. Property has been damaged and projectiles are being thrown. All participants must leave the immediate area or be subject to arrest. Exit the area using Main Street. The use of chemical munitions may be used to disperse the crowd.
- c. Officers making audible warnings to disperse shall document the warnings in an appropriate police report, to include date, time(s), message(s), location(s), etc. Officers who hear the audible warnings should document their location in a police report.
- d. When possible, the warnings should be audio or video recorded and the time and the names of the issuing officers recorded in the IC's event log.
- e. Whenever feasible, prior to issuing dispersal warnings, the IC should place EMS/MFD personnel on standby.
- f. During extended crowd dispersal events, audible warnings to disperse should be repeated periodically, and repeated any time a crowd is being dispersed from a separate geographic location from that of the earlier announcement(s).
- g. Immediate action may be taken to address an imminent safety risk without audible dispersal warnings being issued. Audible dispersal warnings will be provided as soon as practical consistent with the guidelines above.

MASS ARREST

If necessary, the IC may authorize the arrests of numerous individuals over a relatively short period of time. For this process to be handled efficiently, safely, and legally, the following should be observed:

- a. Mass arrests should be conducted by designated teams.
- b. An adequate secure area should be designated for holding arrestees after processing and while awaiting transportation to a detention/arrest processing center; separate areas should be used for adult and youth arrestees.
- c. Arrest teams should be advised of the basic offenses to be charged in all arrests and all arrestees shall be advised of these charges.

- d. Arrestees who are sitting or lying down but who agree to walk shall be escorted to the transportation vehicle for processing.
- e. Arrestees shall be searched incident to arrest for weapons, evidence of the crime of arrest, and contraband.
- f. When practical, photographs should be taken of the arrestee and any arrestee property, and an arrest information form shall be completed.
- g. Transporting officers should not accept arrestees without a properly prepared field arrest form, or functionally equivalent written documentation, and photographs, when possible; transporting officers shall also ensure that all property is properly processed.
- h. Anyone who is injured shall be provided medical attention. Photographs should be taken of all known and reported injuries.

PROTESTS AT DISTRICT STATIONS AND FACILITIES

Planning and Preparation:

Annually, the captain in charge of each MPD district station or facility will review and update the appropriate protest plans for their MPD district station and facilities. The plans should be electronically stored on the MPD Intranet.

The information contained within the plans will be shared annually with staff assigned to the district or facility.

SPONTANEOUS DEMONSTRATIONS AT AN MPD DISTRICT STATION OR FACILITY

Officers shall report a spontaneous demonstration at a district station or at an MPD facility to a supervisor. A supervisor shall travel to the location of the spontaneous demonstration and shall formulate an initial response including, but not limited to, the following:

- a. If practical, conduct a walk-through of the building and confirm that the building is secure and that all personnel are accounted for.
- b. Consider relocating people, vehicles, and sensitive equipment from the involved station or facility.
- c. If necessary, implement a communications plan to notify dispatch, the OIC, and any incoming district or facility officers of an alternate reporting location and important updates about the demonstration.
- d. Ensure responding officers have appropriate protective equipment available.
- e. Consider maintaining a visible presence in the area outside of the demonstration and provide enhanced monitoring with a readiness to intervene, if necessary.
- f. Depending on intelligence and observations, consider attempting to establish contact with the demonstrators.
- g. If necessary, establish a command post in an adjacent district station or alternate facility away from the affected district or facility. This ICP should include (if possible) an Incident Commander (IC), camera operator, and a Criminal Intelligence Section officer or recorder.
- h. The IC should evaluate the needs for additional personnel and resources and work with the OIC to fulfill needs, such as activating on-duty SET personnel.
- i. Command staff of the affected district / facility should initiate an Alder/Mayoral notification if the demonstration disrupts access to the station.

Original SOP: 02/25/2015

(Revised: 04/25/2022, 09/20/2022, 01/31/2023, 01/03/2024)

(Reviewed Only: 01/27/2016, 12/22/2016, 12/26/2017, 01/30/2019, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Dignitary Protection

Eff. Date ~~12/16/2019~~ 01/04/2024

Purpose

The Madison Police Department (MPD) recognizes its responsibility to review requests and provide reasonable assistance for the personal protection of visiting dignitaries and other designated persons. Recognizing this responsibility, the MPD will take reasonable precautions to protect the safety of such visitors.

The purpose of this SOP is to provide guidance for the authorization of dignitary protection and escort details. It also establishes responsibility for the review of requests for dignitary protection and escort details in order to ensure uniformity in authorizing protective details.

Procedure

1. Any employee receiving a request for dignitary protection will refer the request to the Assistant Chief of ~~Field Operations~~ Investigative and Specialized Services.
2. The Assistant Chief of ~~Field Operations~~ Investigative and Specialized Services will determine the type and scope of police services provided after consultation with affected District Commanders, SET Commanders, SWAT Commanders, ~~and the Commander of Investigative and Specialized Services,~~ and the Commander of Traffic and Specialized Services, depending upon the scope of the event.
3. Dignitary protection details will be provided for foreign and domestic governmental officials whose position entitles them to temporary or full time protection by a law enforcement agency of the United States Government.
4. The request for the dignitary protection detail must be originated by the federal or State law enforcement agency responsible for the security of the dignitary.
5. Officers assigned to the detail shall wear the appropriate identification to ensure immediate identification by other LE personnel.
6. The Captain of Investigative ~~and Specialized~~ Services will be responsible for the collection and dissemination of intelligence related to threats to the protectee. The Captain of Investigative Services will coordinate plain clothes/undercover operatives and liaison duties with the protectee's security detail.
7. The Captain of Traffic and Specialized Services will be responsible for the coordination of any motorcade route(s).

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(Reviewed Only: 01/22/2016, 12/26/2017, 01/31/2023)
(Revised: 01/11/2017, 12/16/2019, 01/04/2024)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Domestic Abuse

Eff. Date 01/31/2023
02/08/2024

Purpose

This outlines procedures to be used for conducting investigations of domestic abuse pursuant to Wisconsin State Statute 968.075(1)(a).

Procedure

MANDATORY ARREST (WI STATE STATUTE 968.075)

The officer shall arrest and take a person into custody if ALL of the following apply:

1. The officer, after investigating the incident, has **probable cause*** to believe that the person's actions constitute the commission of a crime, and
2. The relationship is considered domestic under the law:
 - Spouse
 - Former spouse
 - Adults residing together
 - Any adults who have EVER lived together
 - Adults with children in common; and
3. The suspect's acts constitute **DOMESTIC ABUSE**:
 - Intentional infliction of physical pain, physical injury, or illness **OR**
 - Intentional impairment of physical condition **OR**
 - 1st, 2nd, or 3rd Degree Sexual Assault **OR**
 - A physical act that may cause the other person reasonably to fear imminent engagement in the conduct described under subs 1, 2, or 3.
4. The officer has evidence of **PHYSICAL INJURY** to a victim or reasonably believes there is a likelihood of continued abuse.
5. Crime was reported within 28 days of its occurrence.

*Probable Cause can be used interchangeably with "reasonable grounds" and justify an arrest without a warrant when an officer in good faith believes that a crime has been committed and that the person in question committed it; and when the officer's belief is based on grounds which would induce an ordinarily prudent and cautious person, under the circumstances, to believe likewise. Mere "suspicion" alone is never sufficient to authorize an arrest without a warrant

In circumstances meeting the mandatory arrest requirements, the suspect SHALL be taken to the Dane County Jail (DCJ) for booking if the suspect is placed under arrest. Citations shall NOT be issued in these cases. If officers have a question about whether an arrest is mandatory, they shall contact a supervisor.

AT LARGE SUSPECTS

1. Officers should attempt to locate and take domestic abuse suspects into custody.
2. When probable cause exists to arrest a domestic abuse suspect who is at large, and could not be located, the reporting officer will:
 - a. Enter suspect information and charges into SharePoint.
 - b. Complete a probable cause (PC) affidavit and if practical, have a sergeant or commander review the probable cause affidavit. Contact the Officer in Charge (OIC) to review the

- charging decision. The OIC will post the incident in the OIC Notes if the suspect remains at large.
- c. Complete the 72 Hour No-Contact paperwork. The date and time of arrest should be left blank on the 72-Hour No Contact Provision if the suspect is not in custody.
 - d. Complete a Dane County Booking form.
 - e. Complete the required Law Enforcement Advocate Program (LEAP) Referral Form and Danger Assessment Form in instances of Intimate Partner Violence (IPV) (See below).
 - f. Forward the Booking form, 72 Hour No Contact paperwork, and Probable Cause Affidavit to the OIC.
3. When the suspect is taken into custody, the arresting officer will read the probable cause affidavit and attempt to interview the suspect regarding the incident. If probable cause still exists after this interview, the suspect shall be taken to the Dane County Jail (DCJ) and booked into jail.
 4. Once the suspect is taken into custody, the date and time of arrest should be completed on the 72-Hour No Contact Provision. The victim should be notified of the date and time of arrest and this notification should be documented on the 72-Hour No Contact Provision. If unable to contact victim to make this notification, then the officer shall document the attempt to contact the victim in the officer's police report.

ARREST FACTORS

1. An officer's decision not to arrest under this section may not be based solely upon the absence of visible indications of injury or impairment.
2. Additionally, the victim's consent, willingness to engage in prosecution, or relationship with the suspect are NOT factors in the arrest decision.

DISCRETIONARY ARREST (INTIMATE PARTNER VIOLENCE)

1. Madison Police Department (MPD) officers are encouraged to take a pro-arrest approach when officers are investigating Intimate Partner Violence between adults, but have not met the State of Wisconsin's statutory mandatory arrest requirements, as outlined above.
2. The following factors should be considered when making this decision:
 - a. Probable Cause exists that a crime of violence has occurred,
 - b. Physical injury exists, or
 - c. The officer reasonably believes there is a likelihood of continued abuse.
3. In cases of Intimate Partner Violence (IPV) when a physical arrest is made, officers shall also complete the Danger Assessment form and LEAP Referral form.

REPORT REQUIRED WHERE NO ARREST

1. Officers shall complete a report on all domestic abuse calls for service. The report shall be completed prior to the end of their shift unless a supervisor approves for the report to be held. Calls for service dispatched as a domestic abuse incident shall not be changed to a call type that requires no report without the authorization of a supervisor.
2. The domestic abuse arrest law requires a law enforcement officer who does not make an arrest in a domestic abuse incident, but has probable cause to make an arrest, to prepare a written report prior to the end of the officer's tour of duty stating why the person was not able to be taken into custody.
3. The District Detective Lieutenant will review the case and, if necessary, request that the Criminal Intake Unit (CIU) send the officer's report to the Dane County District Attorney's Office for review to determine whether the person involved in the incident should be charged with the commission of a crime.
4. While Wisconsin State Statute 968.075 (Domestic Abuse Incidents) compels reasonable efforts to locate and arrest suspects who have committed acts of domestic abuse, there will be limited instances when this is not possible (hence, the need to forward a copy of the officer's incident report to the Dane County District Attorney's Office). Examples where an arrest may not be immediately plausible include the following:
 - a. Reasonable efforts to locate and arrest the suspect are unsuccessful.

- b. The suspect is located, but due to incapacitation from alcohol and/or drug use, the suspect is placed under protective custody and is conveyed to Detox.
 - c. The suspect has been committed under the standard for an emergency detention.
 - d. The suspect has received injuries necessitating an overnight admission to a hospital. Consult with the Officer-in-Charge (OIC) to determine whether a guard should be posted.
5. Please refer to the "AT LARGE SUSPECTS" portion for procedure.

MUTUAL DOMESTIC ABUSE

When the officer has **probable cause** to believe that persons in a domestic relationship are committing or have committed domestic abuse against each other, the officer should not arrest both persons, but should only arrest the predominant aggressor.

Predominant Aggressor means the most significant, but not necessarily the first, aggressor in a domestic abuse incident. In determining who the predominant aggressor is, an officer should consider the following:

1. The intent of the law to protect victims of domestic violence;
2. The relative degree of injury or fear inflicted on the persons involved;
3. Any history of domestic abuse between these persons, if that history can reasonably be ascertained by the officer;
4. Statements of witnesses; and
5. Whether either party acted in self-defense or in defense of any other person.

Self-defense: A person may use force against another for the purpose of preventing or terminating what the person reasonably believes to be an unlawful interference with his or her person.

PAPERWORK

When a DOMESTIC ABUSE arrest occurs, officers shall complete a 72-Hour No Contact Provision and provide the victim with a Victim Rights Information (VRI) Form. In cases of Intimate Partner Violence (IPV), officers shall also complete the Danger Assessment and Law Enforcement Advocate Program (LEAP) Referral.

72-HOUR NO CONTACT PROVISION

1. Unless there is a waiver by the domestic abuse victim, during the 72 hours immediately following an arrest for a domestic abuse incident, the arrested person is required to:
 - a. Avoid the residence of the domestic abuse victim of the domestic abuse incident and, if applicable, any premises temporarily occupied by the domestic abuse victim; and
 - b. Avoid contacting or causing any person, other than law enforcement officers and either party's attorney to contact the domestic abuse victim.
2. At any time during the 72-hour period specified above, the domestic abuse victim may sign a written waiver of the 72-hour No Contact Provision. The Madison Police Department (MPD) will have Change of Status forms available for this purpose. Copies of the 72-hour No Contact Provision and the Change of Status forms shall be provided to the suspect, Dane County Communication Center, Dane County Jail, and MPD Records.
3. The officer responsible for the arrest of a person for a domestic abuse incident will ensure that the domestic abuse victim is notified of the No Contact Provision.
4. A 72-hour No Contact Provision form should be completed even if the domestic abuse crime occurred outside of the 28-day mandatory arrest timeframe.

VIOLATION OF 72-HOUR NO CONTACT PROVISION

1. Violation of the 72-Hour No Contact Provision is a new crime. If an officer has probable cause to believe the 72-Hour No Contact Provision has been violated (968.075(5)(a)1), the offender shall be arrested and taken to the Dane County Jail.
2. A new case number is required for the new violation.
3. Do not complete a new 72-Hour No Contact Provision if the no contact provision is the only violation (i.e. no new additional domestic abuse crimes).
4. If the Danger Assessment and LEAP were completed following the initial arrest, those forms do not need to be completed again.
5. If there is a new domestic abuse crime (see definition above on page 1) within the 72 hours, that new crime has a felony enhancer of 939.621. Furthermore, a new domestic abuse crime requires a NEW 72-hour No Contact Provision form should be completed. This felony enhancer applies even if there is a *different* domestic abuse victim of the new domestic abuse crime and not just for new domestic abuse crimes against the original victim.

Arrest for a Violation of 72-Hour No Contact is mandated by Wisconsin State Statute 968.075.

NOTIFICATION TO VICTIMS-VICTIM RIGHTS' INFORMATION FORM

These requirements are mandated by Chapter 950 of the Wisconsin State Statutes.

If law enforcement has reasonable grounds to believe that a person is committing or has committed domestic abuse, they must inform the victim of the following:

1. The availability of all shelters and services dealing with domestic violence and sexual assault issues in the victim's community.
2. Providing the victim with a statement that reads substantially as follows: "If you are the victim of domestic abuse, you may contact a domestic violence victim service provider to plan for your safety and to take steps to protect yourself, including filing a petition under 813.12 of the Wisconsin Statutes (domestic abuse or harassment injunction)."
3. Provide victims with written notice of their Chapter 950 rights within 24 hours of contact.
4. Chapter 950 of the Wisconsin State Statutes also allows law enforcement to share information with victim service organizations.

These mandated requirements are met by providing victims with a Victim Rights Information (VRI) Sheet. Notification to victims shall be documented in the report.

LEAP REFERRAL

Law Enforcement Advocate Program (LEAP) referrals should be made for victims of Intimate Partner Violence (IPV). IPV can be physical, sexual, or psychological harm involving current or former spouses/significant others, individuals who have a child in common, and/or stalking victims. This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy.

1. If there is probable cause to make an arrest for an intimate partner domestic violence incident, the LEAP Referral Form should be completed.
2. At the end of the arresting officer's shift, the LEAP referral form should be placed in the LEAP mailbox in the arresting officer's respective district. A Domestic Abuse Intervention Services (DAIS) advocate will contact the victim as soon as possible after DAIS receives the referral.
3. The district Police Report Typist (PRT) will scan the LEAP form to the LEAP folder on the O:\network drive. The scanned LEAP form will be forwarded by the Executive Section PRT to the DAIS Crisis Response Advocate and to the Crisis Intervention Services Manager.
 - a. A District Detective Lieutenant will retain possession of the LEAP referral form for 30 days, or until acknowledgement from a DAIS advocate that the referral form has been received. Once acknowledgement is received, the LEAP referral form will be destroyed.

DANGER ASSESSMENT

A Danger Assessment Form should be completed for victims of Intimate Partner Violence (IPV). IPV can be physical, sexual, or psychological harm involving current or former spouses/significant others, individuals who have a child in common, and/or stalking victims. This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy.

The Danger Assessment is a predictor of lethality for the victim and the relationship. The more behaviors noted by the victim, the higher the danger is for the victim. The five questions at the top of the Danger Assessment Form are the highest predictors of lethality.

1. The completed Danger Assessment Form will be included with the arresting officer's original report as an attachment.
2. The Danger Assessment Form will be forwarded to the Dane County District Attorney's Office along with the case intake.
3. The responses on the Danger Assessment should be taken into consideration by detective lieutenants reviewing the case to determine appropriateness of case assignment.

INCREASED PENALTY FOR CERTAIN DOMESTIC ABUSE OFFENSES 939.621

If a person commits an act of domestic abuse as defined in Wisconsin State Statute 968.075(1)(a) and the act constitutes the commission of a crime, the maximum term of imprisonment for that crime may be increased by not more than two years if the crime was committed during the 72 hours immediately following an arrest for a domestic abuse incident as set forth in Wisconsin State Statute 968.075(5)(c). As stated previously, the victim of the domestic abuse crime does not have to be the same as the victim of the domestic abuse incident that resulted in the arrested person's original arrest. The penalty increase under this section changes the status from a misdemeanor to a felony (Wisconsin State Statute 939.621).

CHILDREN PRESENT DURING DOMESTIC ABUSE CRIMES

If children are present during domestic abuse crimes, officers shall:

1. Note the names, ages, custodial parents, and addresses of all children and whether they were present when the domestic incident occurred.
2. Interview children as potential witnesses and ask the children about the current incident, history of abuse, and abuse toward any other members of the household.
3. If the disposition of a domestic abuse incident leaves minors in the home without a responsible adult, the officers are to contact the Dane County Department of Human Services for temporary child placement arrangements.
4. Due to the high correlation between domestic violence and child abuse, officers should check the children for signs of child neglect or abuse. In the event that a minor child appears to be the victim of physical and/or sexual abuse, it is the responsibility of the officer to take immediate action, including notifying the Dane County Department of Human Services (261-KIDS) within 12 hours of report of the incident per Wisconsin State Statute 48.981(3).

WEAPONS SEIZURE

1. Weapons used in the commission of a crime shall always be seized as evidence.
2. Weapons shall be seized from any individuals prohibited from possessing a firearm.
3. Possession of a firearm by a convicted felon is prohibited by Wisconsin State Statute 941.29 and Federal Regulation 18USC 922(g).
4. Possession of a firearm by a domestic abuse or child abuse respondent is prohibited for the duration of a granted injunction. If a respondent is in possession of a firearm, this is a felony offense. The respondent should be arrested for Possession of a Firearm (941.29(1m)(f)) and the weapon should be seized and photographed.

5. Safekeeping: If the officer is on the scene of a domestic and no weapons were used in the commission of a crime the officer should still ask about access to weapons. If the victim is a spouse of the suspect, the officer should ask if they would like officers to take the weapons (marital property) for safekeeping while the case is pending.
6. Possession of a firearm OR ammunition by a person prohibited from possession by federal regulations. (See below)

FEDERAL GUN VIOLATIONS

It is a federal offense for a person, **convicted** of a crime classified as a crime of domestic violence, to possess a firearm; Federal Regulations ~~18USC91122 (g)(9)~~. 18 U.S.C.922(g)(9).

Under this law, qualifying domestic violence crimes are those where:

- There was use or attempted use of physical force
- There was threatened use of a deadly weapon
- It is a crime against a partner in a domestic relationship
- It is a child abuse crime

A Wisconsin misdemeanor conviction for Domestic Disorderly Conduct is not a qualifying crime under federal law.

The law was effective September 30, 1996 and convictions are retroactive from that date.

Mandatory arrest does not apply to violations of the federal gun regulation. If the officer has information that the subject has been arrested for a crime prohibiting possession of a firearm and is in possession of or owns a firearm, the officer should:

1. Document evidence of the previous domestic violence conviction in their report.
2. Seize the weapon IF the officer has legal access to the weapon.
3. Document evidence that the subject knowingly possessed the firearm.
4. Photograph the firearm that was seized.

A copy of the report should be forwarded to the appropriate federal agency.

LAW ENFORCEMENT INVOLVED DOMESTIC VIOLENCE

The following procedure shall be adhered to when investigating domestic abuse that involves law enforcement personnel.

Responding to domestic abuse incidents involving law enforcement personnel poses increased dangers to responding officers due to the involved personnel's potential access to firearms, as well as knowledge by the potentially involved law enforcement personnel regarding police tactics and the law.

When responding to domestic abuse incidents involving law enforcement, the following procedures shall be followed:

1. Once officers arrive on scene of a domestic abuse incident involving law enforcement, the officer should contact dispatch and request a supervisor, regardless of the involved officer's jurisdiction.
2. A supervisor of higher rank than the involved officer(s) should respond to the scene.
3. When an officer is arrested, the supervisor shall attempt to seize firearms.
4. If the incident involves the chief of police, an outside agency should be contacted to take lead on the investigation.
5. In responding to domestic violence incidents where the victim is a law enforcement officer, standard domestic violence response and investigation procedures should be followed.

TEMPORARY RESTRAINING ORDERS AND INJUNCTIONS (WI STATE STATUTE 813.12)

There are four different types of injunctions that can be granted in Dane County: Domestic Abuse, Harassment, Child Abuse, and Individuals at Risk.

Domestic Abuse injunctions are typically granted for four years, but can be granted for up to 10 years. Ten-year injunctions are granted where the petitioner has presented a preponderance of evidence that there is a substantial risk that the respondent may commit 1st or 2nd Degree Homicide, 1st, 2nd, or 3rd Degree Sexual Assault, or 1st Degree or 2nd Degree Sexual Assault of a Child against the petitioner.

Knowingly violating a Temporary Restraining Order (TRO) or Injunction is a misdemeanor under Wisconsin law and the police officer should:

1. Verify that the TRO/injunction exists, either through the Dane County Public Safety Communications (PSC) Data Operator or Dane County Jail (DCJ) records.
2. Determine whether the TRO/injunction has been served. This information can be obtained through the PSC Data Operator or DCJ records.
3. Determine the specific restriction(s) granted in the TRO/injunction.
4. Serve the TRO/injunction to the suspect if it has not been served, noting date, time of service, and officer name on the back of the TRO copy. Additionally, notify dispatch of the date and time of service. Attach a copy of this form to your report. The victim's copy of the TRO/Injunction can be used to serve notice to the suspect.
5. CONSTRUCTIVE KNOWLEDGE: In cases where the suspect was served with the TRO and failed to show for the injunction hearing, the injunction is automatically granted. If the suspect had been served with the TRO, then the suspect has constructive knowledge that an injunction was granted. Therefore, the suspect should be considered on notice of the injunction and shall be arrested for any violations.
6. The officer will make an arrest for a violation of the order when there is an order in existence, when the order has been served, and when there is probable cause to believe that it was knowingly violated.
7. A Violation of a TRO or injunction may or may not constitute a new domestic abuse crime under Wisconsin State Statute 968.075. If the nature of the contact is benign, then it might result in only a charge for the violation of the injunction or TRO. If the nature of the contact involves additional crimes, then the Mandatory Arrest procedures shall be followed.
 - a. Knowingly Violate Domestic Abuse Injunction, 813.12(8)(a).
 - b. Officers may also review 813.12(7)(am) regarding mandatory arrests specifically for Domestic Abuse Injunction violations.
8. If the officer is arresting a suspect for the violation of a Domestic Abuse Injunction AND additional domestic abuse crimes have occurred, a 72-Hour No Contact Provision shall be completed.
9. If an officer has probable cause to believe the injunction has been violated more than once, then a charge of stalking should be considered. The officer should obtain a new case number and offer the Danger Assessment and LEAP forms.

STALKING (WI STATE STATUTE 940.32(2))

If an officer develops probable cause that a stalking has occurred and mandatory arrest requirements are met, then an arrest shall be made in accordance with Wisconsin State Statute 968.075. Stalking behaviors are an indication of high lethality of the relationship and should be taken seriously.

STALKING WARNING LETTER

In cases where mandatory arrest does not apply, a Stalking Warning Letter may be issued to the suspect. The Stalking Warning Letter can be issued by other jurisdictions or by telephone. Officers shall document in the report that the Stalking Warning Letter was issued and a copy should be attached to the officer's report.

It is **NOT** necessary that the Stalking Warning Letter be issued prior to an arrest for Stalking.

The safety of the victim should be considered when determining to make an arrest or not for an offense of Stalking.

Officers shall document and collect any and all evidence related to the stalking behavior, including but not limited to, text messages, emails, voicemails, social media posts, letters, cards, gifts, and video.

Other offenses related to, or potentially involved in Stalking, include, but are not limited to, Criminal Damage to Property, Unlawful Use of the Telephone or Computerized System, Intimidation of a Victim, Harassment, Representations Depicting Nudity, Invasion of Privacy, and Violation of a Domestic Abuse Injunction.

STRANGULATION/SUFFOCATION (WI STATE STATUTE 940.235)

In cases of Strangulation that meet the mandatory arrest criteria, officers shall make an arrest. Officers should consider that consent is not a criminal element of Strangulation.

Procedure

1. Victims of strangulation should be encouraged to respond to Meriter Hospital Emergency Room (ER) for medical assistance and for a Forensic Nurse Exam (FNE). Strangulation injuries are often not visible, so medical care is important for the victim's well-being. The forensic exam is important for prosecution of offenders. Officers shall assist transporting victims to Meriter Hospital ER if needed.
2. Visible injuries should be documented and photographed. Ligatures, or any other type of physical evidence used in the commission of a Strangulation or Suffocation, should be collected.
3. Documentation of all signs and symptoms of strangulation is critical due to the lack of visible injuries in the majority of strangulation cases. A list of signs and symptoms of strangulation can be found on the back of the Danger Assessment Form. This guide can be used to facilitate a detailed interview of the victim.
4. If the suspect is present on scene and willing, a buccal standard should be obtained from the suspect when it is known that the victim will be responding to Meriter Hospital ER for an FNE.
5. Officers sent to Meriter Hospital to collect a strangulation FNE kit shall place the kit into MPD property according to the MPD property room guidelines.

MANDATORY DOMESTIC ARREST AND EMERGENCY DETENTION

Responsibilities of the Investigating officer/detective:

When officers are investigating crimes of domestic abuse and mental health appears to be a contributing factor to the crimes alleged, officers should:

1. Determine if the probable cause exists for a crime of domestic abuse as outlined above.
2. Evaluate/Assess the potential for an Emergency Detention (see Mental Health Incidents/Crises SOP).
3. If the underlying offense for which probable cause exists is a mandatory arrest under Wis. Stat. 968.075, the disposition of the subject must be an emergency detention, protective custody, or arrest (voluntary admissions are not an option).
4. If probable cause exists for an otherwise mandatory arrest for a crime of domestic abuse and Journey Mental Health supports an Emergency Detention (ED) for the suspect/patient, officers shall:
 - a. Process the Emergency Detention and transport the suspect/patient to the appropriate medical facility.
 - b. Complete the required domestic paper work to include the Probable Cause affidavit, the 72-hour No Contact Provision (time enforced begins at the time of detention for the ED), the Domestic Violence Danger Assessment Form, and the LEAP referral.
 - c. Complete the necessary paperwork and police report before the end of the officer's tour of duty, unless an MPD commander approves the reports being held.

- d. Request that the destination facility where the subject is conveyed contact MPD when the subject is released to facilitate conveyance/booking.

Responsibilities of the Criminal Intake Unit:

When officers or detectives working within the Madison Police Department Criminal Intake Unit (CIU) are made aware of a mandatory arrest under Wis. Stat. 968.075 which resulted in an Emergency Detention, the following shall occur:

1. Complete the electronic criminal intake referral and note that the suspect is located at a secured mental health medical detention facility.
2. Monitor/Review the Dane County District Attorney's criminal intake return for a charging decision.
3. Communicate with the Office of the Dane County District Attorney and MPD Mental Health Unit. The Mental Health Unit will work with the "hospital discharge planner" for Journey Mental Health regarding the criminal intake referral and the potential transport of the suspect/patient to the Dane County Jail for a booking.
4. If the Office of the Dane County District Attorney issues criminal charges for crimes of Domestic Abuse as outlined under Wis. Stat. 968.075 and requests a booking into the Dane County Jail, then arrangements shall be made for transport of the suspect to the Dane County Jail by the Madison Police Department.
5. If the Office of the Dane County District Attorney issues criminal charges and chooses to summons the offender/patient to Court, then transport to the Dane County Jail is not required.
6. If the Office of the Dane County District Attorney declines criminal charges, then the Madison Police Department should remove the Probable Cause Affidavit from the OIC's office.

Responsibilities of the Officer-In-Charge:

When notified by the MPD Criminal Intake Unit, Journey Mental Health, or any secure mental health facility such as Winnebago Mental Health Institute (WMHI) that a patient is to be released and outstanding criminal charges exist that necessitate transport to the Dane County Jail, the Officer-in-Charge shall assist in coordinating MPD's transportation response plan.

When notified by an investigating officer that probable cause exists for a crime of domestic abuse and the suspect/patient is being medically admitted to a hospital, the Officer-in-Charge shall determine if MPD will continue to guard the suspect/patient until the suspect's/patient's release from the hospital (see Guard Duty SOP).

Original SOP: 07/01/2015

(Revised: 02/24/2016, 03/31/2016, 01/15/2019, 02/28/2020, 01/15/2021, 06/14/2021, 12/28/2021, 09/20/2022, 01/31/2023, 02/08/2024)

(Reviewed Only: 01/09/2017, 12/26/2017)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Donation of Vacation and Compensatory Time

Eff. Date ~~06/01/2021~~ 01/09/2024

Purpose

On occasion, there may be situations where fellow employees are ill or have other pressing personal issues, but do not have adequate paid leave to cover their absence from work. To allow employees to assist fellow employees in their time of need, the City supports the use of this benefit to allow all employees of the Madison Police Department (MPD) to donate earned vacation or compensatory time (depending on your compensation group) to another member of the MPD or to a general membership pool as prescribed below.

Procedure

NOTIFICATION/DOCUMENTATION

Any member of the MPD may, on a strictly voluntary basis, be permitted to donate earned vacation or compensatory time (depending on the member's ~~your~~ compensation group) to either a department general membership pool or to other department members who have exhausted all accrued paid leave, including sick leave, due to a situation falling within the parameters of contractual use of paid leave.

Each donation form is limited to a minimum of four (4) hours up to a maximum not to exceed five (5) work days per calendar year, for any single donating employee. The amount of leave time available for distribution through this program will be based on the dollar amount of the time donated. When on said leave, employees will continue to be eligible for and earn all paid leave entitlements consistent with being on paid leave.

Any MPD employee, after ensuring compliance with City **Administrative Procedural Memorandum (APM) 2-30**, will notify the MPD Human Resources Coordinator of the name(s) of employees requiring assistance. The MPD Human Resources Coordinator will be responsible for coordinating the process, including the announcement of the need for leave donations. All donation forms are to be forwarded to **the MPD Human Resources Coordinator PD Medical for review processing. Once reviewed, donation forms will be forwarded to PD Payroll personnel for processing.** Donations, once processed and approved, will not be refunded to the donating employee. **At the end of a calendar year, After six months, unused donated time (vacation) will be transferred to or will remain in to the appropriate a City general membership agency leave pool (by specific compensation group), if not fully utilized by the affected employee.**

Employees will not be permitted to draw wage insurance benefits for the same time period covered by this program. Individual employees will always retain the right to refuse benefits under this program without penalty. Hourly and seasonal employees are not eligible for this program. Utilization of this, or any other paid leave, is subject to approval consistent with current leave and/or staffing guidelines.

Disputes arising from the administration of this program are not subject to review through the grievance procedure.

Please refer to City APM 2-30, Donation of Earned Vacation or Compensatory Time, for additional details: www.cityofmadison.com/mayor/apm/2-30.pdf.

Refer to and utilize the Donation of Vacation and Compensatory Time form (see below).

DONATION OF EARNED VACATION & COMPENSATORY TIME

APM 2-30 allows an employee to donate accrued vacation and compensatory time to another employee. The donations are limited to a minimum of four (4) hours and a maximum of five (5) days per calendar year, for any single donating employee. Once processed, donations are non-refundable to the donating employee.

Employee Donating Leave: _____

Work Unit: _____

I elect to donate leave to the following employee (Please list first & last name): _____

I authorize the transfer of the following leave donations from either my vacation or compensatory time balance:

_____ Hours of Vacation (Civilian, AMPS, & MPPOA)

_____ Hours of Compensatory Time (MPPOA only)

I understand that once processed, this donation is non-refundable.

SIGNATURE OF EMPLOYEE DONATING LEAVE: _____

DATE: _____

FOR ADMINISTRATIVE USE ONLY

Leave donation balance verified in Telestaff: (VU _____ / CU _____)

Previous amount of leave donated (total hours) within current year: (_____)

Transfer approved by: _____
MPD HUMAN RESOURCES COORDINATOR DATE

Zero leave balance verified: (VU _____ / CU _____ / SI _____)

City Payroll to Process: _____
MPD PAYROLL CLERK DATE

Original SOP: 04/16/2015
(Revised: 03/04/2016, 01/13/2017, 06/01/2021, 01/09/2024)
(Reviewed Only: 12/26/2017)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Emergency Vehicle Operation Guidelines

Eff. Date ~~02/07/2023~~ 01/09/2024

Purpose

This standard operating procedure (SOP) meets the obligation of Wisconsin State Statute Sec 346.03(6).

Members of the Madison Police Department (MPD) shall, at all times, operate City vehicles with due regard for the safety of all persons. When operating under emergency conditions, officers shall be ever vigilant in assessing evolving risk factors that could jeopardize public safety. Members of the department shall also operate city vehicles safely and with a high degree of situational awareness during routine driving and parking maneuvers.

Intersections present a special hazard to emergency vehicles. Officers should always be prepared to slow the speed of their vehicles and be able to stop when approaching an intersection.

Procedure

APPLICABILITY

This SOP governs the actions of MPD officers for MPD initiated response/pursuits as well as MPD involvement in mutual aid requests for assistance with pursuits that enter the City of Madison. For MPD officers to participate in an outside agency pursuit, the pursuit must meet the criteria outlined within this SOP.

DEFINITIONS

Authorized Emergency Vehicle: A fully marked or unmarked squad with full or partial internal light package operated by a Law Enforcement Officer (LEO). A full internal light package is defined as follows:

1. Showing to the front of the vehicle: multiple red/blue flashing lights and flashing headlights; and
2. Showing to the rear and sides of the vehicle: multiple red/blue flashing lights.

Channelization: Channelization is not itself a technique that induces a fleeing driver to stop; it is used to divert a driver to a preferred location. The number of squads required depends on the number of alternative routes that must be blocked. Sufficient warning and adequate distance for the driver to avoid the blocked-off road and choose the preferred route should be given. As with a stationary roadblock, other traffic should be kept out of the area.

Deadly Force: The intentional use of a firearm or other instrument, the use of which would result in a high probability of death or great bodily harm.

Due Regard: The degree of care that a reasonably careful person, performing similar duties, and acting under similar circumstances would show.

Eluding/Fleeing: §346.04(3): No operator of a vehicle, after having received a visual or audible signal from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knows or reasonably should know is being operated by a law enforcement officer, shall knowingly flee or attempt to elude any officer by willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, the traffic officer, the law enforcement officer, other vehicles, or pedestrians, nor shall the operator increase the speed of the operator's vehicle or extinguish the lights of the vehicle in an attempt to elude or flee.

Obedience to traffic officers, signs and signals; Fleeing from officer: §346.04(2t) ~~No operator of a vehicle, after having received a visible or audible signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as safety permits.~~ No operator of a vehicle, after having received a visible or audible signal to stop his or her vehicle from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knows or reasonably should know is being operated by a law enforcement officer, shall knowingly resist the officer by failing to stop his or her vehicle as promptly as safety reasonably permits.

Officer: Any sworn commissioned personnel, independent of rank.

Pursuit: § 85.07(8)(a) – An active attempt by a traffic officer in a police vehicle to apprehend one or more occupants of a moving motor vehicle, the operator of which is resisting apprehension by disregarding the officer's visual or audible signal to stop his or her vehicle, increasing the speed of the vehicle or extinguishing the lights of the vehicle.

Refusal to Stop Pursuit: A pursuit in which the operator of a motor vehicle is driving at a reasonable speed and in accordance with other traffic regulations (but willfully refusing to pull over and stop).

~~§346.04(2t): No operator of a vehicle, after having received a visible or audible signal to stop his or her vehicle from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knows or reasonably should know is being operated by a law enforcement officer, shall knowingly resist the officer by failing to stop his or her vehicle as promptly as safety reasonably permits.~~

Silent Emergency: This is when a police vehicle does not use its siren or emergency lights in response to a crime. Officers responding to a call, which is reasonably believed to be a **felony** in progress, may exceed the speed limit without giving audible signal but should give visual signal when doing so will not compromise a tactical response. When not giving a signal, the officer must reasonably believe that one of the following exists:

- a. Knowledge of the officer's presence may endanger the safety of a victim or other person.
- b. Knowledge of the officer's presence may cause the suspected violator to evade apprehension.
- c. Knowledge of the officer's presence may cause the suspected violator to destroy evidence of a suspected felony, or may otherwise result in the loss of evidence of a suspected felony.
- d. Knowledge of the officer's presence may cause the suspected violator to cease the commission of a suspected felony before the officer obtains sufficient evidence to establish grounds for arrest.

True Emergency: A situation in which there is a high probability of death or serious injury or significant property loss, and action by an emergency vehicle operator may reduce the seriousness of the situation.

AUTHORIZED EMERGENCY VEHICLE SITUATIONS

1. In response to calls of true emergency;
2. In pursuit of an actual or suspected violator of law consistent with MPD SOP regarding authorized pursuits; or
3. While obtaining evidence of a speeding violation; (See below: Use of Warning Devices, paragraph 3.)

USE OF WARNING DEVICES

1. The red and blue emergency lights shall be activated whenever an officer, in the course of duty, stops, stands or parks an assigned vehicle contrary to the rules of the road. Officers may, however, elect to only use vehicle hazard flashers, rather than the red and blue

emergency lights on their vehicles, whenever it is necessary to stop, stand, or park in a space adjacent to a curb, which is not a legal parking space, as long as the vehicle does not obstruct a traffic lane.

2. The red and blue emergency lights and siren shall be used whenever an officer, in the course of duty, passes through a stop sign or signal, operates contrary to regulations governing direction of movement or turning, or exceeds the speed limit. This includes when operating in emergency mode.
3. An officer may exceed the speed limit without giving audible and visual signal, if the officer is obtaining evidence of a speeding violation; however, the officer **shall activate** this equipment and **attempt to stop** the violator once sufficient evidence is obtained for the violation.

USE OF OTHER SAFETY EQUIPMENT

All occupants of MPD vehicles shall use vehicle safety belts/restraint devices (Exceptions: combative/oversize **community members** ~~citizens~~). This requirement does not prevent officers from removing restraint devices in limited circumstances when approaching an imminent tactical situation.

~~Parking Enforcement Officers acting under State Statute Sec. 347.48(2m)(dr) are not required to utilize safety harnesses, but are encouraged to do so whenever possible.~~

CIVILIAN MEMBERS OF THE MADISON POLICE DEPARTMENT

1. Civilian members of the MPD are never authorized to operate the vehicle's red and blue emergency lights and/or siren to exceed the speed limit, to operate contrary to regulations governing direction of movement or turning, or to pass through a stop sign or signal.
2. Although civilian members of the MPD shall, for the protection of the public, operate the red and blue emergency lights of a police vehicle if it becomes necessary to stop, stand, or park contrary to the rules of the road (i.e., to protect persons and vehicles at an accident scene or at the location of a traffic hazard until an officer's arrival).

AUTHORIZED PURSUIT

For all pursuits, **Due Regard** must be followed at all times. The pursuit of vehicles is authorized only under the following circumstances:

1. Probable cause exists to believe that the vehicle driver and/or occupant(s) has recently committed, is committing, or is about to commit a violent felony

Officers will not initiate or engage in a pursuit (other than a "refusal to stop" pursuit) for a traffic, ordinance, or non-violent criminal offense.

Officers may initiate and engage in a "refusal to stop" pursuit for any offense. If a driver accelerates beyond a reasonable speed, engages in driving behavior indicating an attempt to evade officers, operates the vehicle in an unsafe manner, or otherwise meets the statutory elements of Eluding (§346.04(3)), pursuit is only authorized under section 1. above.

ASSESSMENT OF UNREASONABLE DANGER

When determining whether to initiate or continue a pursuit, officers and supervisors must continually evaluate the circumstances surrounding the pursuit. **Any pursuit must be terminated when the risk created by the pursuit itself outweighs the need to immediately apprehend the vehicle's driver/occupant(s).** Examples of factors to be considered when making this determination include the following:

1. Is the act of the pursuit aggravating the dangerousness of the suspect's behavior?
2. Severity of the suspected crime.

3. Severity and certainty of risk posed to the public by the suspect(s) if not apprehended immediately.
4. Speed, evasive tactics, and driving behavior of suspect vehicle.
5. Geographic area of pursuit and its population density.
6. Time of day/day of week.
7. Vehicular and pedestrian traffic present in area.
8. Road and weather conditions.
9. Officer's familiarity with the area of pursuit.
10. Necessity of pursuit.
11. Road configuration (divided/undivided; controlled/uncontrolled access; etc.).
12. Population density.
13. Lighting and visibility.
14. Type of squad being operated.
15. City events where large groups are likely to be gathered (i.e. farmers market, races, protests, etc.).
16. Ability to track vehicle location through other means (OnStar, etc.).

TERMINATION OF PURSUIT

1. **Any pursuit must be terminated when the risk created by the pursuit itself outweighs the need to immediately apprehend the vehicle's driver/occupant(s).** The following shall be accomplished as part of termination procedure:
 - a. Notify dispatch and secondary units of termination location and last known direction of travel for suspect vehicle.
 - b. Bring your vehicle to a complete stop or divert direction of travel away from suspect vehicle.
 - c. Deactivate visual and audible signals.
2. If specific location of the suspect becomes unknown, the pursuit shall be immediately terminated.
3. Once a pursuit has been terminated, other options should be explored to apprehend the suspect(s) prior to initiating another attempt to stop.

NON-COMMISSIONED PASSENGERS

Pursuit should not be undertaken by any officer driving with civilians (with the exception of authorized ride-alongs) who are not commissioned law enforcement officers, except under circumstances involving death or great bodily harm violations.

UNMARKED SQUADS

Pursuit by officers in unmarked squads not equipped with full internal light packages is not authorized, except under circumstances involving death or great bodily harm. Pursuit by officers in unmarked squads equipped with full internal light packages is authorized as outlined above.

ROLES AND RESPONSIBILITIES

1. **Primary Pursuing Officer**
 - a. Inform Dispatch that you are in pursuit.
 - b. Radio communications may be delegated to another officer involved in the pursuit.
 - c. Reasonably attempt to inform Dispatch of the following:
 - If your vehicle is unmarked.
 - Location and direction of pursuit.

- Description of suspect vehicle, license plate number and description of occupants.
 - Reason for pursuit.
 - Estimated speed of suspect vehicle.
 - Driver and occupant behaviors.
- d. Continually update Dispatch with:
- Changes of direction.
 - Speed of vehicles involved.
 - Actions of the suspect(s) and vehicle.
- e. As soon as possible, ensure the lead pursuing unit is in a fully marked squad.
- f. Secondary police vehicles should not attempt to pass the primary pursuit vehicle and shall remain a safe distance back unless a coordinated change of lead needs to be made.
- g. Pursuits should be accomplished with a minimum number of vehicles. The number of vehicles directly involved may be adjusted to fit the situation.
- h. As a pursuit proceeds through adjoining patrol districts, officers in these areas may parallel the pursuit so as to be available in the event their assistance is needed.
- i. If suspect vehicle is stopped:
- Notify Dispatch of location and any additional resources needed.
 - Coordinate the high-risk high-risk stop.

2. Supervisor

- a. A supervisor who is not actively pursuing will monitor the pursuit from the point of notification to its conclusion.
- b. Control, if appropriate, by directing and coordinating the police units involved in the pursuit.
- c. Terminate any pursuit, which in the supervisor's judgment, does not conform to the guidelines under "Authorized Pursuit."
- d. Ensure adherence to all MPD procedures.
- e. The supervisor shall complete a supplemental police report for all pursuits documenting their role and actions related to the pursuit. This includes both "refuse (slow) to stop pursuits" and "eluding/fleeing" pursuits.
- f. After reviewing the circumstances of the pursuit, the monitoring supervisor shall document the actions of the officers involved in the pursuit. This review will also extend to officers indirectly involved in the pursuit (i.e., responding officers, officers deploying tire deflation devices, etc.).
- The supervisor shall complete a Blue Team entry and attach a memo detailing their review of the pursuit within seven (7) days of the incident. The review will be forwarded to Professional Standards and Internal Affairs (PSIA) for tracking. PSIA will forward the Blue Team entry to the lead Emergency Vehicle Operations Course Master Instructor Trainer (EVOC MIT). The EVOC MIT group shall be copied on the Blue Team entry.
 - All MPD initiated vehicle pursuits will be reviewed by EVOC MITs. EVOC MITs will meet regularly to review any known pursuits. The EVOC MITs will meet within 30 days of receipt of the pursuit review in Blue Team to complete a detailed review of the pursuit.
 - The lead EVOC MIT will then forward their review to PSIA, who will forward it to the appropriate Unit/District Commander. The Unit/District Commander will review the incident and make a recommendation as to whether the pursuit and all involved personnel's actions are within or outside of MPD SOP.
 - The Unit/District Commander will then forward the review to PSIA for additional policy compliance investigation if necessary.

- PSIA will then forward the review to the Field Operations Assistant Chief for final review and discussion regarding final recommended outcomes if necessary.

3. Officer In Charge (OIC)

- a. If no field supervisor is available during a pursuit, the OIC will fulfill the duties outlined in Supervisory Roles and Responsibilities.
- b. The OIC of the shift on which a pursuit occurs shall e-mail the involved officers' commanders with the date and case number of the incident, as well as the press release (if one was issued).
- c. In the event the pursuit terminates in a crash causing injury to any party, the OIC shall follow established Command notification protocols.
- d. Follow Officer Involved Critical Incident SOP (if applicable).

STOP TECHNIQUES

1. PURSUIT INTERVENTION TECHNIQUE (PIT) AND RAMMING TECHNIQUES

Use of PIT and any other ramming techniques shall only be used under deadly force circumstances.

2. ROADBLOCKS

Emergency stationary roadblocks

Emergency stationary roadblocks are ~~those which~~ **those that**, due to the urgency of the situation, must be set up with a minimum amount of notice and preparation for the purpose of stopping a vehicle which is actively attempting to elude. These will be set up, controlled, and/or authorized whenever possible, by a commissioned supervisor. An emergency stationary roadblock is only authorized if all of the following circumstances exist:

1. An emergency stationary roadblock is considered deadly force and shall only be used under deadly force circumstances.
2. Other reasonable means of apprehension/control have been exhausted or are not practical.
3. The roadblock can be established in a manner that the violator has sufficient opportunity to observe the roadblock and stop.
4. The roadblock does not create an unreasonable risk to uninvolved vehicles.

Emergency Moving Roadblocks

Although the use of an emergency moving roadblock is discouraged as a tactical response, it may be authorized by a commissioned supervisor to stop a vehicle when a high probability exists that the suspect, if not immediately apprehended, will cause death or great bodily harm. In this technique, the suspect vehicle is surrounded by three squad cars, traveling in the same direction as the suspect vehicle—one in front, one in back, and one to the side (just behind the driver door). Once in position, the squads gradually slow, bringing the suspect vehicle to a safe, gradual stop. This technique is only authorized with prior supervisor approval.

3. USE OF TIRE DEFLATION DEVICES

Refer to MPD Use of Tire Deflation Devices SOP.

PURSUIT INTO ANOTHER JURISDICTION

When acting in accordance with the provisions of this SOP, officers may pursue vehicles into adjoining jurisdictions. In this event, the jurisdiction involved should be notified by Dispatch of the pursuit, the reason for it, and whether direct assistance with the pursuit is requested. Direct pursuit assistance should only be requested if available MPD resources are inadequate, or if assistance of a special nature is needed. Officers equipped with tire deflation devices may continue monitoring an MPD pursuit and may deploy tire deflation devices in accordance with this SOP.

INVOLVEMENT IN THE PURSUIT OF ANOTHER JURISDICTION ENTERING THE CITY OF MADISON

- a. MPD will not actively pursue the suspect vehicle in another jurisdiction's pursuit unless mutual aid is specifically requested by the agency involved and the circumstances of the pursuit (reason for pursuit, etc.) would permit MPD to initiate and to continue a pursuit under this SOP. Upon receiving a request of this nature, Dispatch will obtain and relay information to the officers and a supervisor regarding the request (including the reason for the pursuit).
- b. MPD involvement in an outside agency pursuit must meet the guidelines outlined in this SOP. If the outside agency reason for pursuit does not meet the guidelines outlined, mutual aid will not be granted for the pursuit and MPD officers will not get directly involved in the pursuit. This does not preclude officers from providing other assistance to the pursuing agency.
- c. When being requested to assist an outside agency with a pursuit, MPD personnel will request/determine the reason for the pursuit as soon as possible.
- d. If the circumstances of another jurisdiction's pursuit dictate that an MPD officer become involved prior to a request for mutual aid, the MPD officer must be able to clearly articulate the immediate need for their actions.
- e. Tire deflation device in support of another jurisdiction: officers may deploy in accordance with the Tire Deflation Devices SOP.

INVOLVEMENT IN POLICE ESCORTS

See Vehicle Escorts SOP

Original SOP: 02/25/2015

(Revised: 10/21/2015, 10/12/2016, 01/19/2017, 08/18/2017, 01/25/2018, 06/08/2018, 01/14/2019, 07/20/2020, 02/07/2023, 01/09/2024)

(Reviewed Only: 12/26/2018, 02/04/2022)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Foot Pursuits

Eff. Date ~~12/21/2020~~ 01/22/2024

Purpose

To facilitate the safe apprehension of a subject who flees on foot and ~~to prevent injuries~~ to reduce the likelihood of injuries to all involved parties.

Definitions

Foot Pursuit: A situation in which an officer, on foot, chases a subject in an effort to detain or arrest that individual, when the subject is avoiding police contact by fleeing from the officer.

Subject: Includes any individual who a police officer has a lawful reason to detain.

Procedure

Whenever an officer decides to engage, or continue to engage, in a foot pursuit, a quick risk assessment must take place. Officers must evaluate the risk involved to themselves, other officers, the subject, and the community to balance that risk with the need to pursue and immediately apprehend the subject.

1. Factors to consider when initiating a foot pursuit:
 - a. Whether the subject is armed or dangerous
 - b. The reason for detaining the subject
 - c. Risk to officers and/or the community posed by the subject
 - d. Environmental risks (low light, dangerous structures, officer's familiarity with the area, officer's ability to keep sight of suspect, etc.)
 - e. Ability to apprehend the subject at a later date
 - f. Communications (ability to transmit location, radio coverage, etc.)
 - g. Physical ability of the officer to:
 - i. Apprehend the subject (officer/subject factors, available equipment, etc.)
 - ii. Communicate effectively with dispatch
 - iii. Be readily identifiable as an officer (uniform or plain clothes)
 - h. Availability of backup units to assist
2. ~~If possible, officers should consider the feasibility of the following strategies or tactics prior to initiating foot pursuits:~~
 - a. ~~Area containment~~
 - b. ~~Surveillance~~
 - c. ~~Obtaining additional officers~~
 - d. ~~Canine search/track~~
 - e. ~~Unmanned Aircraft Systems (UAS)~~
3. Pursuing officer(s) responsibility:
 - a. Once the foot pursuit has been initiated (and as soon as practical, considering the difficulty in transmitting under the circumstances), the officer should broadcast the following information:
 - i. Location
 - ii. Direction
 - iii. Description of subject
 - iv. Whether the subject is armed
 - v. Reason for foot pursuit
 - b. Dispatch will notify a supervisor of the pursuit circumstances, if they are unaware, and any other relevant information.

- c. The pursuing officer will coordinate with other officers to establish a perimeter in the area to contain the subject. K9 use should be considered if the subject is believed to be in a confined area.
 - d. If possible, officers should consider the feasibility of the following strategies or tactics prior to initiating foot pursuits:
 - i. Area containment
 - ii. Surveillance
 - iii. Obtaining additional officers
 - iv. Canine search/track
 - v. Unmanned Aircraft Systems (UAS)
 - e. Officers shall terminate a foot pursuit if ordered by a supervisor. If the officer believes that the risk to officers or the public outweighs the necessity for immediate apprehension of the subject, they should terminate the foot pursuit. If the subject's identity is known and the subject does not pose an immediate threat to the safety of the public or other officers, consideration should be given to terminating the pursuit and apprehending the suspect at a later date.
 - f. After termination of the foot pursuit, officers will notify Dispatch with the last known location of the subject or point of apprehension.
4. Supervisor's role:
- a. The supervisor's role is to monitor a foot pursuit and appropriately direct resources to safely apprehend the subject.
 - b. The supervisor should coordinate with involved officers to establish a perimeter. K9 use should be considered if the subject is believed to be in a confined area.
 - c. The supervisor will terminate a foot pursuit at any time if it is determined the danger to the pursuing officers or to the public outweighs the necessity for immediate apprehension of the subject.
 - d. Supervisors acknowledge that uncontrollable environmental factors might inhibit an officer's ability to hear radio traffic. If an officer fails to acknowledge an order for termination of a foot pursuit, the supervisor must continue to air their termination request until an officer complies.

Original SOP: 05/03/2016

(Revised: 09/06/2018, 09/11/2018, 11/19/2019, 12/21/2020, 1/22/2024)

(Reviewed Only: 12/22/2016, 12/26/2017, 01/30/2019, 02/04/2022, 01/31/2023)



**CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE**



Guidelines for Case Assignment and Management

Eff. Date ~~01/24/2022~~ 1/29/2024

Purpose

This procedure establishes Madison Police Department (MPD) standards for assigning cases for follow-up. These should be viewed as guidelines; deviation may be appropriate based on the circumstances of a particular case/incident.

Violent Crimes Unit – VCU	Assignment Criteria
Homicide or Attempted Homicide	<ul style="list-style-type: none"> All cases excluding child deaths (Sensitive Crimes specialty), traffic related homicides/fatalities, and overdose deaths. Officer involved shootings where a suspect/victim/uninvolved citizen is deceased will be investigated by Department of Criminal Investigations (DCI)/other outside agency with assistance of the Officer Involved Critical Incident Team. A District Detective will be assigned to work with the assigned traffic specialist in cases of vehicular homicide, if requested by the Traffic Section.
Firearms Violations	<ul style="list-style-type: none"> Cases involving the discharge of a firearm that result in injury, that intentionally target another (even if no injury), or that result in damage to buildings/vehicles will generally be assigned to VCU. Other firearm related cases will generally be assigned to the District of occurrence. These include suicide, clearly accidental discharges with no criminal charges, and incidents lacking evidence of an intended target. All shots fired cases will initially be routed to VCU for review.
Violent Pattern Felonies	<ul style="list-style-type: none"> Includes robberies, armed home invasions, and weapons offenses; will be assigned to VCU as resources permit. Cases that do not meet the criteria of “violent pattern felonies” will be referred to the District. Cases may be reviewed on a case-by-case basis if additional circumstances exist.
Kidnapping	<ul style="list-style-type: none"> Will assign all cases unless they fall under the Wisconsin Department of Justice Child Abduction Response Team (CART) guidelines or are familial custody disputes.
High Profile Cases/Special Circumstances	<ul style="list-style-type: none"> Assigned to VCU at Chief’s discretion.

Burglary Crimes Unit – BCU	Assignment Criteria
Burglary	<ul style="list-style-type: none"> All cases will be reviewed by the BCU Detective Sergeant for assignment/follow-up.

Special Victims Unit – SVU	Assignment Criteria
Infant/Child Death Investigation	<ul style="list-style-type: none"> All cases where the death was unrelated to either the use of firearms or an adult victim homicide.
Sexual Assault of a Child	<ul style="list-style-type: none"> All cases involving children will be assigned. SVU will take cases depending upon available resources; District will be responsible for all others.

Physical Abuse of a Child	<ul style="list-style-type: none"> Will assign cases that involve significant injury, based on available resources. All other cases will be assigned to a District Detective on a case-by-case basis depending on circumstances (depth/quality of Patrol investigation, presence of injuries, ages of involved parties, etc.).
Child Neglect	<ul style="list-style-type: none"> Will assign cases that involve significant injury, based on available resources. All other cases will be assigned to a District Detective on a case-by-case basis depending on circumstances (depth/quality of Patrol investigation, presence of injuries, ages of involved parties, etc.).
Internet Crimes Against Children (ICAC)	<ul style="list-style-type: none"> Will assign all tips vetted through DCI. May proactively work cases as time and resources allow.
Child Protective Services (CPS) Screen-Out Reports	<ul style="list-style-type: none"> SVU Supervisor will review all CPS screen-out reports forwarded to MPD and will make an assignment determination on appropriate disposition. Disposition includes assigned follow-up by Patrol, District Detectives or SVU Detectives. If no follow-up is needed, SVU Supervisor or SVU Detectives will generate a case number for the CPS report and enter report contact information into MPD Law Enforcement Records Management System (LERMS) under case incident type "CPS Information".
Other sensitive cases	<ul style="list-style-type: none"> Assigned to SVU at Chief's discretion.

Case Type – Districts	Assignment Criteria
Reckless Endangering	<ul style="list-style-type: none"> If an arrest has been made, will be assigned only if follow-up is needed. If suspect is at large and injuries resulted, case will be assigned to a Detective. If suspect is at large and is unknown, case will be assigned if unusual circumstances are present or if a review of the case indicates solvability (witnesses, physical evidence, etc.). If suspect is at large and is known, case will be assigned to a Detective. VCU will be responsible for any cases in which a firearm was discharged or an officer is the victim; see above.
Robbery	<ul style="list-style-type: none"> If an arrest has been made, will be assigned only if follow-up is needed. If suspect is at large and injuries resulted, case will be assigned to a Detective. If suspect is at large and is unknown, case will be assigned if unusual circumstances are present or if a review of the case indicates solvability (witnesses, physical evidence, etc.). If suspect is at large and is known, case will be assigned to a Detective. VCU will be assigned cases in which it is determined there is a pattern. Communication between VCU and the District will occur before any cases currently be investigated by the District are assigned to VCU; see above Violent Pattern Felonies.
Extortion	<ul style="list-style-type: none"> Will be assigned to a Detective on a case-by-case basis, depending upon the circumstances.

Death Investigation	<ul style="list-style-type: none"> • Will be assigned to a Detective if unusual circumstances exist. • Non-suspicious deaths involving elderly, persons with medical issues, or obvious suicides will not be assigned. • Deaths involving infants/children will be assigned to SVU. • All overdose (OD) deaths will be assigned, even if there are no obvious investigative leads, as a liaison for the family and to dispose/return any property related to the case. Degree of investigative follow-up will be based on solvability and other case factors. • Task Force will be notified of all OD deaths investigations. If follow-up occurs, will work with District assigned Detective to provide investigative resources.
Officer Involved Critical Incident	<ul style="list-style-type: none"> • See Officer Involved Critical Incident SOP.
Missing Adult	<ul style="list-style-type: none"> • Will be assigned to a Detective on a case-by-case basis if unusual circumstances exist (i.e. missing person is endangered, presence of unusual behavior, etc.). • Will be assigned to VCU if it is determined that the subject is a victim of foul play.
False Imprisonment	<ul style="list-style-type: none"> • If an arrest has been made, will be assigned only if follow-up is needed. • If suspect is at large and is unknown, case will be assigned to a Detective. • If suspect is at large and is known, case will be assigned if unusual circumstances are present (injuries, continuing threat, etc.).
Threats	<ul style="list-style-type: none"> • Assigned only if unusual circumstances are present (victim is a public figure, continuing/repeated threats, etc.).
Weapons Violations	<ul style="list-style-type: none"> • May be assigned to a Detective if a firearm or other weapon was displayed or other unusual circumstances are present. • All shots fired cases will initially be routed to VCU for review.
Battery	<ul style="list-style-type: none"> • Cases will only be assigned to a Detective if unusual circumstances are present or victim is elderly or a vulnerable adult. • Cases may be returned to Patrol/Neighborhood Police Officer (NPO) for additional follow-up if needed.
Substantial/Aggravated Battery	<ul style="list-style-type: none"> • If an arrest has been made, will be assigned only if follow-up is needed. • If suspect is at large and is unknown, case will be assigned if unusual circumstances are present or if a review of the case indicates solvability (witnesses, physical evidence, etc.). • If suspect is at large and is known, case may be assigned to a Detective/Patrol or NPO for additional follow-up.
Arson/Fire Investigation	<ul style="list-style-type: none"> • Assignments will be made in conjunction with the Arson Lieutenant or at the request of Madison Fire Department (MFD) personnel and/or the Detective Lieutenant.
Sexual Assaults (1st, 2 nd , and 3rd Degrees)	<ul style="list-style-type: none"> • All cases will be assigned to a Detective, even if an arrest has been made, as most will require additional follow-up. • Cases involving sexual activity between juveniles will be assigned based on District Attorney's (DA's) office prosecution criteria. • All cases involving children will be assigned. SVU will assign cases depending upon available resources. District will be responsible for all others; see above.
Sexual Assault (4th Degree)	<ul style="list-style-type: none"> • Cases will only be assigned to a Detective if unusual circumstances are present. • May be returned to Patrol/NPO for follow-up.
Physical Abuse of a Child	<ul style="list-style-type: none"> • Will be assigned to a District Detective on a case-by-case basis

	<p>depending on circumstances (depth/quality of Patrol investigation, presence of injuries, ages of involved parties, etc.).</p> <ul style="list-style-type: none"> • Cases involving serious injury will be assigned to SVU, based on available resources; see above.
Child Neglect	<ul style="list-style-type: none"> • Will be assigned to a District Detective on a case-by-case basis depending on circumstances (need for follow-up, presence of injuries, ages of involved parties, etc.). • Cases involving serious injury will be assigned to SVU, based on available resources; see above.
Lewd & Lascivious	<ul style="list-style-type: none"> • May be assigned to a Detective on a case-by-case basis, depending upon good suspect information, solvability factors, or serial/pattern cases.
Stalking	<ul style="list-style-type: none"> • May be assigned to a Detective on a case-by-case basis depending on circumstances (depth/quality of Patrol investigation, potential for continuing threat/behavior, etc.).
Domestic Cases	<ul style="list-style-type: none"> • Felony domestic cases involving intimate partners will be assigned. • Cases may be assigned to a Detective if unusual or extreme circumstances exist (i.e. repeat offenders). • Intimate partner domestic cases may be assigned to a Detective or NPO to re-contact the victim as a resource. • At-large suspect information will be provided to Patrol/Community Policing Team (CPT)/NPO personnel.
Court Order Violations	<ul style="list-style-type: none"> • May be assigned to a Detective on a case-by-case basis depending on circumstances (depth/quality of Patrol investigation, potential for continuing threat/behavior, etc.).
Enticement	<ul style="list-style-type: none"> • Will be assigned to a Detective. • Cases involving special circumstances (i.e. pattern offenses) will be reviewed with the SVU Lieutenant.
Missing/Runaway Juvenile	<p>Will be assigned to a Detective if any of the following are present:</p> <ul style="list-style-type: none"> • The juvenile has a mental/physical disability that could subject the juvenile to risk. • The juvenile is under the age of 12. • There is any indication that the juvenile's missing status is involuntary. • The juvenile is part of a custody dispute. • The juvenile's missing status is unusual or unexpected. • The juvenile has been missing more than one week. • Juvenile has a history of sexual abuse (i.e., at risk for human trafficking). • Will otherwise be assigned a Patrol officer.
Animal Abuse or Suspicious Death	<ul style="list-style-type: none"> • Will be assigned to a Detective on a case-by-case basis, dependent upon solvability factors and available investigative resources.
Stolen Vehicles	<ul style="list-style-type: none"> • Assigned to a Detective Patrol Officer for five working days unless unusual circumstances or a pattern are present. Each District Stolen Auto Detective will attend a weekly meeting with BCU to discuss cases, and if necessary, BCU will adopt more complex cases involving the same suspect(s)
Annoying Phone Calls	<ul style="list-style-type: none"> • Not assigned to a Detective unless unusual or extreme circumstances are present.
Theft From Auto	<ul style="list-style-type: none"> • Predominately a Patrol responsibility. • May be assigned to a Detective if a suspect is identified and/or patterns develop.
Retail Theft	<ul style="list-style-type: none"> • Not assigned to a Detective unless unusual circumstances or a pattern are present.

Crimes Against Officers (Battery to PO, Significant Exposure, Felony Resisting)	<ul style="list-style-type: none"> • Will be assigned to a Detective.
Financial Crimes (Credit Card/Internet Fraud, Worthless Checks, Counterfeit Currency, Embezzlement, Forgery)	<ul style="list-style-type: none"> • Will be assigned to a Detective on a case-by-case basis, dependent upon solvability factors and available investigative resources. • Generally, a minimum loss of \$5,000, actually suffered by victim, is needed for assignment. Exceptions may be made for special circumstances (elderly victim, etc.)

When the case assignment guidelines provide discretion or when considering deviating from them, the following factors should be considered:

- Solvability Factors:
 - A reliable victim or witness is available
 - A suspect has been named or identified
 - A workable description of the suspect has been recorded via video or from an eyewitness statement
 - Significant information about the suspect(s) location has been recorded (local resident or longtime customer, etc.)
 - The suspect has been previously seen at the scene of the crime
 - A suspect vehicle that contains a partial plate or unique physical characteristics is reported to law enforcement
 - Stolen property that is traceable to the owner (cell phone, serial numbers, photos of the property, etc.)
 - A significant or distinctive modus operandi (M.O.)
 - Useable physical evidence (deoxyribonucleic acid (DNA), fingerprints, bullet casings, etc.)
 - Seriousness or type of crime and value of loss
- Additional factors that could lead to a case assignment in the event the case lacks few or any solvability factors:
 - Cases that have a major impact on the community.
 - Cases that have a linked M.O. that occurred outside the jurisdiction.
 - Management decision to have the case investigated.

Case Load Management

Detective Lieutenants and/or supervisors shall check in with detectives assigned to them **on a quarterly basis at a minimum of on a quarterly basis**. The purpose of the check in is to discuss individual cases currently assigned to the Detective and for the Detective Lieutenant and Detective to work cooperatively to achieve optimal performance.

- The following should be discussed during the check-in:
 - Caseload and individual case management
 - Review cases that have been open for six months or longer
 - Evaluate work product that is incomplete or needs improvement
 - Address any performance issues
 - Identify training needs or training opportunities
 - Mentor inexperienced Detectives and provide feedback
 - Give positive feedback and acknowledge good work

Management of All Active Homicide Cases

- Oversight of all homicide cases will stay with the district or section originally assigned. Depending on the circumstances, the case may be reassigned to a different district, section, or detective. Oversight of the case will still be the responsibility of the district or section originally assigned.

- A homicide case may be reviewed by the Cold Case Review Team (see Cold Case Review SOP)

Management of Evidence Associated with Assigned Cases

- Upon assignment, all evidence associated with the case will receive a final disposition date based on the statute of limitations associated with the crime being investigated. Property Clerks will make an entry into LERMS of the disposition date.
- Property Clerks will continue to send property disposition notifications to the Detective assigned to the case and the District Detective Lieutenant at three month intervals.
- If after three months a case is still active, the assigned Detective should make a notification to the property room indicating the case is still open.
- A list of evidence with cases that have disposition dates beyond the statute of limitations will be sent to the Detective Lieutenant of the Detective assigned the case for final disposition.
- Detective Lieutenants will be expected to meet with the assigned Detective and determine an appropriate disposition for evidence that remains in the property room beyond the statute of limitations.

Management of Cases Previously Assigned to a Retiring or Promoted Detective

Detective/Investigative Lieutenants will complete the following upon notification of retirement or promotion of investigative personnel under their command:

- Ensure all open cases currently assigned to investigative personnel are either closed or reassigned
- Make certain all open homicide cases are organized and prepared in a standardized manner that ensures a smooth transition to the newly assigned detective
- Visibly inspect all desks, lockers, squads, and storage areas to ensure they contain no unresolved cases, evidence, or property
- Detectives who announce their retirement intentions or are promoted out of the rank of Detective should immediately meet with their Detective Lieutenant and discuss a timetable for the disposition of evidence associated with their cases
- Detective Lieutenants should contact the Property Room Supervisor and have a list created which identifies all property associated with the retiring Detective's cases
- The retiring Detective will immediately need to begin the process of determining a disposition for all property and continue the process until all property has a disposition
- Detective Lieutenants should schedule monthly/weekly meetings with the Detective to assess the progress of case dispositions assigned to the retiring Detective
- The goal should be for all property to receive a disposition a month prior to retirement. At the one month prior to retirement mark, Detective Lieutenants should meet with the retiring Detective and discuss any cases that remain open due to an appeal, case status, or pending court action
- Evidence stored in the property room past the retirement date of the case Detective should have a future review date in place for the eventual disposition of evidence associated with the case
- Detectives who give a two week notice should be removed from active case work and spend the remaining two weeks doing property dispositions
- All electronic case files under the control of the retiring Detective should be purged or moved to records

Original SOP: 06/08/2017

(Combination of Management of Cases Assigned by Follow-Up SOP and New SOP Guidelines for Case Assignment and Management: 06/08/2017)

(Revised: 01/25/2018, 02/18/2019, 01/24/2022, 1/29/2024)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Identification of MPD Employees

Eff. Date ~~11/20/2023~~ 02/07/2024

Purpose

The Madison Police Department (MPD) and the community have a legitimate concern that all employees provide proof of identification when they are in uniform, or in plain clothes. Community members have the right to identify commissioned and professional staff of the MPD. In the case of commissioned personnel, it is extremely important that there be no doubt in the minds of constituents that they are dealing with a police officer and that they are protected from individuals who would impersonate a police officer.

Procedure

1. All employees identify themselves by name, rank/title, and badge/employee number when requested to do so.
2. Officers on or off-duty and not in full police uniform will identify themselves as police officers prior to taking any enforcement or corrective action. This also applies to gathering any police information, unless the assignment by its nature (e.g., undercover activities) precludes such identification.
3. A police officer in full uniform will present an MPD identification (ID) card if their identity is questioned by a constituent who, the officer feels, is sincere in the request and honestly has doubt about the officer's identity.
4. On-duty plain-clothes officers will offer their badge and MPD ID for examination to all persons they officially contact.
5. On-duty plain-clothes officers will pin or affix their badge on their outer garment when involved in a police group action where their identity may be questioned by constituents or by other police officers.
6. On-duty plain-clothes officers engaged in larger cases, or police group actions with other law enforcement agencies will wear an outer garment that identifies them as police officers, either on a vest or a jacket while deployed in field work.
7. While in the City-County Building common areas **or any common areas of an MPD facility**, all professional staff and non-uniformed commissioned personnel, will wear an MPD lanyard/ID badge or badge reel/ID badge.

Employee Photos

All commissioned and professional staff are required to have an official employee photo taken when they are hired, change rank/promoted, and/or every five years that they are employed with the department. The Police Executive Office Supervisor will contact employees when they are in need of having an updated photo taken.

Original SOP: 02/25/2015
(Revised: 07/28/2015, 03/09/2020, 11/20/2023, 02/07/2024)
(Reviewed Only: 03/01/2016, 01/09/2017, 12/26/2017, 01/31/2020, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE
Interactions with Transgender and
Gender Non-Conforming Individuals



Eff. Date ~~08/13/2018~~ 03/08/2024

Purpose

The purpose of this **standard operating procedure (SOP)** is to establish guidelines and expectations for Madison Police Department response for services with the transgender community and gender non-conforming individuals. Consistent with our MPD Core Values, we strive to deliver the highest service possible.

Definitions

Cisgender: A term used to describe people who identify with the sex they were assigned at birth.

Gender Non-Conforming: A term for individuals whose gender expression does not fall within traditional expectations of masculine or feminine gender.

Gender Expression: One's external expression of self, not necessarily related to one's gender identity.

Gender Identity: One's internal sense of their gender.

Sex Assigned at Birth: The assignment of biological sex at birth. The assigned sex may or may not reflect one's gender identity, gender expression, or body presentation.

Sexual Orientation: The type of sexual, romantic, emotional/spiritual attraction one feels for others.

Transgender: An umbrella term for persons whose gender identity or gender expression does not conform to that typically associated with the sex which they were assigned at birth.

Procedure

- A. Employees should address transgender and gender non-conforming individuals by the individual's expressed preference, even if the individual has not received legal recognition of the chosen name.
- B. In addressing or discussing a transgender or gender non-conforming individual, employees should use the preferred personal pronouns for that individual (e.g., she/her/hers, he/him/his, they/them/theirs, etc.). If an employee is uncertain about which personal pronouns to use, the employee should respectfully and mindfully ask the individual which pronouns would be preferred.
- C. Employees shall not use language that a reasonable person would consider demeaning or derogatory; in particular, language aimed at a person's actual or perceived gender identity, gender expression, or sexual orientation.
- D. Employees shall not make assumptions regarding an individual's sexual orientation based on the individual's gender identity or expression.
- E. Employees shall not disclose an individual's transgender or gender non-conforming identity to any other person or group absent a proper law enforcement purpose.
- F. Officers should be cognizant of the fact that transgender and gender non-conforming individuals may have unique medical needs and good faith efforts should be taken to facilitate those known/expressed conditions requiring a timely medical response.
- G. All searches shall be done in compliance with the MPD SOP on Searches.

Records: Name and Gender Classification for Data/Report Purposes

- A. For all subjects ~~an offender/arrestee~~, officers shall report the biological sex of the person as it appears on an official government identification. Other names used should be entered into the report/law enforcement records management system (LERMS) as an alias.
- ~~B. For a victim who identifies as transgender, officers shall use the gender with which the victim identifies. If the victim holds identification with another name and gender, this should be recorded as the alias.~~
- B. When completing narratives that include transgender or gender non-conforming individuals, officers will note the individual's legal information in the report; however, the individual's chosen name and personal pronouns will be used during the body/narrative of the report.

Original SOP: 07/19/2018

(Revised: 08/13/2018, 03/08/2024)

(Reviewed Only: 01/31/2020, 02/04/2022)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Line of Duty Death of an Employee

Effective Date: ~~01/31/2023~~ 1/23/2024

Purpose

The purpose of this SOP is to outline the Madison Police Department's response to a line of duty death.

The Madison Police Department (MPD) recognizes that a line of duty death will likely have far-reaching affects across the agency and the community, and will require a timely and sensitive response to the needs of the involved officers, surviving family members, the organization, and the community.

The Madison Police Department recognizes that adhering to an incident command model, with clearly defined assignments/roles, will greatly assist the surviving family members and the organization in the aftermath of a line of duty death.

The Madison Police Department recognizes that proper "notification" is a critical component of the survivors' ability to adjust to the loss of a family member.

The Madison Police Department recognizes that ensuring survivor benefits are in order and quickly addressed will assist the surviving family in the aftermath of their loss.

The Chief of Police may institute any part of this policy for a non-commissioned employee of the Madison Police Department, or for any death of a Madison Police Department Public Safety Officer.

Definitions

Public Safety Officer: An individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer.

Line of Duty Death (LODD): Any action, felonious or accidental, which claims the life of a Madison Police Department sworn employee, while on duty. This definition is for the purposes of this policy only. Also:

Pursuant to 34 U.S. Code SUBCHAPTER XI— PUBLIC SAFETY OFFICERS' DEATH BENEFITS, a line of duty death is presumed when a public safety officer dies from a heart attack, stroke, or vascular rupture while engaged in, on duty, or within 24 hours of participating in a non-routine stressful or strenuous physical law enforcement service, or a training exercise involving non-routine stressful or strenuous physical activity.

Survivors: Primary family members of the deceased employee, including spouse, children, grandchildren, parents, grandparents, siblings, fiancé, and/or significant others.

LODD Involved Officer: An officer who is directly involved in the line of duty death of another officer.

Family Liaison Officer: A member of the Madison Police Department who is assigned to the survivors of the officer killed in the line of duty, for the purposes of coordinating communication between the survivors and the involved agency to include funeral arrangements, benefits, and investigative updates. In most cases, this will be a member of the MPD Peer Support Team who has received specialized training in dealing with line of duty deaths and the role of a Family Liaison Officer.

Employee Designated Representative (EDR): A pre-identified person, of the deceased officer's choosing, who can act as a liaison between the survivors, the Family Liaison Officer(s), and the Madison Police Department.

Law Enforcement Death Response Team (LEDR): The Wisconsin Department of Justice Law Enforcement Death Response team is an available resource/team that is trained to assist with all details surrounding the death of a law enforcement officer, regardless of the circumstances. LEDR's response is willing to assist any agency in any manner requested and can include: Death Notification, Critical Incident Debriefings, Peer Counseling, Funeral Service Preparations, Public Safety Officer Benefits (PSOB), Family Support, Media Coordination, and Department logistics.

Notification Team: The personnel responsible for notifying the next of kin of a deceased employee. Ideally, this team consists of the Chief of Police or designee, the person(s) designated in the employee's emergency notification packet, and a representative from the county medical examiner's office, with emergency medical technicians (EMTs) standing by; however, the time necessary to fully assemble and deploy this team must be balanced against the prompt notification of survivors, with special consideration given to any possibility that a survivor might be able to reunite with an employee before their passing.

Procedures

Pre-Incident

1. All employee photographs shall be kept up-to-date.
2. Employees will meet with their supervisor annually to review and edit (if necessary) all paperwork related to critical incidents and emergency notifications.
 - a) In order to make prompt notification to an employee's family, in the case of a death, an Employee Emergency Notification packet is saved to the employee's personnel file in LERMS. This packet will contain a notification sequence for each employee of the Madison Police Department, indicating who should be notified first, second, third etc., their addresses, and phone numbers. Employees should include in this sequence someone who would be able to contact/locate dependents who are in school or additional people to contact. Employees may also identify an Employee Designated Representative. See Employee Emergency Notification Information Packet (Form A).
 - b) All employees are encouraged to make sure they have up-to-date beneficiary designations in place.
 - c) Employee Emergency Notification packets shall only be viewed for official purposes related to a notification, or for administrative purposes by the supervisor responsible to ensure the form has been reviewed annually. Access history to Employee Emergency Notification packets will be audited to ensure that only appropriate access occurs.
3. Peer support officers who can act as Family Liaison Officers should attend training that teaches best practices in dealing with line of duty deaths.

In the Event of a Line of Duty Death

A. Duties of LODD Involved Officer(s)

1. Immediately notify dispatch of incident and location. When practical, any radio communication should be done over an encrypted radio channel.
2. Render first aid and request response by emergency medical services.
3. Officer(s) shall inform a supervisor or the Officer-in-Charge of the incident as soon as possible.
4. Protect and secure the scene until relieved.
5. Identify witnesses for subsequent interviews. The LODD involved officer(s) shall not participate in the interviews of witnesses.
6. Brief the first arriving supervisor of the nature of the incident.
7. Reporting requirements for LODD involved officer(s) will be completed by investigators assigned to the incident. LODD involved officers will not be required to prepare a written report.

B. Duties of the On Scene Supervisor

1. Assume responsibility for the security and preservation of the scene. The involved agency is responsible for the initial response unless relieved by an outside agency lead investigator.
2. Notify the Officer-in-Charge.
3. Ensure that a LODD non-involved supervisor, if not already at the scene, responds immediately to the scene of the incident. (A LODD non-involved supervisor is defined as one who has not been involved specifically at the scene, or involved in any tangential fashion, e.g., operation entry planning, drafting of search warrants, surveillance officers, intelligence gathering, etc.).
4. If necessary, establish a scene command post and give location to the Dane County Public Safety Communications (911 Center).
5. As soon as practical, relieve the officers directly involved in the line of duty death of any further responsibilities at the scene.
6. Identify and separate witnesses until the arrival of the lead investigator and/or other outside investigators.
7. If an outside agency lead investigator is involved, provide all necessary information to the outside agency lead investigator, and then relinquish control of the investigation to the outside agency lead investigator.

C. Duties of the Officer-in-Charge (OIC)

1. The Officer-in-Charge shall retrieve all employee paperwork completed by the deceased officer, which is maintained in the employee's personnel tab in LERMS. The OIC will review the packet for the names of any on-duty officers who are requested to be part of the notification team. If possible, those officers will be taken out of service and immediately assigned to the notification team.
2. Notify the Officer Involved Critical Incident (OICI) team commander or designee, and the Forensic Services Sergeant.
3. Notify the Chief, the Assistant Chief of Operations, and the Assistant Chief of Investigative and Specialized Services.
4. Notify Commanders of the District where the incident occurred. If the incident occurred outside of the employee's assigned district, the District Commanders of the involved employees should also be notified.
5. In the event of an Officer Involved Death or Other Critical Incident, refer to that SOP.
6. Notify the Captain of the "back-up" District where the incident occurred. For example, West District is backed up by Midtown District. In most cases, this commander will eventually become the Hospital Supervisor.
7. Contact Dane County Public Safety Communications (911 Center) Supervisor to inform on-duty officers of the status of the incident (e.g., injuries to officers and citizens community members, or other important information). This should be done via silent dispatch, utilizing the Mobile Data Computer (MDC), and should contain the following information:
 - a. Name of the deceased officer(s);
 - b. Name of LODD involved employee(s) and their status;
 - c. Directive to on-duty officers to refrain from any information sharing outside of MPD, including social media posting;
 - d. Advise on-duty officers it is appropriate to communicate to their own families their current status, but they should refrain from sharing any other information until authorized by a commander. It is critically important that information is not inadvertently shared with survivors.
8. Notify the Madison Professional Police Officers Association (MPPOA) or Association of Madison Police Supervisors (AMPS) President, or another member of the MPPOA/AMPS board if the President is not available.

9. Notify the Peer Support Team Coordinator and deploy any on-duty Peer Support Officers to initiate the Critical Incident Stress Management protocol.
10. After formal notification to the involved officer's family has been made, and in coordination with the Incident Commander, notify the department, via phone chain, followed by an email (sent to PD Group), that an MPD employee/officer was killed in the line of duty. The OIC will identify the officer by name, rank, and the location of the event, the location for all employees to assemble at if they decide to come in to work for support purposes. This email notification shall direct all employees to refrain from making social media notifications about this incident.
11. All media releases shall be cleared through the Internal Communications Commander and/or the Incident Commander. The name of the deceased employee will not be released to the media by the Department before the immediate family is notified. If the media obtains the employee's name prematurely, the Chief of Police or designee will request the name to be withheld until proper notification can be made to the survivors.

D. Duties of the Notification Team

1. It is the responsibility of the notification team to properly notify the next of kin of an employee who has died in the line of duty. Consideration should be given to immediate family, extended family, significant others, and relevant military branches. The deceased employee's *Emergency Notification Packet* must first be consulted. Prompt notification must be balanced with the wishes of the employee, if noted in their packet, with special consideration given to any possibility that a survivor might be able to reunite with an officer before their death. Additionally, expedience is of the utmost concern in consideration of instant social media, instant messaging, and other means in which the survivor family could learn of the tragedy before proper notification can take place.
2. If there is knowledge of a medical problem with an immediate survivor, medical personnel should be immediately available at the time of notification.
3. Notification will be made in person and ideally never alone. At least two vehicles should be used so someone can stay with the family, if necessary.
4. Never make a death notification on the doorstep. Ask to be allowed into the residence and gather the survivors together. If the survivor is at work, the notification team should request that the survivor be brought to a private room. Members shall not inform the workplace supervisor of the purpose of the visit other than to indicate that it is a family emergency.
 - a. Inform survivors slowly and clearly of the information that you have.
 - b. If specifics of the incident are known, the notification team should relay as much information as possible to the family.
 - c. Be sure to use the deceased officer's name during the notification. Never give the family a false sense of hope. Use words such as "died" and "dead" rather than "gone away" or "passed away." Experience has shown that survivor family members want and need straightforward talk. State the facts as known. Be clear on what information is known and what is not yet known.
5. If the family requests to visit the hospital, they should be transported by police vehicle.
 - a. It is highly recommended that survivors not drive themselves to the hospital.
 - b. If the survivor insists on driving, someone should accompany them in the family car.
 - c. If young children are at home, and the survivor's decision is for those children to remain at the home, the notification team should arrange for babysitting needs. This may involve a co-worker's family, transportation of children to a relative's home, or similar arrangements.
6. Survivors will not be discouraged from viewing the deceased.
7. Do not be overly protective of the family. This includes sharing specific information as to how the employee died, as well as allowing the family time with the deceased employee.
8. Any promises, such as, "We will promote him/her posthumously," or "We will retire his/her badge," shall not be made to the family by any person except the Chief, and even then,

strong consideration should be made to withhold such promises and actions until the emotion of the incident is under control.

9. Prior to departing for the hospital, the notification team should notify the hospital staff and the Hospital Supervisor (by telephone, if possible) that survivors are en route so that arrangements can be made for their arrival.
10. The deceased employee's parents should also be afforded the courtesy of a personal notification whenever possible and practical. Be aware of any medical problems of the parents that may exist. If immediate survivors live beyond the Dane County area:
 - a. The notification team will ensure that a teletype message is sent to the appropriate jurisdiction, requesting a personal notification.
 - b. The notification team may choose to call the other jurisdiction by telephone, in addition to the teletype (TTY) message.
 - c. Arrangements should be made through the notifying agency to facilitate a conference call with the notification team, so details of the incident can be relayed directly from the notification team to the survivor family.
11. During a line of duty death, the external monitoring of police frequencies may be extensive. Whenever possible, communications regarding notifications should be restricted to the telephone.
12. The notification team should complete written details specifying the identity, time, and place of the survivor notifications.
13. The notification team should remain at the hospital while the family is present until adequately relieved by the family liaison(s).

E. Duties of the Hospital Supervisor

1. The Hospital Supervisor is responsible for coordinating the activities of hospital personnel, the survivor's family, Department personnel, the press, and others. This person is typically a commander from the "back up" District. It is essential this role is filled without delay in order to prevent loss of control at the hospital. These responsibilities include, but are not limited to the following:
 - A. *Family Receiving Area*: Arrangements shall be made with hospital personnel to provide an appropriate, private waiting/receiving area for the family and others invited by the immediate survivors.
 - B. *Command Receiving Area*: Arrangements shall be made for a separate waiting area for the Chief, Command Staff, and other Officials (if needed).
 - C. *Officer Receiving Area*: Arrangements shall be made for fellow MPD officers to assemble (please note that a District Station could be designated as such).
 - D. *Press Area*: Establish a press staging area.
 - E. Ensure that the family is updated regarding the incident and the employee's condition upon their arrival at the hospital.
 - F. Ensure that medical personnel relay pertinent information regarding an employee's condition to the family on a timely basis and before such information is released to others.
 - G. Arrange transportation for the family back to their residence as needed. This should be coordinated with the Family Liaison.
 - H. *Hospital Security*: Contact the head of hospital security to ensure patient privacy and the normal functioning of the hospital. Contemplate the need to designate officer-parking protocols for the hospital.
 - I. Coordinate with the OICI Hospital Supervisor if relevant.
 - J. Implement a squad-parking plan around hospital.
2. If it is possible for the family to visit the critically injured officer before death, they should be afforded that opportunity. While it may be appropriate to prepare the family for what they are about to see, no attempt should be made to dissuade the family from that final visit due to worry of them witnessing trauma. Evidence is a factor that should be considered and evaluated before contact is allowed. Consideration should be given to

processing for evidence a small portion of the critically injured or deceased officer's body (hands, face) so that family members may touch those areas.

3. Do not be overly protective of the family. This includes sharing specific information as to how the employee died, as well as allowing the family time with the deceased employee.
4. Any promises, such as, "We will promote him/her posthumously," or "We will retire his/her badge," shall not be made to the family by any person except the Chief, and even then, strong consideration should be made to withhold such promises and actions until the emotion of the incident is under control.

F. Duties of Assistant Chief of Investigative & Specialized Services

1. Will make the request for an outside agency lead investigator, or outside agency observer. If an outside agency lead investigator is unavailable, MPD will oversee the criminal investigation and assign a lead investigator.
2. Will evaluate the need for an administrative review and/ or the need for Professional Standards & Internal Affairs (PSIA) investigation.

G. Duties of the Investigative Commander

1. This position is typically assigned to an MPD Assistant Chief or Captain and is responsible for coordinating investigative resources related to the line of duty death. This person will typically be the Captain of Investigative Services.
2. Contact Assistant Chief of Investigative & Specialized Services and notify them of the line of duty death.
3. In the event of an outside agency criminal investigation, coordinate with the investigating agency to make certain they have access to all necessary MPD resources to conduct the investigation.
4. Make investigative assignments and coordinate investigative efforts.
5. Management of investigative personnel (assignments, monitoring hours worked, etc.).
6. Managing overtime and arranging relief for investigative staff.
7. Communicate investigative updates to the Assistant Chief of Investigative & Specialized Services and the Incident Commander.
8. Designate case as "Extraordinary" for Telestaff/payroll purposes (if appropriate).

H. Duties of the Incident Commander

1. This position is typically assigned to an MPD Assistant Chief or Captain and is responsible for coordinating MPD operational resources. This person should not be in charge of any investigation related to the line of duty death. This person will typically be the Operations Captain.
2. Establish and staff a Department Command Post (CP), if necessary, to coordinate information and response to the tragedy.
3. Ensure a Hospital Supervisor has been assigned.
4. Ensure an Honor Guard Commander has been designated and the duties fulfilled.
5. Ensure that at least one Family Liaison Officer has been designated and the duties fulfilled.
6. Ensure a Staffing Commander has been designated and the duties fulfilled.
7. Designate an Internal Communications Commander.
8. In conjunction with the Honor Guard Commander, ensure the issuance of a teletype message to formally announce the line of duty death. As soon as practical, an initial TTY may be distributed with the announcement and that arrangements are pending. Details of arrangements should be withheld until completely verified; once that happens, subsequent TTY and email release should be considered. Extreme care should be given to releasing a TTY with information that will need to be changed or withdrawn. A follow-up TTY shall include the following:
 - a) Name of deceased.

- b) Date and time of death.
 - c) Circumstances surrounding the death.
 - d) Funeral arrangements (state if service will be private or a police funeral).
 - e) Expressions of sympathy in lieu of flowers.
 - f) Contact person and phone number for visiting departments to call to indicate their desire to attend or to obtain further information.
9. Direct the wearing of badge mourning bands and any other Agency memorials.

I. Duties of the Peer Support Commander of the Family Liaison Officers

1. This person will assign and oversee the Family Liaison Officer and will monitor the wellbeing of any designated Employee Designated Representative (EDR) from MPD. Typically, this person will be a lieutenant assigned to the Peer Support program. The Peer Support Commander of the Family Liaison Officers will report directly to the Incident Commander until the completion of ceremonial events related to the line of duty death; the Peer Support Commander will then report to the Commander of Support Services.
2. Designate at least one Family Liaison Officer with consideration not to designate someone so close to the survivor family that they would not be able to handle the responsibilities of this role.
3. Coordinate the schedules of the Family Liaison Officers to provide as much daily availability to survivors as possible.
4. Place the Family Liaison Officers on special assignment in order to fulfill their duties.
5. Ensure that the Family Liaison Officers have department issued cell phones and that the phone numbers are shared with the Incident Commander and the Honor Guard Commander.
6. Work with the Family Liaison Officer to coordinate Employee Assistance Program (EAP) and Critical Incident Stress Management (CISM) responses for the survivors.
7. If an MPD Employee Designated Representative (EDR) is working with survivors, monitor the wellbeing of the EDR with recognition that this is an extremely emotionally taxing role.
8. Place the Critical Incident Partner (CIP) on special assignment in order to fulfill their duties.

J. Duties of the Family Liaison Officer

1. This person is a facilitator between the survivors and the MPD. It is important that this person not be someone so close to the survivor family that they would not be able to handle the responsibilities of this role. This person(s) will report directly to a Peer Support Supervisor.
2. The Family Liaison Officer is not a decision-making position, but a “facilitator” between the survivors and the MPD. It is important that the person(s) assigned this role realize they are not to make decisions on behalf of the MPD. The Family Liaison Officer will have immediate access to the Department Incident Commander, the Honor Guard Coordinator, and the Benefits Coordinator so necessary decisions can be made immediately.
3. In conjunction with the Honor Guard Commander or their designee, assist the survivors with funeral arrangements and making them aware of what the Department can offer if they decide to have a law enforcement funeral.
4. Apprise the survivors of information concerning the death and the continuing investigation.
5. Provide as much assistance as possible, including overseeing travel and lodging arrangements for out-of-town family members, arranging for food for the family, meeting childcare and transportation needs, etc. The Peer Support Commander should contact the MPPOA or AMPS President, or board member if the President is unavailable, to discuss and coordinate financial and other logistics associated with these needs.

6. Work with the Benefits Coordinator to obtain needed information from the family for benefit processing, as well as keeping the family apprised of the progress with the death benefits.
7. Work with the deceased officer's district command to ensure that the officer's personal property is returned to the family.
8. Work with the department coordinator regarding "Donations" to the family.
9. If no court proceedings surround the circumstances of the member's death, the Family Liaison Officer will relay all details of the incident to the family at the earliest opportunity. If criminal violations surround the death, the Family Liaison Officer will:
 - a. Inform the family of all new developments prior to press release.
 - b. Keep the family apprised of legal proceedings.
 - c. Introduce the family to the Dane County Crime Response Program Unit and the Dane County Victim/Witness coordinator.
 - d. Arrange for investigators and prosecutor(s) to meet with the survivors, at the earliest opportunity before and following any trial, to answer all their questions.
10. The Family Liaison Officer acts as a long-term liaison with the survivors to ensure that, if desired, close contact is maintained between the MPD and the survivors and that their needs are met.

K. Role of the Employee Designated Representative (EDR)

1. This person is predetermined and of the deceased officer's choosing.
2. This person is identified when MPD commanders access your Emergency Death Information Packet (Form A), which is stored in the employee's personnel file in LERMS.
3. If an officer did not identify an Employee Designated Representative on the Emergency Notification Form, the department may appoint one if requested.
4. The Employee Designated Representative will coordinate with the Family Liaison Officer.

L. Duties of the Honor Guard Commander

1. This is the person who will oversee and coordinate the planning and implementation of all aspects of the funeral arrangements. The Honor Guard Commander will also be primarily responsible for external communications to the greater law enforcement community. This person will report directly to the Incident Commander.
2. Notify the Law Enforcement Death Response Team (LEDR). This notification can be made by contacting the Wisconsin State Patrol Regional Post, where all contact information for the LEDR Team is maintained. LEDR Team contact information is also located at www.wichiefs.org.
3. Work with the Incident Commander and the Notification Team with regard to timely release of initial information via TTY and email. Details of arrangements should be withheld until completely verified; once that happens, subsequent TTY and email release should be considered.
4. Coordinate all movement of the deceased in a ceremonious fashion. This includes any procession from the hospital to the morgue.
5. As soon as possible, arrange for a 24-hour guard that is posted to stay with the fallen officer. While this is a function of the Honor Guard, other sworn employees of the agency can be assigned this role. This 24-hour-a-day posting should start at a minimum following the release of the deceased by the Medical Examiner.
6. As soon as feasible and practical, in conjunction with the Family Liaison Officers, meet with the survivors to determine their wishes regarding MPD participation in the preparation of the funeral or services. Any information in the employee packet shall be shared with the family at this time. The family shall be assured that the MPD is willing and able to coordinate all arrangements, but no decisions will be made without their input and approval. (Should the family elect to not have a law enforcement funeral, the Chief must

consider holding a Department memorial service in recognition of the need for co-workers to grieve and experience some closure to the line of duty death.)

7. Work closely with the family-identified Funeral Director and Clergy to develop arrangements. Attention will be given to selecting venues that will be capable of accommodating the large law enforcement response, and in the absence of such venues, developing contingency plans, as needed.
8. In accordance with Honor Guard Policy, ceremonial aspects of the visitation and funeral arrangements will be planned by the Honor Guard Coordinator.
9. Determine what public safety, church, fraternal, and labor organizations will provide in terms of financial assistance for out-of-town family travel, food for funeral attendees following the burial, etc.
10. Evaluate the necessity of reaching out other Honor Guard resources.
11. For the funeral, if necessary:
 - a. Designate a *Logistics Lead* whose responsibilities include the following:
 - I. Arrange for adequate water/food at each venue.
 - II. Arrange for portable restrooms, if needed.
 - III. If deemed necessary, arrange for bus transportation from alternate staging/parking locations to venues.
 - IV. Responsible for copying and distribution of funeral instructions for visiting agencies.
 - V. Responsible for documenting all visiting agencies and dignitaries.
 - VI. If directed, coordinate having someone video record services and document agencies present.
 - b. Designate a *Traffic Coordinator* whose responsibilities include the following:
 - I. Coordinate/Manage traffic and parking at each venue including visitation, funeral, cemetery, and any fellowship function.
 - II. Collaborate with any involved jurisdictions for needed traffic control for visitation, funeral, and procession.
 - III. Under direction of the Honor Guard Commander, direct the assembly of the squad and vehicle procession.
 - IV. Pre-plan and designate the procession route in consultation with the Honor Guard Commander.

M. Duties of the Internal Communications Commander

1. This person will coordinate the internal communications related to the line of duty death including, but not limited to, support services updates, investigative updates, and ceremonial activities. This person will report to the Incident Commander, but will also be in regular contact with the Investigative Commander, and the Support Commander and will share and coordinate information from these branches to MPD personnel at regular intervals.
2. Coordinate timely department-wide notifications, releasing factual information with directives regarding confidentiality.
3. This person will coordinate with the Public Information Officer (PIO) regarding external communications.

N. Duties of the PIO

1. This person will be responsible for external communications regarding the incident.
2. This person must coordinate all external releases of information regarding the incident with the Internal Communications Commander.
3. The name of the decedent should be withheld until survivors are notified.
4. If the ~~media-media~~ learns the identity of the decedent prior to notifications, the PIO will request the name be withheld until proper notification can be made to the survivors.

O. Duties of the Staffing Commander

1. This person is responsible for ensuring the staffing of all critical department assignments through the conclusion of ceremonies related to the line of duty death.
2. If necessary, coordinate deployment of outside law enforcement agencies to cover functions of patrol services at the time of the funeral, if deemed necessary.
3. Coordinate extra patrol of family residence throughout all phases of the planning, visitation, and funeral.

P. Duties of the District

1. Ensure that involved personnel have had appropriate opportunities to contact family members, Union officials, and/or attorneys.
2. Coordinate with the Support Commander to ensure that EAP and trauma services have been offered.
3. Ensure that regular command updates are given to the Chief and Assistant Chief of Operations.
4. If applicable, ensure that the Significant Exposure to Blood Borne Pathogens SOP is followed.
5. Responsible for Community Care tasks.
6. Arrange for the cleaning out of the employee's workspace and/or locker, as well as the delivery of the employee's personal belongings to the family at an appropriate time. This should be coordinated through the Family Liaison Officer.

Q. Duties of the Support Commander

1. This position is typically assigned to an MPD Assistant Chief or Captain and will be primarily focused on providing support to commissioned and non-commissioned personnel. This support will come in many forms including, but not limited to, Peer Support, EAP, LEDR, and Finance (Benefits). This person will typically be the Peer Support Captain.
2. Designate a Peer Support Commander of the Family Liaison Officers.
3. Designate an Internally Focused Peer Support Supervisor and ensure that Peer Support is immediately activated.

R. Duties of the Internally Focused Peer Support Supervisor

1. This person is responsible for coordinating MPD's internal EAP, Peer Support, and CISM resources in response to a line of duty death. This assignment reports to the Support Commander.
2. Ensure that police witnesses and other employees, who may be emotionally affected by the death of another employee, will be afforded the opportunity to attend a Critical Incident Stress Management (CISM) debriefing held by a trained mental health professional (EAP).
3. Ensure that services of the LEDR Team, as well as the Department's contracted Employee Assistance Program (EAP) provider is activated immediately.
4. Coordinate all EAP, Peer Support and CISM response.
 - i. EAP responsibilities:
 1. Coordinate a CISM response for the involved officers.
 2. Coordinate a CISM response for MPD command staff.
 3. Provide grief support services for all impacted MPD employees (civilian and commissioned)
 - ii. Peer Support Responsibilities:
 1. Assist EAP staff in identifying impacted MPD personnel and coordinating CISM response.
 2. Provide a supportive presence at the Districts.

3. Conduct follow up check-ins as requested.
4. Provide grief support to impacted MPD personnel if/when requested.

S. Duties of the Benefits Coordinator

1. This role will typically be filled the MPD Human Resources Coordinator.
2. This person will work with benefits specialists from LEDR and Concerns of Police Survivors (COPS) to ensure every available survivor benefit is explored.
3. This person will coordinate with the Family Liaison Officer(s) to share benefits information with the appropriate survivors.
4. This person's responsibilities will continue well after the immediate event.
5. This person will report directly to the Department Support Commander.
6. This person will be responsible for the following:
 - a. Filing Workers' Compensation claims and related paperwork.
 - b. Contacting the appropriate agencies immediately to ensure that the beneficiary receives death and retirement benefits, the employee's remaining paychecks, and payment for remaining annual and compensatory time.
 - c. Gathering information on all benefit/funeral payments, to include the Federal Public Safety Officers Benefits Act that is available to the family.
 - d. Notifying police organizations, such as Wisconsin Professional Police Association (WPPA), and any other fraternal organizations of which the employee was a member. These organizations may also offer financial assistance with logistical needs of the funeral services.
 - e. Preparing a printout of the various benefits/funeral payments that are due to the family, listing named beneficiaries and contacts at various benefits offices and when they can expect to receive payment.
 - f. Meeting with the surviving family a few days after the funeral to discuss the benefits they will receive, what has been done, as well as what has yet to be completed. A copy of the prepared printout and any other related paperwork should be given to the family at this time.
 - g. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the child(ren) may be receiving.
 - h. Attention should be given to the revocation of health care benefits. Many providers allow a 30-day grace period before canceling or imposing monthly payments upon survivors.
 - i. Continue meeting with the family until benefit applications are well underway. Then, meet with the family in four to six months to ensure they are receiving benefits.

T. Public Safety Officer Death Benefit (PSOB)

1. Public Safety Officer Death Benefit (PSOB) is a program that provides a death benefit to eligible survivors of a public safety officer whose death is the direct and proximate result of a traumatic injury sustained in the line of duty or certain work-related heart attacks or strokes. To receive a death benefit, the claimant must establish that the public safety officer died as the direct and proximate result of an injury sustained in the line of duty. Under the program, it is presumed that a public safety officer who dies from a heart attack, stroke, or vascular rupture, while engaged in, on duty after, or within 24 hours of participating in a non-routine stressful or strenuous physical law enforcement activity, or other emergency response activity, or a training exercise involving non-routine stressful or strenuous physical activity, has died in the line of duty for death benefit purposes. The PSOB program pays a one-time lump sum death benefit to eligible survivors of a public safety officer killed in the line of duty. The amount paid to the officer's survivors is the

amount authorized to-be paid on the date that the officer died, not the amount authorized to-be paid on the date that the claim is approved.

2. PSOB death benefits are paid to eligible survivors in the following order:
 - a) If the officer is survived by only a spouse and no children, 100% of the death benefit goes to the spouse.
 - b) If the officer is survived by a spouse and children, 50% of the death benefit goes to the spouse and the remaining 50% is distributed equally among the officer's children.
 - c) If the officer is survived by only children and not a spouse, the death benefit is equally distributed among the officer's children. If the officer is survived by neither a spouse nor children, the death benefit is paid to the individual(s) designated by the officer in the most recently executed designation of beneficiary on file at the time of the officer's death. If the officer does not have a designation of beneficiary on file, the benefit is paid to the individual(s) designated by the officer in the most recently executed life insurance policy on file at the time of the officer's death.
 - d) If the officer is survived by neither a spouse nor eligible children and the officer does not have a life insurance policy, the death benefit is equally distributed between the officer's surviving parents.
 - e) If the officer is survived by neither a spouse, nor eligible children, nor parents, and the officer did not have a designation of beneficiary or a life insurance policy on file at the time of his or her death, the benefit is paid to surviving adult, non-dependent, children of the officer.
 - f) A death or disability benefit will not be paid:
 - i. If the fatal or catastrophic injury was caused by the intentional misconduct of the public safety officer or the officer's intention to bring about his or her death, disability, or injury;
 - ii. If the public safety officer was voluntarily intoxicated at the time of his or her fatal or catastrophic injury;
 - iii. If the public safety officer was performing his or her duties in a grossly negligent manner at the time of his or her fatal or catastrophic injury;
 - iv. If an eligible survivor's actions were a substantial contributing factor to the officer's fatal or catastrophic injury.

U. Continued Support for the Family

1. Members of the Department must remain sensitive to the needs of the survivors long after the member's death. The grief process has no timetable. More than half of the surviving spouses can be expected to develop a post-traumatic stress reaction to the tragedy.
2. Holidays may be especially difficult for the family, particularly if small children are involved. Increase contact with the survivors, as additional support is important at these times.
3. The Chief of Police or a designee should observe the member's death date with a short note to the family, flowers on the grave, and/or wreath placement at the Wisconsin Law Enforcement Officers Memorial.

Original SOP: 05/13/2015

(Reviewed Only: 03/04/2016, 12/20/2016, 12/26/2017, 02/04/2022)

(Revised: 01/15/2019, 01/28/2020, 01/31/2023, 1/23/2024)

(Name Change and Overhaul of SOP: 01/28/2020 – previously known as Line of Duty, Life-Threatening Injury or Death of an Employee SOP)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



News Media Relations

Eff. Date ~~01/04/2021~~ 1/22/2024

Purpose

The Madison Police Department (MPD) actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public concern in a manner which does not hamper police operations or the integrity of the investigation. However, certain information must be withheld from the news media in order to protect Constitutional Rights of an accused, to avoid interfering with an active investigation, or because it is legally privileged.

Procedure

NEWS RELEASES / INCIDENT REPORTS / FACEBOOK / TWITTER / INSTAGRAM / YOUTUBE/BLOG

The MPD makes every effort to release information, without partiality, through website postings, social media, news conferences, and other avenues.

1. The on-duty Officer In Charge (OIC) will have the responsibility for the coordination and dissemination of information to the news media relative to significant police operations and/or major incidents during each tour of duty. This would include information about arrests of persons that have a high likelihood of heightened public interest.
2. District Commanders are responsible for reporting information regarding major events and activities that occur within their respective districts which require the use of significant police resources as well as information which addresses crime trends and other issues of public safety. Release of this information should be done through postings on the MPD website, blotters, social media, messages sent to email groups, community meetings, and/or other means. These efforts should be coordinated with the Public Information Officer (PIO).
3. Commanders and supervisors of specialized units (e.g., Dane County Narcotics and Gang Task Force, Traffic Enforcement Safety Team, Community Outreach Team, Amigos en Azul, K9 and Mounted Patrols) are responsible for providing pertinent information to media regarding unit activities. The release of this information may be coordinated with the Public Information Officer.
4. The Office of Professional Standards and Internal Affairs will provide summaries to the media at the time of case disposition per the Complaint Acceptance and Investigation Procedure.
5. Shots fired information will be released only if determined to be confirmed as outlined in the Investigation of Incidents Involving Shots Fired Standard Operating Procedure (SOP).

ON-CAMERA, TELEPHONE, OR IN PERSON INTERVIEWS

We encourage officers to engage in conversations with the media as part of our attempt to be transparent. If the situation is more of a feature story, officers should feel free to talk to the media. When this occurs, the PIO shall be notified of the subject discussed. This notification ideally should be done prior to the interview but can occur after the interview was conducted if time sensitive. should consult with the PIO or a supervisor prior to completing an interview whenever possible.

If the media is trying to interview someone related to a more significant/serious incident or investigation, officers should notify the OIC or a scene supervisor so that a PIO (or other designated person) can provide the necessary interviews with the media.

In serious situations, officers can provide process information or basic information about an incident we have responded to without getting into specifics (i.e., we are MPD is investigating a roll-over crash accident). All on-camera interviews should be coordinated by a scene supervisor or a commanding officer. If the PIO is not called in, an email should be sent to the PIO and the Chief's Office explaining the circumstances around the interview and the topic(s) discussed.

SUPERVISOR RESPONSIBILITIES

It is the responsibility of all supervisors to contact the OIC if they are assigned to or aware of any incident that has a potential public safety concern. These incidents include, but are not limited to, the following:

- Homicide/Attempted Homicide
- Stranger Sexual Assault
- Robbery
- Weapons Violation
- Home Invasion
- Protest or large crowd gathering
- Any other high profile incident that has a significant police presence/response or public safety concern

If there is any doubt whether the incident meets this criteria, please contact the OIC.

PIO RESPONSIBILITIES

When an arrest occurs by the MPD that may result in a heightened public interest, the OIC should contact the PIO by email, unless the situation is urgent. It will be the responsibility of the PIO to write the release of information.

Original SOP: 02/25/2015

(Reviewed Only: 02/04/2016, 12/20/2016, 12/26/2017)

(Revised: 05/02/2018, 08/13/2018, 01/04/2021, 1/22/2024)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Officer Involved Deaths and Other Critical Incidents

Eff. Date ~~06/01/2022~~ 1/23/2024

Officer Involved Death (OID): An incident involving the death of an individual that results directly from an action or an omission of a law enforcement officer while the officer is on duty or while the law enforcement officer is off duty but performing activities that are within the scope of ~~his or her~~ the officer's law enforcement duties.

Other Officer Involved Critical Incident (OICI): An event in which an officer is involved as a principal, as a victim, or is the custodial officer where significant injury likely to cause death occurs or when an officer intentionally discharges ~~his/her~~ their firearm at another person.

Criminal Investigation: An investigation of a critical incident to ascertain all the relevant evidence as to whether or not anyone committed a crime during the course of the event ~~that which~~ led up to and included the critical incident. The criminal investigation is separate and precedes the internal and civil investigation.

Involved Officer: An officer who is directly involved in the critical incident as a principal, a victim, ~~a witness~~, or is the custodial officer.

Involved Agency: The "involved agency" is the law enforcement agency ~~that which~~ employs the officer(s) who is (are) directly involved in the officer-involved death. In the event that officers from more than one agency are directly involved, there can be multiple involved agencies. In such cases, the second agency should be considered an involved agency depending on their level of involvement, if any, in the incident.

Outside Agency Lead Investigator: The outside agency lead investigator has statutory authority to oversee and direct the investigation. The outside agency lead investigator will work with the supervisors of the involved agency in order to accomplish the investigation. The involved agency supervisor(s) will use their formal authority within the agency to assist the lead investigator.

Pursuant to Wis. Stat. 175.47, the ~~Madison Police Department~~ (MPD) will request that an outside agency conduct the criminal investigation of any officer involved death where an MPD officer is a principally involved officer. MPD, if requested, may conduct the criminal investigation of another agency's officer involved death if approved by the Chief or designee.

A. **Officer Involved Death: Duties of Involved Officer(s)**

1. Immediately notify dispatch of incident and location.
2. Render first aid and request response by emergency medical services.
3. Officer(s) shall inform a supervisor or the Officer-in-Charge (OIC) of the incident as soon as possible.
4. Protect and secure the scene until relieved.
5. Identify witnesses for subsequent interviews. The involved officer(s) shall not participate in the interviews of witnesses.
6. Brief the first arriving supervisor of the nature of the incident and consider providing a voluntary Public Safety Statement according to Section C below.
7. When relieved of duties at the scene by a supervisor, remain with assigned uninvolved officer and proceed to a local hospital.
8. Upon request, surrender all weapons and equipment used in the incident in the officer's possession at the time of the incident. Replacement of weapons and equipment will occur as soon as practical.
9. The Involved Officer(s) will be required to provide a blood sample. The blood draw and subsequent testing will be in accordance with Attachment B.
10. Reporting requirements for involved officer(s) will be completed by investigators assigned to the incident. Involved Officers will not be required to prepare a written report.

11. Review for content and accuracy the OID report(s) detailing their statement(s).
12. Unless exigent circumstances related to an on-going threat require it, involved officers shall not watch video related to the incident until their formal interview with the outside agency lead investigator, or upon receiving approval from the lead outside agency investigator.
13. Unless exigent circumstances related to an on-going threat require it, involved officers shall not discuss the incident with other involved officers until after the completion of their formal interview with the outside agency investigator.

B. Officer Involved Death: Duties of On-Scene Supervisor

1. Assume responsibility for the security and preservation of the scene. The involved agency is responsible for the initial response until relieved by the outside agency lead investigator.
2. Contact the officer(s) involved to obtain a Public Safety Statement.
3. Notify the dispatcher to broadcast a message if no officer(s) have been injured.
4. In the event an officer is injured, immediately notify the Officer-in-Charge.
5. Ensure that a non-involved supervisor, if not already at the scene, responds immediately to the scene of the incident. (A non-involved supervisor is defined as one who has not been involved specifically at the scene, or involved in any tangential fashion, e.g., **raid operation** planning, drafting of search warrants, surveillance officers, intelligence gathering, etc.)
6. Establish a scene command post and give location to the Dane County Public Safety Communications (911 **Center Center**).
7. As soon as practical, relieve the officers directly involved in the critical incident of any further responsibilities at the scene. A non-involved fellow officer shall be assigned to accompany the involved officer(s), until such time that the lead investigator or designee is able to assume responsibility. If the involved officer elects to speak about the incident with the non-involved officer, those conversations are not privileged and may become part of the investigation.
8. Identify and separate witnesses until the arrival of the outside agency lead investigator and / or other outside investigators.
9. Provide an opportunity for the involved officer to contact Union officials or legal counsel as soon as practical. Provide phones and numbers as needed.
10. Provide all necessary information to the outside agency lead investigator and then relinquish control of the investigation to the outside agency lead investigator.

C. Public Safety Statement

1. Response to Public Safety Statement questions by the principal officer is voluntary.
2. The first arriving supervisor not involved in the incident will seek a Public Safety Statement from the involved officer. This is not an interview, but will address only the most basic information regarding the incident, to include the following:
 - a. Injuries requiring immediate medical intervention
 - b. Location and description of offenders
 - c. Identify evidence in order that it be protected from loss
 - d. Identity of witnesses
 - e. Has the scene changed or been altered in any way since the incident
 - f. Use of force, what type of force was used
 - g. A minimal summary of the event in order to address and better understand the first six investigative points.
3. If possible, the Public Safety Statement should be done with a **Forensic Services Unit (FSU)** Investigator present. If this is not possible/practical, a second short statement can be obtained if needed.
4. The supervisor obtaining the Public Safety Statement will document the information in a report and share it with the outside investigating agency.

5. In the event a supervisor is not available, a detective may take the Public Safety Statement from the involved officer(s).

D. Officer Involved Death: Duties of the Officer-In-Charge (OIC)

1. Notify the OIC Team Commander or designee and the Forensic Services Lieutenant.
2. Contact the District Commanders of the district where the incident occurred. If the incident occurred outside of the employee's assigned district, the District Commanders of the involved employees should also be notified.
3. Notify the Chief, Assistant Chief of Operations, and Assistant Chief of Investigative & Specialized Services.
4. Contact Dane County Public Safety Communications (911 Center) and direct them to inform officers of the status of the incident (e.g., injuries to officers and community members, important information). This should generally be done in a private manner (email, phone, Mobile Data Computer (MDC) message, etc.).
5. In the event of an injury or death of an employee, notify the immediate family per the Line of Duty, Life Threatening Injury, or Death of an Employee policy SOP.
6. Notify the Professional Standards and Internal Affairs Unit (PSIA) and the Public Information Officer (PIO).
7. Notify the Peer Support Team Coordinator and deploy any on-duty Peer Support Officers to the scene to initiate the Critical Incident Stress Management protocol.
8. Follow the Aftercare Protocol and deploy Critical Incident Partner officers to the scene.
9. All media releases shall be cleared through the OIC Commander and the Office of the Chief of Police.

E. Officer Involved Death: Duties of the OICI Commander

1. Contact the Assistant Chief of Investigative & Specialized Services and make notification of the critical incident.
2. Ensure that services regarding the involved personnel have been provided.
3. Liaison with the outside agency lead investigator to ensure s/he the lead investigator has access to all necessary resources to conduct the investigation.
4. Communicate with the OIC.
5. Communicate with Command Staff.
6. Make appropriate notifications as needed:
 - Chiefs
 - District Command
 - District Attorney's Office (if appropriate and in all homicide cases)
7. Communicate with MPD Finance Unit staff for case number cost accounting.
8. Designate case as "Extraordinary" for Telestaff/payroll purposes (if appropriate), including an email notification to PD Payroll with the required details.
9. Management of personnel (assignments, monitoring hours worked, etc).
10. Managing overtime and arranging relief for staff.
11. Evaluate need for support staff.

F. Officer Involved Death: Outside Agency Lead Investigator

1. Per Wis. Stat. § 175.47, the investigation into an officer-involved death must be led by at least two investigators employed by outside agencies, one of whom is designated as the outside agency lead investigator.
2. The outside agency lead investigator is not required to personally accomplish every single task involved in the investigation. The role of the outside agency lead investigator is one of oversight and supervision; personally performing critical tasks while delegating and overseeing other tasks. If MPD is investigating another agency's officer involved death, the OIC Commander will determine to what extent personnel from the involved agency will be asked to assist.

3. The outside agency lead investigator is in charge of the investigation. The outside agency lead investigator of an officer-involved death must be responsible for the investigation and have hands-on leadership of investigation activities. If MPD is investigating another agency's officer involved death, members of the OICI team will be assigned to the investigation.
4. The outside agency lead investigator will direct the overall investigation and shall coordinate with the lead officer/agency conducting any underlying criminal investigation of the event, or events, which led to the officer-involved death. They shall take possession of, or direct the collection of, all evidence, take or direct the taking of statements of witnesses and police officers, and act as the primary contact for prosecutors.
5. The outside agency, when practicable, will provide a supervisory officer with sufficient training and experience in conducting major investigations. This supervisory officer will respond to the scene along with the investigators and will interface with the command staff of the involved agency. If MPD is investigating another agency's officer involved death, the OICI Commander will oversee the investigation.
6. MPD's expectations are that the outside agency will accomplish (personally or by delegation) the following tasks related to the investigation:
 - a. Supervise the crime scene investigation and ensure that all involved parties and witnesses are kept separate during the scene investigation. If these parties are moved to another location, this responsibility is transferred to the investigator at that location.
 - b. Liaison with the involved agency supervisor and/or incident commander to ensure the necessary equipment and/or personnel are brought to the scene and utilized efficiently.
 - c. In conjunction with the involved agency supervisor, ensure that the integrity of the scene is maintained. The involved agency supervisor shall continue to manage that agency's resources committed to the investigation.
 - d. Act as a liaison between the department and investigators from the Dane County District Attorney's Office.
 - e. Make contact with the deceased person's next-of-kin for the purpose of notifying them of the death, providing them with notification of services, furnishing them with required documents regarding victim rights, identifying witnesses, suspects, evidence, or crimes, and serving as the point of contact with them throughout the investigation.
 - f. Facilitate a walk-through of the secure and intact scene for personnel from the DA's office, as well as the command staff and/ or internal investigators of the involved agency as needed. The purpose of the walk-through is to give these representatives an understanding of the conditions and layout of the scene for future proceedings.
 - g. Ensure that a complete copy of the criminal investigation is provided to the Dane County District Attorney's Office for review within a reasonable amount of time.
 - h. Participate in all necessary district attorney appearances to include any future inquest proceedings.

G. Officer Involved Death: Duties of OICI Investigation Team

1. Review the Officer Involved Critical Incident Investigation Conflict of Interest Checklist and report to OICI Commander if there is the potential for a conflict of interest. See Attachment A for the checklist.
2. Assist as directed by the OICI Commander.
3. If MPD is investigating another agency's officer involved death, fulfill responsibilities of the outside agency lead investigator as described in this SOP.

H. Officer Involved Death: Duties of the Hospital Assignment

The involved agency is responsible for the initial hospital response until relieved by the outside agency lead investigator. If the incident results in an officer, citizen community member, or suspect being transported to a medical facility, the outside agency lead investigator, or designee, shall respond to the facility and be responsible for the following:

1. Serve as a liaison with hospital staff to ensure that all involved officers are kept separate from suspects, witnesses, or other injured parties and that the investigation does not unduly disrupt the normal operations of the hospital.
2. In conjunction with the involved agency, establish appropriate security for suspects and/or department member(s).
3. Establish a liaison with the involved agency's administration to ensure that an injured officer's family members, spouse, or significant other are notified, and if practicable, transported to the medical facility, pursuant to the officer's wishes.
4. Ensure that investigators are assigned to interview any witnesses present and that all evidence is collected. If possible, an investigator who has not been to the crime scene will conduct evidence gathering at the hospital. Care should be taken to preserve the integrity of physical evidence present on the involved officer's equipment, person, or clothing until investigators can collect it. It may be inappropriate to wait for an FSU investigator to photograph the involved officer or to collect evidence under certain circumstances (such as to facilitate medical treatment, or to address due to significant exposure concerns, etc.).
5. Ensure that the names of treating Madison Fire Department (MFD) and hospital staff are documented.
6. Brief the command staff of the involved agency and/or family members of any injured officers as soon as circumstances allow.

I. Officer Involved Death: Interviewing Involved Officers

1. Involved officer(s) will be given the opportunity to provide voluntary statements. The Outside Agency Lead Investigator or their designee will communicate with the officer(s)' Union Representative or legal counsel on this issue. No officer will be disciplined for declining to make a voluntary statement. If the officer(s) declines to provide voluntary statements, the criminal investigation will proceed without the officer(s)' statements.
2. Detailed interviews should be delayed to allow the involved officer(s) time to overcome the initial stress of the incident. Whenever practical, the involved officers should give one formal statement with all needed parties present.
3. Involved officers are not to file any reports.
4. Involved officers shall not participate in any group debriefings until they have completed their detailed interview.
5. If the interview is to be observed by personnel other than those directly involved, the officer and any representatives will be notified.
6. If audio and/or visual records are available and are relevant to the involved officer's point of reference of the incident, the involved officer(s) may be allowed to review the recordings prior to or during their formal statement.
 - a. Generally, the formal statement should begin with the involved officer providing a statement based on his or her the officer's recollection of the incident. Relevant video/audio may then be reviewed (in the presence of a member of the OICI team) prior to the completion of the formal statement.
 - b. Deviation from this guideline is at the discretion of the OICI Commander.
 - c. Interviews of MPD officers by an outside agency will be in accordance with the outside agency's standard procedures.
7. The involved officer will have an opportunity to review for accuracy the report detailing their statement before it is submitted.
8. All interviews of involved officers will be audio recorded unless impractical or the officer refuses.

9. The Assistant Chief of Investigative & Specialized Services (or designee), after consulting with the Assistant Chief of Operations (or designee), **Professional Standards & Internal Affairs (PSIA)**, and the OICI Commander, will determine whether the officer(s) will be ordered to provide statements. If the officer(s) **is (are)** ordered to provide statements, adhere to the following procedure:
- a. PSIA will order the officer(s) to provide a statement and the order will be documented in writing.
 - b. The compelled interview will be audio recorded and transcribed, and will be documented under the PSIA case number for the critical incident review.
 - c. PSIA will coordinate the compelled interview of the involved officer(s) with the goal of obtaining a complete and accurate statement from the officer(s). This may involve the utilization of Detectives as primary interviewers. If Detectives are utilized, the OICI Commander, after consultation with PSIA, will assign **D**etectives that have not been involved in the criminal investigation to be the primary interviewers.
 - d. Detectives conducting the compelled interviews will report directly to PSIA and the original reports will be maintained by PSIA. Content of the compelled interview (and reports documenting the compelled interview) will only be used for internal investigation/review of the incident and will not be released to the District Attorney's Office (or other prosecuting entity), to the OICI Investigation Team, or to any member of the public. Compelled statements will only be subject to release when no possibility for criminal prosecution (of the subject of the compelled interview) remains.
 - e. If a compelled statement is made prior to the resolution of a district attorney review of a criminal investigation, then a second Assistant Chief will be involved to oversee the criminal investigation.
 - f. Deviations from this procedure may only occur with the approval of the Chief (or designee).

J. Officer Involved Death: Scene Investigation

The Outside Agency Lead Investigator or designee is responsible for the investigation of the scene, to include documentation and recovery of all evidence. At the discretion of the outside agency lead investigator, the physical tasks (measuring, photographing), may be delegated to another agency, including the involved agency, but in all cases, will be overseen by the outside agency lead investigator (unless circumstances require immediate evidence collection to avoid loss or contamination).

1. The Outside Agency Lead Investigator will take possession of or direct the collection of all evidence. The Outside Agency Lead Investigator will work with the assisting agency(s) to determine which items of evidence will be conveyed for analysis (to the crime lab or elsewhere).
2. The Outside Agency Lead Investigator, or scene investigator designee, is responsible for maintaining the integrity of the crime scene(s) until the initial investigation is concluded.
3. The scene investigator designee shall regularly communicate their findings to the outside agency lead investigator. At the appropriate time, they will facilitate a walk through for personnel from the district attorney's office and the involved agency's command staff as needed.

K. Officer Involved Death: Interviews of **Citizen Community Member Witnesses**

1. All key **community member citizen** witnesses should be audio recorded when possible.
2. Photographs should be taken from the vantage point of key witnesses.

L. Officer Involved Death: Canvass

1. A canvass should be completed only at the direction of the lead investigating agency. Ultimately, it is important that all citizen community member witnesses be located, identified, and thoroughly interviewed. However, full community member interviews should not be completed by MPD personnel unless the lead investigator requests it, or the information is perishable (as determined by the on-scene MPD supervisor or the OICI Commander).
2. Consider documenting vehicle plates and descriptions from the canvass area.
3. Consider documenting names on mailboxes if appropriate.

M. Officer Involved Death: Duties of the District

1. Ensure that involved personnel have had appropriate opportunities to contact family members, Union officials, and/or attorneys.
2. Ensure that Employee Assistance Program (EAP) services have been offered.
3. Officers directly involved in the incident shall be placed on Administrative Leave with Pay. This leave is not a suspension and is no way to be construed as disciplinary action or any indication of wrongdoing on the part of the officer(s).
4. Ensure that within 72 hours of the incident, the involved officer(s) are contacted by an MPD approved traumatic stress professional.
5. Ensure that regular command updates are given to the Chief and to the Assistant Chief of Operations.
6. If applicable, ensure that the Significant Exposure to Blood Borne Pathogens SOP is followed.
7. Responsible for Community Care tasks.
8. Ensure the City's external medical call-in line (Paradigm, 844-847-8709) is contacted for each involved officer noting the reporting is to document exposure to a critical incident event. The employee's supervisor will call this external line on the employee's behalf.

N. Officer Involved Death: Duties of Assistant Chief of Investigative & Specialized Services

1. Will make request for an outside agency lead investigator.

O. Officer Involved Death: Duties of the Chief or Highest Ranking Officer

1. The Chief or highest ranking officer available should provide a press conference or briefing within four (4) hours of the case time when officer actions result in the death or great bodily harm of to a member of the community or to a member of the Department.

P. Officer Involved Death: District Attorney

1. Will have the option to view the scene (walk through).
2. Observe the investigation from the Command Post.

Q. Officer Involved Death: Lead Investigator's Report

1. Per Wis. Stat. § 175.47(5)(a), "The investigators conducting the investigation under sub. (3)(a) shall, in an expeditious manner, provide a complete report to the district attorney of the county in which the officer-involved death occurred. (b) If the district attorney determines there is no basis to prosecute the law enforcement officer involved in the officer-involved death, the investigators conducting the investigation under sub. (3)(a) shall release the report...."
2. The Outside Agency Lead Investigator shall prepare a written report as required above. This report will summarize the entire investigation, including the actions performed by the Outside Agency Lead Investigator, as well as those actions performed by other investigators to whom those tasks were delegated.

3. Prior to submitting their report, the Outside Agency Lead Investigator will gather and review all reports generated by other investigators, as well as other **available** relevant reports such as the autopsy report, crime lab results, and medical records.
4. A complete copy of all reports, photographs, audio/video recordings, and other records collected by the Outside Agency Lead Investigator will be given to the district attorney along with the Outside Agency Lead Investigator's report.
5. The Outside Agency Lead Investigator, along with a representative of the involved agency, shall meet with the district attorney at the conclusion of the investigation for a formal review of the incident.

Other Officer Involved Critical Incident (OICI): An event in which an officer is involved as a principal, a victim, or is the custodial officer, where significant injury likely to cause death occurs or when an officer intentionally discharges **their his/her** firearm at another person. In the event of an other officer involved critical incident involving an MPD officer as the principal officer, the Chief of Police will determine whether the criminal investigation will be handled by MPD or whether an outside agency will be requested. If an outside agency is requested, the investigation will be conducted consistent with the officer involved death investigation procedures in this SOP (except where inapplicable). If MPD conducts the investigation, a qualified observer from an outside agency will be requested to monitor the investigation.

A. Other Critical Incidents: Duties of Involved Officer(s)

1. Immediately notify dispatch of incident and location.
2. Render first aid and request response by emergency medical services.
3. Officer(s) shall inform a supervisor or the Officer-in-Charge of the incident as soon as possible.
4. Protect and secure the scene until relieved.
5. Identify witnesses for subsequent interviews. Involved officer(s) shall not participate in the interviews of witnesses.
6. Brief the first arriving supervisor of the nature of the incident and consider providing a voluntary Public Safety Statement consistent with Section C below.
7. When relieved of duties at the scene by a supervisor, remain with assigned uninvolved officer and proceed to a local hospital.
8. Upon request, surrender all weapons and equipment used in the incident in the officer's possession at the time of the incident. Replacement of weapons and equipment will occur as soon as practical.
9. The Involved Officer(s) will be required to provide a blood sample. The blood draw and subsequent testing will be in accordance with Attachment B.
10. Reporting requirements for involved officer(s) will be completed by investigators assigned to the incident.
11. Review for content and accuracy the **OIC** report(s) detailing their statement(s).
12. Unless exigent circumstances related to an on-going threat require it, involved officers shall not watch video related to the incident until their formal interview with OICI detectives or upon receiving the approval of the OICI **C**ommander.
13. Unless exigent circumstances related to an on-going threat require it, involved officers shall not discuss the incident with other involved officers until after the completion of their formal interview with OICI detectives.

B. Other Critical Incidents: Duties of On-Scene Supervisor

1. Assume responsibility for the security and preservation of the scene.
2. Contact the officer(s) involved to obtain a Public Safety Statement.
3. Notify the dispatcher to broadcast a message if no officer(s) have been injured.
4. In the event an officer is injured, immediately notify the Officer-in-Charge.
5. Ensure that a non-involved supervisor, if not already at the scene, responds immediately to the scene of the incident. (A non-involved supervisor is defined as one who has not been involved specifically at the scene, or involved in any tangential fashion, e.g.,

- ~~operation-raid~~ planning, drafting of search warrants, surveillance officers, intelligence gathering, etc.).
6. Establish a scene command post and give location to the Dane County Public Safety Communications (911 ~~Center~~, ~~Center~~).
 7. As soon as practical, relieve the officers directly involved in the critical incident of any further responsibilities at the scene. A non-involved fellow officer shall be assigned to accompany the involved officer(s), until the appropriate evidence collection has occurred. If the involved officer elects to speak about the incident with the non-involved officer, those conversations are not privileged and may become part of the investigation.
 8. Provide an opportunity for the involved officer to contact Union officials or legal counsel as soon as practical. Provide phones and numbers as needed.
 9. Protect the scene and separate and secure witnesses until the arrival of investigative personnel.

C. Public Safety Statement

1. Response to Public Safety Statement questions by the principal officer is voluntary.
2. The first arriving supervisor not involved in the incident will seek a Public Safety Statement from the involved officer. This is not an interview, but will address only the most basic information regarding the incident, to include the following:
 - a) Injuries requiring immediate medical intervention
 - b) Location and description of offenders
 - c) Identify evidence in order that it be protected from loss, etc
 - d) Identity of witnesses
 - e) Has the scene changed or been altered in any way since the incident
 - f) Use of force, what type of force was used
 - g) A minimal summary of the event in order to address and better understand the first six investigative points
3. If possible, the Public Safety Statement should be done with a FSU Investigator present. If this is not practical, a second short statement can be obtained if needed.
4. The supervisor obtaining the Public Safety Statement will document the information in a report and share it with the outside investigating agency ~~if applicable~~.
5. In the event a supervisor is not available, a detective may take the Public Safety Statement from the involved officer(s).

D. Other Critical Incidents: Duties of the Officer-In-Charge (OIC)

1. Notify the OICI ~~Team~~ ~~Commander~~ or designee and the Forensic Services ~~Lieutenant~~ ~~Sergeant~~.
2. Contact the District Commanders of the District where the incident occurred. If the incident occurred outside of the employee's assigned district, the District Commanders of the involved employees should also be notified.
3. Notify the Chief, Assistant Chief of Operations, and Assistant Chief of Investigative & Specialized Services.
4. Contact Dane County Public Safety Communications (911 ~~Center~~ ~~Center~~) and direct them to inform officers of the status of the incident (e.g., injuries to officers and ~~citizens~~ ~~community members~~, important information). This should generally be done in a private manner (email, phone, MDC, etc.).
5. In the event of an injury or death of an employee, notify the immediate family per the Line of Duty, Life Threatening Injury, or Death of an Employee ~~SOP policy~~.
6. Notify ~~the~~ Professional Standards and Internal Affairs Unit (PSIA), and the Public Information Officer (PIO).
7. Notify the Peer Support Team Coordinator and deploy any on-duty Peer Support Officers to the scene to initiate the Critical Incident Stress Management protocol.
8. Follow the Aftercare Protocol and deploy Critical Incident Partner officers to the scene.

9. All media releases shall be cleared through the OICI Commander and the Office of the Chief of Police.

E. Other Critical Incidents: Duties of the OICI Commander

1. Contact Assistant Chief of Investigative & Specialized Services and make notification of the critical incident.
2. Ensure that services regarding the involved personnel have been provided.
3. Overall management of the case. Communicate and coordinate with the Violent Crime Unit (VCU) Supervisor as necessary. Make investigative assignments and coordinate investigative efforts to include the following:
 - a. Designate a lead detective
 - b. Designate a scene detective to oversee each scene
 - c. Designate a canvass detective
 - d. Designate an involved officer detective
 - e. Designate a subject/decedent detective
 - f. Designate a detective to serve as a liaison to the subject/decedent family, if appropriate
 - g. Coordinate investigative response to the hospitals, if appropriate
4. Communicate with the OIC.
5. Communicate with Command Staff.
6. Make appropriate notifications as needed:
 - Chiefs
 - District Command
 - DA's office (if appropriate and in all homicide cases)
7. Communicate with MPD Finance Unit staff for case number cost accounting.
8. Designate case as "Extraordinary" for Telestaff/payroll purposes (if appropriate).
9. Communicate with the Involved Agency
 - a. When MPD is the involved agency, facilitate the release of information to MPD personnel.
 - b. When MPD is the investigating agency, the OICI Commander may provide investigative status updates (i.e., progress, timeline, things completed) to the chief executive (or their designee) of the involved agency. Specific details regarding information obtained during formal interviews of the involved officer(s) may be shared with the involved agency after the completion of all formal interviews.
10. Management of personnel (assignments, monitoring hours worked, etc).
11. Managing overtime and arranging relief for staff.
12. Evaluate need for support staff.
13. Evaluate the need for the Focused Interruption Coalition (FIC).
14. Notify Property Room staff and evaluate needs (if appropriate).
15. Ensure phone calls made to the command post are answered and information recorded.
16. Arrange for special equipment or needs of the investigation.
17. Keep Chief and Assistant Chiefs apprised of investigation.
18. Facilitate a walkthrough of the secure and intact scene for personnel from PSIA and/or from the DA's office, as well as and involved personnel, (if appropriate). The purpose of this walkthrough is to give these representatives an understanding of the conditions and layout of the scene for future proceedings.
19. Ensure that a copy of the criminal investigation is provided to the Dane County District Attorney's Office, to include all reports, attachments, and videos.

F. Other Critical Incidents: Duties of the Outside Law Enforcement Agency Observer

1. Will view the scene.
2. Will be partnered with the OICI Commander
3. Will observe the investigation with the OICI Commander.

4. Will report to their Executive Officer designee.
5. Will do a summary memo to their Executive Officer on the integrity of the investigation. This should not be a summary of the facts of the case, but rather an overview as to whether the investigation was thorough, objective, impartial, and consistent with best practices relating to the investigation of law enforcement critical incidents.
6. The Executive Commanding Officer or their designee will share the memo with the Chief of the Madison Police Department. The memo will become part of the case file.

G. Other Critical Incidents: Duties of OICI Investigation Team

1. Review the Officer Involved Critical Incident Investigation Conflict of Interest Checklist and report to OICI Commander if there is the potential for a conflict of interest. See Attachment A for the checklist.
2. Assist with the criminal investigation of incidents within the City of Madison and conduct OICI investigations outside the City of Madison as directed by the Chief of Police.
3. Detectives will be assigned a specific function by the OICI Commander **that which** may include any of the following:
 - a. Lead Detective - see major case protocol
 - b. Scene Detective - see major case protocol
 - c. Canvass Detective
 - i. Conduct canvass as directed by the OICI Commander **in the case of MPD investigating the incident, OR only as directed by the lead investigating agency.** It is important that all **citizen- community member** witnesses be located, **identified,** and thoroughly interviewed. These interviews may be conducted by police officers or detectives. All key **citizen- community member** witnesses shall be audio recorded when possible. Detectives should be equipped with portable audio recorders for this purpose. Photographs should be taken from the vantage point of key witnesses.
 - ii. Utilize Canvass form and questions as a guideline for the canvass.
 - iii. Screen contacts for persons requiring more detailed interviews.
 - iv. Consider documenting vehicle plates and descriptions from the area.
 - v. Consider documenting names on mailboxes if appropriate.
 - vi. Search for and document all video cameras within the canvass perimeter and **notify** the scene lieutenant.
 - vii. Share canvass results with scene lieutenant and OICI Commander and complete a report.
 - viii. When appropriate, work with the OICI Commander to designate a Video Detective. The Video Detective is responsible for ensuring that all video is collected as evidence according to best practices. The Video Detective shall write a report detailing the contents of all collected video.
 - ix. Work with the assigned Crime Analyst to ensure a complete canvass of the designated area.
 - d. Involved Officer Detective
 - i. Work with FSU Investigators to ensure that evidence on the involved officer is collected and that needed photographs of the involved officer are taken.
 - ii. Ensure that an FSU Investigator retrieves and takes custody of the weapon(s) used by the officer(s) at the hospital if possible or at a neutral site. The **OICI Commander supervisor of the OICI team** shall determine whether the circumstances of the incident require that the officer's duty weapon be taken for laboratory analysis. **When** the duty weapon is taken, the FSU Investigator shall take custody of the officer's weapon in a discrete manner and **it** should

- be replaced with another weapon, or **the officer will be** advised **advise the officer** that it will be returned or replaced at a later time as appropriate. (When processing an officer's personal weapon as evidence, consideration shall be given to marking the weapon with the necessary information as inconspicuously as possible.) FSU Investigators will also take needed photographs and collect evidence from the officer (s) involved at the scene, hospital, or **other** neutral site.
- iii. Inform the OICI Commander if the officer has suffered a Significant Exposure.
- f. Suspect / Injured Party / Decedent Detective
- i. Ensure the presence of an FSU investigator for appropriate evidence collection.
 - ii. Notify the Dane County DA's Crime Response **Program Team**
 - iii. If the injury is serious and / or incapacitating, confirm that a family member or next-of-kin has been contacted.
 1. Establish a rapport, provide notification of services, and provide required documents regarding victim rights.
 2. Establish a timeline for the Suspect / Injured Party / Decedent's activities for the recent past.
 3. Gather additional investigative information: Identify witnesses, suspects, evidence, or crimes.
 4. Obtain the family's statements regarding Suspect / Injured Party / Decedent.
 - iv. Maintain communication with the family or next-of-kin throughout the investigative process, with attention paid to working with Dane County's Crime Response Program **Team** to explain the process and procedure to the next of kin while recognizing the unique emotional needs that may be present in an OICI incident.

H. Other Critical Incidents: Crime Analysts

1. The primary responsibility of the Crime Analyst will be to partner with the canvass detective to ensure a thorough and complete canvass for witnesses and video evidence.

I. Other Critical Incidents: Hospital Supervisor

1. Serve as a liaison with hospital staff to ensure that all involved-officers are kept separate from suspects, witnesses, or other injured parties, and that the investigation does not unduly disrupt the normal operations of the hospital.
2. In conjunction with the involved agency, establish appropriate security for suspects and/or department member(s).
3. Work with the OIC to ensure that an injured officer's, **or** department member's, family members, spouse, or significant other are notified, and if practicable, transported to the medical facility, pursuant to the member's wishes. See Line of Duty, Life-Threatening Injury, or Death of an Employee SOP.
4. Work with the OICI Commander to ensure detectives are assigned to interview any witnesses present and that all evidence is collected. If possible, an FSU Investigator who has not been to the crime scene will conduct evidence gathering at the hospital. Care should be taken to preserve the integrity of physical evidence present on the involved officer's equipment, person, or clothing until investigators can collect it. It may be inappropriate to wait for an FSU investigator to photograph the involved officer or to collect evidence under certain circumstances (**such as** to facilitate medical treatment, **or to address due to** significant exposure concerns, etc.).

5. Ensure that an FSU Investigator collects a blood sample from the involved officer(s) in accordance with Attachment B.
6. Ensure that the names of treating MFD and hospital staff are documented.
7. Brief the command staff and/or family members of any injured department member(s) as soon as circumstances allow.
8. Ensure the City's external medical call-in line (Paradigm; 844-847-8709) is contacted for each involved officer noting the reporting is to document exposure to a critical incident event. The employee's supervisor will call this external line on the employee's behalf.
9. Check in with the Command Post before leaving the hospital

J. Other Critical Incidents: Interviewing Involved Officers

1. Involved officer(s) will be given the opportunity to provide voluntary statements. The OICI Commander or Lead Detective will communicate with the officer(s)' Union Representative or legal counsel on this issue. No officer will be disciplined for declining to make a voluntary statement. If the officer(s) decline to provide voluntary statements, the criminal investigation will proceed without the officer(s)' statements.
2. Detailed interviews should be delayed to allow the involved officer time to overcome the initial stress of the incident. Whenever practical, the involved officers should give one formal statement with all needed parties present.
3. Involved officers are not to file any reports.
4. Involved officers shall not participate in any group debriefings until they have completed their detailed interview.
5. If the interview is to be observed by personnel other than those directly involved, the officer and any representatives will be notified.
6. If audio and/or video records are available and are relevant to the involved officer's point of reference of the incident, the involved officer may be allowed to review the recordings prior to or during their formal statement.
 - a. Generally, the formal statement should begin with the involved officer providing a statement based on ~~his or her~~ their recollection of the incident. Relevant video/audio may then be reviewed (in the presence of a member of the OICI team) prior to the completion of the formal statement.
 - b. Deviation from this guideline is at the discretion of the OICI Commander.
7. The involved officer will have an opportunity to review for accuracy the report detailing their statement before it is submitted.
8. All interviews of involved officers will be audio recorded unless impractical or the officer refuses.
9. The Chief of Police is the sole authority as to when an officer is arrested unless exigent circumstances exist.
10. The Assistant Chief of Investigative & Specialized Services, after consulting with the Assistant Chief of Operations (or designee), PSIA, and the OICI Commander, will determine whether the officer(s) will be ordered to provide statements. If the officer(s) are ordered to provide statements, the following procedure will be adhered to:
 - a. PSIA will order the officer(s) to provide a statement and the order will be documented in writing.
 - b. The compelled interview will be audio recorded and transcribed and will be documented under the PSIA case number for the critical incident review.
 - c. PSIA will coordinate the compelled interview of the involved officer(s) with the goal of obtaining a complete and accurate statement from the officer(s). This may involve the utilization of Detectives as primary interviewers. If Detectives are utilized, the OICI Commander, after consultation with PSIA, will assign Detectives that have not been involved in the criminal investigation to be the primary interviewers.
 - d. Detectives conducting the compelled interviews will report directly to PSIA and the original reports will be maintained by PSIA. Content of the

compelled interview (and reports documenting the compelled interview) will only be used for internal investigation/review of the incident and will not be released to the District Attorney's Office (or other prosecuting entity), to the OICI Investigation Team, or to any member of the public. Compelled statements will only be subject to release when no possibility for criminal prosecution (of the subject of the compelled interview) remains.

- e. If a compelled statement is made prior to the resolution of a District Attorney review of a criminal investigation, then a second Assistant Chief will be involved to oversee the criminal investigation.
- f. Deviations from this procedure may only occur with the approval of the Chief (or designee).

K. Other Critical Incidents: Duties of the District

1. Ensure adequate supervision at all scenes.
2. Ensure that involved personnel have had appropriate opportunities to contact family members, Union officials, and/or attorneys.
3. Ensure that EAP services have been offered.
4. Officers directly involved in the incident shall be placed on Administrative Leave with Pay. This leave is not a suspension and is no way to be construed as disciplinary action or any indication of wrongdoing on the part of the officer(s).
5. Ensure that within 72 hours of the incident, the involved officer(s) are contacted by an MPD approved traumatic stress professional.
6. Ensure that regular command briefings are given to the Chief and to the Assistant Chief of Operations.
7. If applicable, ensure that the SOP regarding Significant Exposure to Blood Borne Pathogens is followed.
8. Responsible for Community Care tasks.
9. Ensure the City's external medical call-in line (Paradigm, +844-847-8709) is contacted for each involved officer noting the reporting is to document exposure to a critical incident event. The employee's supervisor will call this external line on the employee's behalf.

L. Other Critical Incidents: Duties of Assistant Chief of Investigative & Specialized Services

1. Oversight of the criminal investigation.
2. Coordinate media releases until such time that this responsibility is delegated back to the District.
3. Will make the request from for an outside agency lead investigator, or outside agency observer.

M. Other Critical Incidents: Duties of the Chief or Highest Ranking Officer

1. The Chief or highest ranking officer available should provide a press conference or briefing within four (4) hours of the case time when officer actions results in the death or great bodily harm of to a member of the community or a member of the Department.

N. Other Critical Incidents: District Attorney

1. Will have the option to view the scene (walk through).
2. Observe the investigation from the Command Post.
3. All reports, attachments, videos, etc. involving the critical incident shall be submitted to the District Attorney's Office for review.

PS&IA Function – Officer Involved Deaths and Critical Incidents

A. Officer Involved Death and Other Critical Incidents: PSIA Lieutenant

1. The PSIA Lieutenant will coordinate with the OICI Commander and designate a supervisor to make the Use of Force Blue Team entry.
2. Will determine which officers will be required to undergo an administrative blood draw.
3. Will receive the results of the any administrative blood draw and will notify the officer of The results of any testing.
4. Will notify the criminal investigation that blood results are available.

B. Officer Involved Death and Other Critical Incidents: MPD Policy Compliance Review

All Officer Involved Deaths and Other Critical Incidents shall be reviewed for compliance with MPD Policy.

1. Professional Standards and Internal Affairs Unit (PSIA)
 - a. PSIA has the primary responsibility for conducting the internal investigation to ensure compliance with the MPD Policy, Procedures, Regulations, Work Rules, and Training and Standards.
 - b. PSIA may be present in the command post and at key steps in the investigation (scene walk through, interviews, etc.) as appropriate. The OICI Commander retains responsibility for directing the investigation.
 - c. PSIA may observe the interviews of involved officers conducted by OICI personnel.
 - d. PSIA shall have access to all reports and interview transcripts.
 - e. Additional supervisory personnel may be assigned to PSIA as needed.
 - f. If the criminal investigation has not obtained a full account of the observations of the on-scene emergency medical providers, PSIA will interview them as part of the administrative investigation
 - g. The PSIA internal review/investigation of the incident shall be concluded as soon as practical.
 - h. The PSIA findings of the incident may be utilized as the basis for future training.
 - i. PSIA will report the findings of the internal investigation directly to the Assistant Chief of Support Services.
2. Assistant Chief of Investigative & Specialized Services
 - a. Oversee all internal investigations resulting from the Officer Involved Critical Incident that which results in death or serious injury.
 - b. Review administrative command decisions of the internal investigation.

Officer Involved Critical Incident Mental Health Response

DEFINITIONS

Officer Involved Critical Incident (OICI): An event in which an officer is involved as a principal, a victim, or is the custodial officer, where death or injury likely to cause death occurs or when an officer intentionally discharges his/her their firearm at another person. This includes all in-custody deaths, use of deadly force, or serious motor vehicle crash involving a squad car.

Critical Incident Partner (CIP): A co-worker, of an involved officer's choosing, who is assigned to the officer involved in a critical incident. The CIP will act as a liaison between the officer, their family, and the MPD.

Peer Support Officer (PSO): Selected and trained Commissioned personnel who confidentially support MPD employees (Civilian and Commissioned), MPD retirees, and their families, who are confronting challenging stressors of everyday life. Peer Support Officers will also ensure that MPD's Critical Incident Stress Management (CISM) process is activated in the aftermath of a critical incident and will work with Critical Incident Partners (CIP) to provide aftercare to involved officers in a critical incident.

CISM Provider: A select group of mental health professionals that are available through the City's Employee Assistance Program (EAP) to provide Critical Incident Stress Management services in response to critical incidents. These services may include, but are not limited to, assessment, defusing, debriefing, follow up, and outreach to affected officers and family members/significant others.

Consultant: A licensed mental health professional whose practice includes the treatment of officers who experience a critical incident.

Aftercare Response

- A. **Peer Support** – MPD SOP: Employee Assistance Program outlines the role of the Peer Support Officers in facilitating the CISM response, to include providing information about the stresses often induced by critical incidents, coordinating the defusing process immediately following the incident and prior to involved officers going home, and finally scheduling and facilitating any subsequent Critical Incident Debriefing. The role of the PSO in an OICI is to ensure that the MPD Employee Assistance Program SOP is observed and to facilitate our CISM protocol. The Peer Support Coordinator will be responsible for the oversight/monitoring of the aftercare process.
- B. **Critical Incident Partner (CIP)** – The CIP is an officer pre-designated by the involved officer to be deployed to focus exclusively on the emotional welfare of the involved officer. Each officer will designate 1-2 one or two officers in order of preference in advance of any involvement in a critical incident. Officers' pre-designated list of CIP officers will be housed confidentially in LERMS the OIC's office to be consulted and activated upon an and officer's involvement in a critical incident. The form will be completed/updated annually during the Employee Feedback process at district/section in service. The CIP will be pulled from their regular assignment and/or called in to work to support the involved officer. Guidelines for the role of the CIP are as follows:
 - The CIP will serve as a liaison for the involved officer and other MPD personnel throughout the investigative process.
 - The CIP may be put on Administrative Leave with Pay with the involved officer to whom they are assigned as support. The length of time that a CIP will be placed on Administrative Leave with Pay will be evaluated on a case-by-case basis and approved through chain of command.
 - The CIP will review the "OICI Aftercare Information" packet outlining MPD expectations and procedures with the involved officer following the incident.
 - The CIP will coordinate continued support and CISM care with the assigned PSO.

- Communications between the CIP and the involved officer regarding the critical incident are not privileged and therefore not confidential.
- C. **Critical Incident Stress Management (CISM)** – Recognizing that officers involved in a critical incident are likely to experience compounded stress related to the incident and any ongoing investigation(s) into their actions, the MPD CISM response to officers involved in an OICI will include additional formalized support as outlined in this SOP beyond that which is covered in the MPD Employee Assistance Program SOP. Support systems already in place under the MPD Employee Assistance Program SOP include a mandatory Defusing and optional attendance at any subsequent Critical Incident Debriefings.
- D. **Clinical Consultation** - Officers involved in a critical incident will be required to attend mandatory consultations with a Clinical Consultant. The first of these consultations will occur within 24-72 hours following the incident. Subsequent required sessions will be scheduled prior to the officer's return to work or at six (6) months post-incident; at one (1) year post-incident; and annually thereafter up to five (5) years post-incident (as indicated by the Clinical Consultant). The District/Unit Commander and the MPD Human Resource Coordinator will work with the involved officer(s) to schedule these mandatory consultations. Officers attending Clinical Consultation appointments outside of scheduled work hours shall make Telestaff entries that reflect the original case number and OT Extraordinary Event.

The only feedback provided to MPD regarding the mandatory consultations is an acknowledgement from the Clinical Consultant that a meeting with the officer took place. No substantive information regarding the officer's medical or mental health condition will be shared with the MPD.

- E. **Administrative Leave with/Pay** – Officers involved in an OICI shall be placed on Administrative Leave with Pay for a minimum of two rotations, beginning with the first work day following the incident and will be placed on a Monday-Friday, 8 AM to 4 PM schedule. This leave is not a suspension and is in no way to be construed as disciplinary action or any indication of wrongdoing on the part of the officer. Officers on Administrative Leave with Pay should not be recognizable as police officers during contact with the public. They can go armed (including to court) as long as they received permission through the Training Division.
- F. **Restricted Duty** - Involved officers may transition from Administrative Leave with Pay to a full or part-time restricted duty assignment. Officers on restricted duty should not be recognizable as police officers during any contact with the public. They can go armed (including to court) as long as they received permission through the Training Division.
- a. Before transitioning to a restricted duty assignment, the involved officer's District/Unit Command, the MPD Human Resource Coordinator, and the involved officer will ensure that:
 - The involved officer has a desire to return to work in a Restricted Duty capacity.
 - An agreed upon work schedule has been communicated to and approved by the appropriate Assistant Chief and Human Resource Coordinator.
 - The involved officer has a clearly identified supervising commander.
 - Work responsibilities and/or assignments are clearly defined and approved.
 - The involved officer has attended required meetings with the clinical consultant.
 - Re-familiarization training has occurred before participation in activities that may require emersion into stressful scenarios, such as special team training or in-service.

- G. **Return to Full Duty** – The Chief of Police must approve an involved officer's return to full duty. Before becoming eligible for return to full duty, the involved officer's District/Unit Command, the MPD Human Resource Coordinator, and the involved officer will ensure that:
1. The office of PSIA has completed their review of the incident and final dispositions have been determined by the Chief of Police.
 2. The investigation has been submitted to the District Attorney for review.
 3. The involved officer has attended required meetings with the clinical consultant.
 4. The involved officer has participated in a relevant re-familiarization training scenario^s as appropriate and depending on the circumstances surrounding the critical incident in which they were involved. For example, if an officer was involved in a critical incident that included the use of deadly force by use of a firearm, the officer would participate in a firearms course of fire facilitated by Personnel & Training staff. The purpose in this case is not to qualify the officer, but rather it is intended only to provide the officer with the opportunity to assess their own readiness and comfort level with respect to deadly force decision making and weapons handling.
 - a. Re-familiarization training scenarios will be coordinated by Training staff as needed and will be tailored to provide the officer with a useful opportunity for self-assessment based on their specific incident.
 - b. District/Unit command is responsible for coordinating this re-familiarization training for the involved officer with the Training team. After the re-familiarization/scenario based training has taken place, the District/Unit Commander shall ensure that the involved officer and the training team feel that restricted duty is appropriate/approved.
 5. The officer has met with their District/Unit Captain or Lieutenant to establish a Return to Duty Plan.

Return to Duty Plan – It is important for officers involved in critical incidents to participate in developing their individual Return to Duty Plan. While the MPD will set minimum requirements, the involved officer, the MPD Human Resources Coordinator, and the officer's chain of command should all work together to create a plan that best meets the needs of the officer and facilitates a successful return to duty transition. Options to consider include:

- Graduated return schedule that allows for a paced re-entry.
- Return in a temporary Restricted Duty capacity or inside assignment for a period of time.
- Temporary change of assignment to a non-patrol work unit such as Traffic Enforcement Safety Team (TEST), Community Policing Team (CPT), partnering with a Neighborhood Police Officer (NPO), etc.
- Ride with a partner officer for a period of time.
- Return to regular assignment under close supervision.

No two officers react the same to involvement in a critical incident and each incident in and of itself brings to bear unique circumstances. For this reason, it is important to allow for flexibility in developing a return to duty plan. The key is that a clear plan should be developed and put in writing with all interested parties participating in its development so that all share the same understanding of the expectations and timeline set forth.

Officers involved in an OICI will be afforded the option of using Administrative Leave with Pay on the one-year anniversary date of the incident, regardless of staffing levels. Officers should work with their chain of command to facilitate this leave if desired.

- H. **District Command Responsibilities** – In addition to the responsibilities discussed in the investigative portion of this SOP, District Command will ensure the following officer aftercare issues are addressed:

1. Coordinate Administrative Leave with Pay as appropriate and make all necessary Telestaff entries for this leave.
2. Establish a plan for regular contact with the officer while they are on administrative leave.
3. Work with the CIP to provide ongoing updates to the officer regarding the status of the investigation, DA, and internal administrative reviews.
4. Monitor the behavior of officers involved in critical incidents for symptoms of acute or prolonged stress.
5. Coordinate with the Human Resource Coordinator that clinical consultation appointments are scheduled in accordance with the timing outlined in this SOP.
6. Coordinate with the Captain of Training and their his/her designee in identifying a training team member that will facilitate re-familiarization training.
7. Consult with the Clinical Consultant regarding "readiness" for either a return to Restricted Duty and/or a Return to Full Duty.
8. Meet with the officer and their CIP or other chosen support person to develop and document a Return to Duty Plan.

I. Responsibilities of the Madison Police Department Training Captain:

1. Assign an MPD training team member to provide a replacement handgun to the involved officer(s).
2. Ensure that an identified training team member is assigned to review incident specifics to identify any possible training concerns and to work with the officer to provide any necessary review or clarification.
3. Ensure that a training team member is assigned to the involved officer(s) to coordinate re-familiarization training or scenario based training for the involved officer as they work through an identified return to duty plan. The purpose in this case is not to qualify the officer, rather it is intended only to provide the officer with the opportunity to assess their own readiness and comfort level with respect to deadly force decision-making and weapons handling.
4. Ensure that a training team member is assigned to consult with PS&IA during their internal review of the incident.
5. Ensure that a training team member is assigned to receive the involved officer(s) firearm(s) from an OICI Team member in order to have it function tested and inspected prior to returning it to the officer(s).

J. Responsibilities of the MPD Human Resource Coordinator:

1. Coordinate with the District/Unit Commander regarding all appropriate Telestaff entries.
2. Ensure that all clinical consultation appointments are scheduled and attended.
3. Ensure each employee's exposure to a critical incident has been documented with Paradigm.
4. Ensure that any invoices received for medical treatment of involved officer(s) are appropriately addressed.

K. Ongoing Care/Post-Traumatic Stress Disorder Prevention – Officers involved in critical incidents are at risk of developing and suffering from post-traumatic stress disorder (PTSD). Symptoms of PTSD may not arise immediately and in some cases, officers may attempt to hide the problem.

Because of the significant impact that these types of incidents can have on an officer's wellbeing over time and in an effort to provide ongoing support to mitigate the cumulative stress that often occurs in the aftermath of a critical incident, all supervisors and co-workers should monitor the behavior of officers involved in a critical incident for symptoms of acute or prolonged stress. All officers should be informed of and trained as appropriate regarding the nature of these incidents, potential symptoms of critical incident stress, as well as how the necessary investigations that often accompany an OICI are conducted. For this reason, ongoing communication with the

officer throughout the process and following their return to duty is essential in stemming any long-term stress related to an OICI.

Original SOP: 11/06/2013

(Revised: 04/24/2014, 07/15/2014, 11/23/2015, 6/10/2016, 06/06/2017, 12/21/2017, 06/08/2018, 09/08/2020, 06/01/2022, 1/23/2024)

(Reviewed Only: 02/25/2016, 01/30/2019, 1/31/2023)

Attachment A

Officer Involved Critical Incident Investigation Conflict of Interest Checklist

Involved Officer: An officer who is directly involved in the critical incident as a principal, a victim, ~~a witness,~~ or is the custodial officer.

If any of the below criteria apply to you, you will not be eligible to participate as an investigator of the incident. You shall notify the OICI ~~C~~ommander immediately. If you have a potential conflict of interest, you shall discuss this with the OICI ~~C~~ommander before participating in the investigation.

1. You are a direct relative or are related by marriage to the involved employee(s).
2. You have been involved in a romantic or sexual relationship with the involved employee(s).
3. A former spouse or domestic partner of yours is currently or has been involved in a relationship with the involved employee(s).
4. You have been involved in an internal investigation as a complainant or subject of an investigation involving the employee(s).
5. Any other possible conflict of interest that would create a potential appearance of unfairness in your ability to conduct an objective investigation (close friendship with the involved officer(s), etc.).

Attachment B

Post-Incident Alcohol/Drug Testing

Any employee involved as the principal officer in an officer involved critical incident will be required to submit to chemical testing for alcohol and drugs as provided for in this document. The collection and testing will be in accordance with these guidelines:

1. The primary means of testing will be a blood draw conducted at a medical facility; (in the event that a blood draw is not practical, urine may be used as an alternate test). If it is not practical for the sample to be collected at a medical facility, an alternate means of collection—utilizing an appropriately trained professional—may be used.
2. The sample will be collected as soon as is reasonably practical after the incident, taking other needed post-incident tasks into account (collecting other evidence, medical treatment, etc.).
3. The sample should be collected in the presence of an FSU Investigator. The FSU investigator will ensure that the sample is handled, transported, and shipped in accordance with proper evidence handling practices. In the event that an Investigator is not available to monitor the sample collection within a reasonable time frame, the OICI Commander may assign an MPD supervisor or OICI Team Member to do so. The sample will be turned over to an FSU Investigator as soon as possible for further handling.
4. A sufficient sample will be collected to allow for additional testing in case of an initial positive test.
5. The sample will be sealed and transported to a testing facility using proper evidence handling practices. MPD will not retain any portion of the sample.
6. MPD will request a report from the testing facility that shows the presence and concentration of the following substances and derivatives:
 - a. Alcohol
 - b. Marijuana/THC (Tetrahydrocannabinol)
 - c. Cocaine
 - d. Opiates
 - e. Amphetamines
 - f. LSD (lysergic acid diethylamide)
 - g. PCP (phencyclidine)
7. The test result report will be directed to the PSIA Lieutenant and will be placed in the internal investigative file. The OICI commander will notify the outside investigating agency (if applicable) and the District Attorney's office that the test results are available. The test result report will be provided to the outside investigating agency and/or to the District Attorney's office if requested.
8. The PSIA Lieutenant or designee will share the test results with the involved employee. A copy of the results will go in the PSIA investigation file. The lab will automatically destroy any remaining sample six (6) weeks after the test results become available. The involved employee may request additional testing with the remaining sample. In that event, it is the responsibility of the involved employee to notify the PSIA Lieutenant that the employee would like any remaining sample to be preserved by the lab.
9. Other testing protocols as permitted by policy, APM, or law remain in effect.



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Police Vehicle Parking

Eff. Date ~~12/28/2021~~ 02/08/2024

Purpose

The Madison Police Department (MPD) shares parking with a number of other City and County agencies in the City-County Building (CCB). Due to the demand for limited parking space, it is essential that we abide by the following regulations to provide for an orderly and systematic parking scheme within the confines of that building. See attached MAP.

Procedure

PARKING OF MPD VEHICLES AT THE FOLLOWING LOCATIONS

City-County Building Basement

1. Police Parking stalls **31-43** are signed for specific use. **These stalls are restricted to On Duty MPD vehicles only 24/7 for the designated use as described on the sign.** During the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday, stalls **35-40** (police signed stalls) are restricted to one (1) hour. K9 Officers are exempt from this regulation. **Personnel assigned to other districts responding to the CCB for court should not park park their squad in the Fairchild ramp and not in the CCB basement.**
2. Vehicles should not be parked in the aisles of the basement between the hours of 7:00 a.m. to 5:00 p.m. Monday through Friday. First Detail early unit squads should be parked along the north wall or be taken to the Fairchild Ramp at the end of their shift.
3. Stalls marked **City, County, OR Reserved** are assigned to other departments and **ARE NOT** to be used by MPD employees for police vehicle parking. The Dane County Facilities Manager may request that citations be issued to offending vehicles parked illegally in these stalls.
4. MPD Vehicles may park in the parking lane **behind** stalls 31-43, along the north wall, as long as the keys are left in the vehicle key lock box (if not fleet keyed).
5. All 4th and 5th detail patrol personnel working out of the Central District shall take their squads to the Fairchild Ramp at the end of their shift.
6. Afternoon Detective personnel assigned to the CCB shall take their vehicles to the Fairchild Ramp at the end of each tour.

South Carroll Street

Police vehicle parking along the 200 block of S. Carroll St parking is for on-duty working staff only. Overnight storage of squads should be in the Fairchild Ramp.

Personnel using parking space in this block must ensure that assigned vehicles are removed from the block during periods of snow emergency.

Fairchild Ramp

This facility **is for police vehicle parking only. It is shall not to be used for the storage of impounded vehicles. Numbered parking stalls are assigned to specific positions or employees by the Executive Section and are always subject to change. or for the parking of personal vehicles by employees.** As per past practice, personnel are permitted to park personally owned motorcycles/scooters in the ramp as long as they are not parked in or infringe upon a marked stall. Any deviation from this regulation requires the approval of the Chief of Police or designee.

Other Locations

When advanced approval has been obtained, Personnel may be reimbursed for the cost of parking fees associated with the parking of **police vehicles** during duty time. Contact the Captain of Traffic and Specialized Services for reimbursement approval. Parking fees or citations associated with the parking of non-city-owned personal vehicles by employees during duty time are the sole responsibility of the affected employee. Contact the Captain of Investigative Support or his/her designee for reimbursement.

PARKING OF PERSONAL VEHICLES (POV) BY MPD EMPLOYEES AT CCB

1. On Duty MPD employees may park their Personal Vehicle (POV) in the CCB basement in the general **CITY STALLS marked #45, #47-49, #52-63, and #69-73 (highlighted green on map)**. If these stalls are occupied, MPD employees shall find alternative parking on the street or in ramps. POV parking in the CCB basement is subject to the time restrictions in #4 below.
2. **ALL OTHER** stalls in basement are reserved for specific City or County staff.
3. Personal vehicles (POV) **SHALL NOT** be parked in the basement of the CCB on Tuesday or Thursday evenings.
4. Personal vehicles (POV) of police employees **MAY BE** parked in the basement, as described in #1 above, on other weekdays from 6:15 p.m. until 7:00 a.m. the following day. Personnel must ensure that their vehicles are removed from the basement **by 7:00 a.m. Monday through Friday. There are no exceptions.**
5. Personal vehicles (POV) **MAY BE** parked in the basement on weekends and on city holidays, as described in #1 above. Vehicles must be removed from the basement **by 7:00 a.m. following the weekend or holiday.**
6. Officers shall adhere to all parking regulations consistent with their permit approval. **VIOLATIONS OF PARKING REGULATIONS MAY LEAD TO THE ISSUANCE OF A CITATION AND/OR REVOCATION OF THE PARKING PERMIT.**

Original SOP: 02/08/2016

(Reviewed Only: 11/01/2016, 12/26/2017)

(Revised: 12/03/2018, 12/28/2021, 02/08/2024)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Police Weaponry

Eff. Date ~~12/28/2021~~ 03/04/2024

Purpose

This **standard operating** procedure (**SOP**) defines authorized handguns, holsters, allowable alterations to handguns, and rifle use.

Procedure

HANDGUNS

Shall be Carried on Duty

All Madison Police Department (MPD) commissioned personnel shall carry a fully loaded handgun, one extra fully loaded magazine, and a pair of handcuffs on their person while on duty, pursuant to the guidelines in this policy, unless otherwise directed or waived by a commander for special circumstances. If an employee's **primary role working assignment** is a patrol/**street field** capacity, the employee shall carry two extra fully loaded magazines for the employee's primary handgun.

Officers will qualify in accordance with MPD standards with any handgun carried on duty.

Any officer transitioning to a new primary duty or **secondary backup** weapon must successfully qualify with that weapon prior to carrying it on or off duty. Any officer transitioning to a new primary holster requiring a different carrying method must successfully qualify with that holster prior to use on duty. Any officer transitioning to a weapon-mounted lighting system must successfully complete the MPD weapon mounted light course of fire, with the installed light system, prior to use on or off duty.

Officers shall not carry more than two handguns.

The Chief of Police may authorize special weapons and/or ammunition to be carried by Special Weapons and Tactics (SWAT) officers and may authorize firearms, accessories, and modifications contrary to those enumerated below, for testing and evaluation purposes.

Specifications for Primary Duty Firearm

The approved primary duty handguns for members of the MPD will be the following:

1. Glock Models 17 (9mm), 19 (9mm), 26 (9mm), 45 (9mm), 22 (.40 cal.), 23 (.40 cal.), 27 (.40 cal.), 21 (.45 cal.), ~~and 30 (.45 cal.)~~, **47 (9mm), and 49 (9mm)**; Heckler & Koch VP9 series; and Sig Sauer P320 (9mm). Primary Duty handguns shall be black in color and shall be equipped with non-adjustable iron sights. Sub-Compact models such as the Glock 43, 43x, and 48, and the Sig Sauer P365 are only approved as primary duty handguns for personnel not assigned to field services, or for those who are temporarily filling a non-field assignment (attending training, administrative duties, etc.). See "Qualifications" and "Holsters" sections below for additional requirements.
 - a. Glock duty handguns shall be equipped with the factory Glock trigger components, which, per Glock Inc., require 5.5 pounds of force to fire. If an officer chooses, they can utilize a configuration that makes the trigger pull heavier as long as Glock factory parts are utilized and they are installed by a certified armorer.
 - b. Heckler & Koch duty handguns shall be equipped with the factory Heckler & Koch trigger components, which, per Heckler & Koch, require 5.4 pounds of force to fire. If an officer chooses, they can utilize a configuration that makes the trigger pull heavier as long as Heckler & Koch factory parts are utilized and they are installed by a certified armorer.

- c. Sig Sauer duty handguns shall be equipped with the factory Sig Sauer trigger components, which, per Sig Sauer, require 5.5 pounds of force to fire. If an officer chooses, they can utilize a configuration that makes the trigger pull heavier as long as Sig Sauer factory parts are utilized and they are installed by a certified armorer.
2. Any weapon used as a primary duty weapon must have a round capacity of at least 10. Pistols chambered in .380ACP (9x17mm Automatic Colt Pistol) are not approved primary duty weapons, even with a magazine extender, unless approved by a commanding officer for a special assignment. Department members who intend to carry a subcompact firearm as a primary weapon must qualify with that weapon on the full Department of Justice (DOJ) qualification course of fire.
 3. Officers transitioning to a pistol-mounted optic system shall complete both a transition course authorized by the Training Team as well as an initial qualification provided by the Training Team prior to carrying such a configuration on duty.
 - a. Only MPD-approved red dot optics may be used. The Captain of Training or designee will maintain a list of the approved optics or characteristics
 - b. Pistol-mounted optics shall be mounted to the firearm's slide. Optics may be mounted via the firearm manufacturer's mount ~~or, the rear sight dovetail. dovetail, or by third party alteration of the slide.~~
 - c. The optics must allow for the simultaneous acquisition of iron sights.
 - d. The optics and accessories must be black in color.
 - e. Officers using a pistol-mounted optics system shall adhere to holster guidelines set forth below.

An officer may not be simultaneously qualified for more than one brand of semi-automatic pistol to be used as a primary weapon without approval from the Captain of Training.

The Training Section will determine what weapon model all newly hired officers will carry while on probation.

Detectives and Plainclothes Personnel: When detectives or plainclothes officers wear their weapon in plain view, they will also display their MPD badge in a manner that is clearly visible and have their MPD identification on their person.

Specifications for ~~Secondary Backup~~ Firearms

1. All ~~secondary backup~~ weapons must meet the following specifications:
 - a. Smith & Wesson, Sig Sauer, Glock, Beretta, Ruger, Walther, or H&K brand.
 - b. Double action or striker fire as specified above.
 - c. Semi-automatic action only or revolver.
 - d. .380, .38, .357, 9mm, .40 caliber, or .45 caliber.
 - e. Carrying any other type of handgun must be approved by the Chief of Police or designee in advance.
2. ~~Secondary Backup~~ weapons are those carried on duty in addition to the primary weapon and are intended only as an emergency backup weapon in the event the primary weapon is lost, non-functional, or inaccessible to the officer.
3. Officers may be responsible for ammunition and weapon maintenance for ~~secondary backup~~ and off-duty weapons.

Off-Duty Firearms Carry

1. Officers wishing to carry a handgun while off duty, based on their authority as a Madison Police Officer, must comply with the following guidelines:
 - a. Officers carrying a handgun while off duty must have a badge and MPD identification on their person.
 - b. Officers carrying a handgun while off duty are responsible for knowing and acting in accordance with all relevant MPD SOPs.

- c. Officers carrying concealed while off duty under the provisions of this SOP shall comply with MPD regulations with regard to approved brands, models, and accessories, and will complete required training and/or qualification.
2. Officers who have been issued a license to carry a concealed weapon under Wis. Stat. 175.60 may carry weapons as authorized for any license holder by applicable state law. Officers carrying a weapon off duty, pursuant to a license issued under Wis. Stat. 175.60, are limited to carrying in places and circumstances a license holder would be. If an off-duty officer is carrying a weapon under this statute and this weapon is not an authorized MPD weapon, the employee must be aware that **the employee he/she** is acting as a private citizen carrying a concealed weapon (CCW) permit.
3. No firearm may be carried off duty when an officer is consuming intoxicants or under the influence of prescribed narcotics that could alter judgment.

Qualifications

Department members will qualify with any handguns carried on duty or off duty, if carrying under the Law Enforcement Officers Safety Act (LEOSA) or authority as an MPD officer. The nature and timing of qualifications will be determined by the Captain of Training, but all sworn department members shall qualify on at least a yearly basis.

Department members may qualify with no more than three (3) firearms, at least one of which must be designated as a primary duty handgun. Qualification is individualized to the particular firearm, not brand/model.

- a. Primary duty handguns will be qualified with in accordance with Department and State DOJ standards and must conform to "Specifications for Primary Duty Firearms" outlined above. This applies to any firearms carried as a primary or sole firearm while on-duty (e.g., OIC, In-service, etc.).
- b. Officers will qualify with their **secondary backup** weapons annually. Officers will be required to draw their weapon, in the qualification course, from the concealed carry position utilized on duty. The method of carry must be approved by the Training Team at the time of qualification.
- c. Department members intending to carry a firearm as both an on-duty backup and occasional primary firearm will be required to demonstrate their ability to draw and holster from the concealed backup location, but will qualify (to the primary firearm standard) with a holster configuration more appropriate to the primary carry role.
- d. Time will be afforded during regular qualification or training (as possible) for officers to qualify with two (2) firearms; however, the Primary Duty firearms will be qualified first. If additional attempts or remediation are needed, the officer may not be afforded additional time on that date to qualify with a second firearm. The Department will provide duty and qualification ammunition for these initial attempts.
- e. Officers who wish to qualify with a third firearm, or a second firearm after a retest, will be required to coordinate with the In-Service Sergeant or a Training Team member to arrange a time to do so. The officer may be expected to provide training or qualification ammunition for this attempt; the Department will still provide appropriate duty ammunition.
- f. Any qualification standard (primary duty or **secondary backup**) shall meet the Department's requirement for qualification to carry that firearm off-duty.

General Specifications

Only MPD-authorized service ammunition shall be carried on or off duty. Officers are only authorized to use magazines designed and marketed by the manufacturer of the weapon being carried.

MPD authorized firearms may not be modified, altered, or have any non-approved part(s) installed without the approval of the Captain of Training or designee. Firearms with actions altered beyond established safety guidelines are not permitted. Trigger shoes are not permitted. Non-standard grips must be approved by the Captain of Training or designee. Officers shall not disassemble their weapons beyond the basic "field strip"

unless the officer is a certified armorer for that particular weapon. A weapon mounted lighting system is considered to be an extension of the weapon and shall not be removed from the weapon except for repairs, battery/bulb replacement, or when training without the lighting system is desired. Laser projecting aiming systems are not approved for primary duty weapons, though may be permitted for **secondary backup**, or off-duty, **or backup** weapons.

HOLSTERS

1. MPD will provide the initial issue duty holster to all new employees. Officers may purchase other approved holsters through their uniform and equipment account. MPD will replace duty holsters that are damaged in the course of duty.
2. Holsters must meet the following specifications:
 - a. Uniformed personnel, while working in the field in a patrol capacity, shall carry a holster which is designed to secure the specific weapon carried. The holster will be plain black, have a safety strap or hood which covers the back of the slide or hammer, and possess characteristics which secure the weapon so as to withstand strenuous activity, whether or not the strap or hood are engaged. Officers using a pistol-mounted optic shall carry a holster that adheres to all specifications set forth above; in addition, the holster will have a feature that covers/protects the optic from all sides while holstered. The holster will have solid belt loops and allow a handgun to be holstered and secured with one hand.
 - b. Uniformed personnel, **working in the field but not working in the field** in a patrol capacity, shall carry a holster which is designed to secure the specific weapon being carried. The holster will be plain, black in color, and be capable of securing the weapon so as to withstand strenuous activity and shall make use of at least one form of active retention. The holster will allow the handgun to be holstered and secured with one hand. There is still a requirement to use a holster with active retention, but not a hood covering the optics. ~~Officers in plainclothes are also not required to have a holster that covers the optics unless working in a field capacity.~~
 - c. Plainclothes Personnel shall carry a holster or fanny pack designed to secure the specific weapon being carried. The holster will be capable of securing the weapon so as to withstand strenuous physical activity. The holster will allow the handgun to be holstered and secured with one hand. **All primary duty weapon holsters must be approved by the Captain of Training or their designee. Commissioned personnel in plainclothes are not required to have a holster that covers the optics unless working in a field capacity.**
3. Primary duty holsters are to be worn in a manner that allows for a strong hand draw stroke.
4. Shoulder holsters which meet the following specifications are authorized:
 - a. The holster will be worn in the manner intended by the manufacturer and secured to the waist belt.
 - b. The holster will have the capability of allowing the handgun to be returned to the holster with one hand.
 - c. The holster will be equipped with a safety strap or other means of securing the weapon so as to withstand strenuous physical activity.
5. Captains may permit subordinate officers to carry a holster that deviates from the above, or authorize other means of carrying their weapon; such permission shall be in writing and placed in the employee's personnel file.
6. **Secondary Backup** weapons must be holstered and fully concealed in such a manner as to remain secure during vigorous physical activity. A designated representative of the Training Team will inspect the security of holsters and carrying methods for all **secondary backup** weapons during firearm qualification.

DRAWING THE HANDGUN AND CONFRONTING A THREAT

1. A handgun may be removed from its holster in the performance of duty under the following circumstances and only with the finger outside of the trigger guard:

- a. When an officer reasonably believes that the potential for the authorized use of deadly force may exist.
 - b. When it is necessary to secure in a safe place or check on the serviceability of the weapon.
 - c. At an approved range.
2. When confronting threats with drawn handgun:
- a. The finger will remain outside of the trigger guard until such time as circumstances exist which reasonably indicate a danger to life or of great bodily harm.
 - b. If applicable to the officer's particular weapon system, the pistol will be in double action mode and the weapon will not be cocked.
 - c. If applicable to the officer's particular weapon system, after being fired, a semi-automatic pistol may remain in the cocked/single action mode until such time as the immediate threat of death or great bodily harm no longer remains. The weapon will then be restored to double action mode by use of the de-cocking lever, if so equipped.

DEPARTMENT APPROVED RIFLES / ADMINISTRATIVE GUIDELINES

1. Officers will only use MPD-authorized rifles.
2. No modification, alteration, or installation of any part on any department assigned or individually owned rifle shall be made without the approval of the Captain of Training or designee, or by the SWAT commander (for SWAT tactical team members).
3. Only officers who meet MPD training requirements are authorized to use MPD approved rifles and they will use them in accordance with department training, policy, and established safety procedures.
4. Officers shall ensure that their MPD assigned and/or individually owned rifle is properly maintained, regularly inspected, and serviced in accordance with MPD training.
5. The Captain of Training or designee shall maintain rifle assignments and records.
6. Except for exigent circumstances, officers shall not use a rifle not assigned to them.
7. Uniformed officers assigned to and engaged in field operations shall ensure that their authorized rifle is properly secured in their squad at the start of their shift unless approved by a supervisor. This requirement does not apply to off-duty or special assignments.
8. Rifles transported in police vehicles shall be secured in the mounting brackets provided or be cased in the vehicle's trunk. The rifle should have an empty chamber, have the safety on, and have a magazine loaded with the prescribed number of rounds as established by this SOP.
 - a. Only MPD-approved rifle ammunition is authorized to be carried on duty.
 - b. Magazines designed to hold 20 rounds shall be loaded with no fewer than 18 rounds. Magazines designed to hold 30 rounds shall be loaded with no fewer than 28 rounds. In no case shall the magazine be loaded with more rounds than designated by the manufacturer.
9. In police vehicles equipped with a prisoner transport screen, the screen shall be in the up or closed position when transporting prisoners, suspects, or persons under protective custody when a rifle is secured in the passenger compartment.
10. In the event an officer's rifle becomes fouled, is suspected of having a partial or complete barrel obstruction, or is otherwise not in a serviceable condition, it shall be immediately made safe and placed out of service until proper cleaning and/or repairs can be made. The officer responsible for the rifle shall promptly make written notice to the Training Team's In-Service Sergeant noting the nature of the problem. If the rifle will be unserviceable for an extended period of time, the officer will be issued an MPD-owned loaner rifle zeroed to the officer.
11. In the event an officer's rifle is collected as evidence, the Training Team's In-Service Sergeant or designee will issue an MPD-owned loaner rifle zeroed to the officer as soon as possible.
12. Storage for rifles will be provided in each district station armory.

Individually Owned Rifles

Officers who have completed MPD-approved training may carry and utilize an AR-15 A2/A3 style 5.56mm/.223 rifle they personally own while on duty.

The rifle shall meet the following criteria:

1. Be made by Colt, Bravo Company Manufacturing, or Sig Sauer.
2. Be semi-automatic.
3. Have a minimum barrel length of 16 inches.
4. Have a full or multi-position collapsible stock; no folding stocks are allowed.
5. Have a sling attached that is black in color.
6. Be equipped with iron sights.
7. Rifle and accessories shall be black in color (Any deviation must be approved by the Captain of Training or designee).

Deviations from these requirements may be made only with the written approval of the Captain of Training. Deviations for SWAT tactical team members may be approved by the SWAT commander.

Optional Accessories for Authorized Rifles

1. MPD-owned rifles may be equipped with a flashlight. The flashlight mount must:
 - a. Not require a modification of the rifle hand guards as delivered by the manufacturer.
 - b. Be able to be stored in the rifle mounting rack system in the squads.
2. Individually owned rifles may be equipped with the following accessories purchased at the owner's expense:
 - a. Flashlight.
 - b. A vertical forward grip.
 - c. A tactical hand guard or free floating hand guard; a low-profile gas block may be used in conjunction with an extended ~~free floating~~ free-floating hand guard.
 - d. An alternative stock and/or pistol grip.
 - e. An ambidextrous safety and/or charging handle.
 - f. An enlarged or "winter" trigger guard.
3. With prior approval and inspection by a member of the Training Team, an officer may mount a personally owned optic on an MPD rifle.
4. Individually owned rifles may be equipped with optical sights, which include red dots, magnifiers, and riflescopes.
5. Guidelines for red dots, magnifiers, and riflescopes are the following:
 - a. Only MPD approved red dots, magnifiers, and riflescopes can be used on duty; the Captain of Training or designee will be the approving authority.
 - b. If equipped with optics, the optics must allow for simultaneous utilization of the iron sights.
 - i) If equipped with a rifle scope, back-up sights must be accessible through a quick release mount or offset 45-degree sights.
 - c. Officers utilizing an optical sighting system must have the system inspected by Training staff and qualify with an MPD Firearms Instructor with that sighting system prior to using the rifle on duty.
 - d. Officers with individually owned rifles may use a fixed-power magnifier in conjunction with the approved optics. The magnifier must utilize a mounting system that allows it to be instantly folded or rotated out of the way so the primary optics can be used without the magnifier, while remaining attached to the rifle.
 - e. Riflescopes must be able to return to 1x (1power) magnification.
 - f. Rifle optics shall never be used as a replacement for binoculars.
6. Current SWAT members may add additional accessories to individually owned rifles with the approval of the SWAT commander. SWAT members who leave the team in good standing may retain accessories at the discretion of the SWAT Commander. This approval may be rescinded at any time.
7. Installation of accessories that require disassembly beyond the standard field strip must be completed by a trained armorer or gunsmith and be inspected by an MPD armorer prior to duty use.

Rifle Safety Procedures

1. Rifles shall at all times be handled in accordance with MPD training, policy, and established safety procedures.
2. When inspecting, loading, or unloading rifles, officers shall:
 - a. Ensure the safety is on.
 - b. While seated in the front passenger compartment of a police vehicle, place the muzzle toward the engine and away from any portion of an officer's body.
 - c. Remove the magazine.
 - d. Pull the charging handle to the rear and lock the bolt back by depressing the lower half of the bolt catch. If a round is in the chamber, it should be ejected by this action.
 - e. Visually inspect the chamber to see that it is empty, keeping fingers out of the ejection port to prevent injury.
 - f. Close the action by pulling the charging handle to the rear and then releasing it.
 - g. Inspect the magazine to ensure it is properly loaded before inserting into the magazine well. Tug aggressively down to ensure the magazine is properly seated.
 - h. Close the dust cover.
 - i. Inspect the sights to ensure they have not been altered.
 - j. Secure the rifle in the vehicle mounting bracket.
3. In police vehicles so equipped, the prisoner transport screen shall be in the up/closed position when transporting prisoners, suspects, or persons under protective custody.

DEPLOYING THE PATROL RIFLE AND CONFRONTING A THREAT

1. A rifle may be deployed in the performance of duty under the following circumstances and only with the finger outside of the trigger guard and the safety on:
 - a. When an officer reasonably believes that the potential for the authorized use of deadly force may exist.
 - b. When it is necessary to secure in a safe place or check on the serviceability of the weapon.
 - c. At an approved range.
2. When confronting threats with a deployed rifle:
 - a. The finger will remain outside of the trigger guard with the safety on until such time and circumstances exist which reasonably indicate a danger to life or of great bodily harm.
 - b. After being fired, the safety selector may remain on fire until such time as the immediate threat of death or great bodily harm no longer remains. The weapon will then be restored to safe.

MISCELLANEOUS WEAPONRY

1. Uniformed personnel, while working in the field in a patrol capacity, shall have an MPD-authorized baton immediately available in their vehicle.
2. All uniformed personnel, while working in the field in a patrol capacity, are required to carry an MPD-authorized chemical agent. Carrying of an MPD authorized chemical agent is optional for non-field personnel.
3. All uniformed personnel, while working in the field in a patrol capacity, are required to carry an MPD-authorized electronic control device (ECD). This does not apply to personnel who have not been trained in the use of an electronic control device, or if no device is available (e.g., special events, Field Training & Evaluation (FT&E), SWAT). **The ECD/holster shall be attached to the duty belt, on the opposite side hip from the officer's firearm holster, with the grip facing forward – toward the front of the officer's body - in a vertical orientation. First access of the ECD should be done utilizing the non-dominant hand.**
4. The use or carrying of any non-authorized firearm, electronic control device, ammunition, chemical agent, or agent-dispensing device is prohibited.

5. Commissioned personnel are permitted to carry folding/retractable knives with a blade no longer than four inches for utility purposes while on duty. Fixed-blade knives are authorized only for members of SWAT and only while operating in that capacity during special circumstances with the written permission of the Chief of Police.

FIREARMS SAFETY

Members of the MPD shall strictly adhere to all safety guidelines when handling any firearm to prevent an unintentional discharge of that firearm. Members shall not engage in any behavior with a firearm that may pose an unnecessary danger to any other person. Officers shall take reasonable measures to ensure the security and safe storage of MPD approved weapons. This procedure applies to all members of the MPD while on duty and to the handling of any MPD approved weapon while off duty.

FIREARMS IN THE DANE COUNTY COURTHOUSE

It is the procedure of MPD to actively participate in the safe and secure operation of the Dane County Courthouse (DCC). Courthouses are locations where disputes involving the most volatile human emotions are resolved and thus, can create unique potential dangers. Madison Police Officers shall recognize this environment and exercise extreme care when bringing a firearm into the Dane County Courthouse.

1. On-duty MPD sworn employees performing official duties are authorized to carry firearms in the DCC regardless of attire (e.g., military, utility, professional uniform, or civilian).
2. On-duty employees shall:
 - a. Wear a visible breast/pocket badge if wearing the military, utility, or professional uniforms. While in civilian attire, a pocket badge and/or MPD ID card shall be displayed on the outer garment.
 - b. Wear an agency-approved holster and adhere to all MPD firearms safety and weapon retention procedures.
 - c. When in civilian attire, wear an outer garment (coat, jacket, vest) to cover the firearm. A badge on a belt clip or MPD ID card shall be displayed near the firearm.
 - d. Have MPD-issued identification on his/her person and produce this identification to Sheriff's staff or weapons screener upon request.
 - e. Officers engaged in undercover activities are exempt from the above visible identification requirements and may provide weapons screening staff with other evidence of law enforcement status.
3. On-duty employees entering the DCC through the main entrance on South Hamilton Street shall, upon request of Sheriff's staff or a weapons screener, provide proper identification, state the reason of the visit, and sign-in on the log book. If an employee is not on official business, the employee's firearm shall be secured in a gun locker near the main entrance and the employee shall submit to weapons screening procedures.
4. Off-duty employees requiring access to the DCC for the purpose of attending to personal business shall enter the DCC through the public entrance on South Hamilton Street and will submit to weapons screening. If armed, they will be required to secure their firearm in a manner approved by the DCC Staff and will be required to submit to weapons screening procedures. MPD employees who are not on duty and not on official business are not authorized to carry firearms in the DCC.

Original SOP: 02/25/2015

(Revised: 03/17/2015, 04/21/2015, 03/04/2016, 08/25/2016, 12/21/2017, 09/24/2018, 06/08/2020, 12/28/2021, 03/04/2024)

(Reviewed Only: 12/22/2016)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Pre-Employment Candidate Files

Eff. Date ~~01/31/2023~~ 1/22/2024

Purpose

The Madison Police Department (MPD) maintains information on all candidates competing for employment within the MPD pursuant to State of Wisconsin Statutes and City of Madison Ordinance.

The purpose of this standard operating procedure (SOP) is to identify and clarify specific categories of records contained within these files that specifically relate to candidates that are hired. **These files have restricted access. Access to portions of these files may be denied due to exceptions noted in Wisconsin State Statutes §§19.31-19.39 and §103.13.** Accordingly, not all portions of an employee's pre-employment file will be available to the employee.

Pre-Employment files are not considered part of the employment file by definition in Wisconsin State Statute §§ 165.85 (2) (ap) (2021 Wisconsin Act 82). Law Enforcement entities seeking to view or receive copies under 2021 Wisconsin Act 82 to employment records do not have access to pre-employment files (see statutory definition above). See SOP titled "Personnel File Contents and the Process for Accessing These Records" for a listing of employment file contents. **In addition, there may be a reasonable charge for providing copies of records.** MPD may allow for the in-person review of pre-employment files when requested by another law enforcement entity (with the appropriate signed consent), but only for those candidates who were not hired by MPD. These in-person file reviews shall be logged with the MPD Records Section as a release of records.

File/Definition

These following files are stored in the Master file room located at the City County Building (CCB) at Headquarters in separate folders within a secured area. These files can only be accessed by the Human Resources Coordinator and the Police Executive Office Supervisor. Documents referenced within the file categories below are representative of the types of documents that may be found therein but are not inclusive lists. Document types within the identified categories will vary between commissioned and non-commissioned employees.

PRE-EMPLOYMENT APPLICATION FILE (MANILA)

(Maintained by the Human Resources Coordinator ONLY if the applicant is hired)

- Preliminary Application (includes responses to essay questions on the application, education diplomas, education transcripts, copy of birth certificate, copy of driver's license, applicant photo)
- Biographical Information (Applicant Data Sheet)
- Letters of Recommendation (if submitted with application)
- Military Service Records (if submitted with application)
- Resume (if submitted with application)
- Pre-Employment Contract (Agreement to Reimburse Costs and Expenses)
- Statement of Commitment

PRE-EMPLOYMENT TESTING FILE (GRAY)

- Written Test Score Sheet
- Written Essay
- Physical Agility Test Score and Waiver
- Oral Board Questions/Response Evaluations

PRE-EMPLOYMENT BACKGROUND FILE (RED)

- Personal History Statement (includes biographical information, education/employment/military history, family members, past residences) and references that were requested as part of the background process)
- Authorization for Release of Information
- Criminal/Financial History Checks
- Field Training Officer (FTO) Ride-a-long Overview
- MPD Background Summary

INTERN FILE

(Maintained by the assigned Training Sergeant)

Rules and Guidelines

RETENTION OF RECORDS

- Medical test results after a conditional offer of employment are to be stored in the Medical file within the Personnel File Records of an employee, which includes a cover sheet medically clearing the applicant and drug screen results.
- Pre-employment Application, Pre-Employment Testing, and Pre-Employment Background files have very limited access, generally restricted to the Human Resources Coordinator and the Police Executive Office Supervisor.
- If the candidate is hired, all documents listed above will be stored for at least eight (8) years after separation from service (consistent with the contents of their Personnel File Records, although these records are not considered a part of their Personnel File).

Hiring process records and background files for individuals who were not hired by the MPD will be retained for at least three (3) years after the related hiring process. For commissioned positions, the Captain of Training and/or their designee are responsible for maintaining and purging these records. For candidates in a civilian position process, the respective Civilian Managers and/or their designees are responsible for maintaining and purging these records. The assigned Training Sergeant is responsible for intern process and background records for individuals who were not later hired by the MPD. Associated intern records will be retained for at least three (3) years after the document's origin date. The assigned Training Sergeant is responsible for maintaining and purging these records.

Original SOP: 02/25/2015

(Revised: 03/04/2016, 02/03/2017, 12/21/2017, 01/15/2020, 01/31/2023, 1/22/2024)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Professional Staff ~~Civilian~~ Hiring Process

Eff. Date ~~04/02/2021~~ 01/03/2024

Purpose

The City of Madison Police Department utilizes a standardized hiring process in order to ensure compliance with all federal and state laws, as well as City of Madison General Ordinances and relevant collective bargaining agreements.

Procedure

The following outlines the procedures MPD will follow when making ~~professional staff~~ ~~civilian~~ hires.

1. When a Captain/Manager is notified of a ~~professional staff~~ ~~civilian~~ retirement or resignation and would like to hire to fill that opening, they should:
 - a. Contact the Finance Manager for information regarding salary savings.
 - b. Contact the Assistant Chief of Support and Community Outreach with request for authorization to hire.
 - c. Contact the Department's ~~Civil Rights Coordinator~~ ~~Equity Team Leader~~ (Human Resources Coordinator) to assure compliance with the Department's Equitable Workforce Plan and ~~Racial Equity & Social Justice Initiative (RESJI)~~ process.
2. The Assistant Chief of Support and Community Outreach determines when to submit the "Request to Fill Vacancy."
3. If approved, the Captain/Manager completes the:
 - a. "Request to Fill Vacancy" form – Detailed information used in filling out this form can be obtained from ~~the an~~ MPD Payroll Clerk.
 - b. Position Description – A new Position Description document must be completed each time, even if previously done for a position. A prior Position Description document can be used in updating for a new hire.
 - c. Once these are completed, they should be forwarded to the MPD Payroll Clerk with an email request to enter the forms into the NEOGOV system. This email should also include the name of the Hiring Manager, who is the person coordinating the hire and the Department's ~~Civil Rights Coordinator~~ ~~Equity Team Leader~~ (Human Resources Coordinator).
4. The Hiring Manager will receive a notification from City Human resources identifying the City Human Resources contact for the hiring process. The Hiring Manager should contact the Human Resources Coordinator (as the Department's ~~Civil~~ ~~Equity Team Leader~~ ~~Rights Coordinator~~) to assure compliance with the Department's ~~Equitable~~ ~~Equity Action Workforce~~ (Affirmative Action) Plan.
5. The Captain/Manager or the Hiring Manager will contact the City Human Resources contact to finalize the following information:
 - a. Whether the process will be open/competitive or restrictive. Generally, ~~this~~ ~~se~~ decision will be based on the skill set needed for the position, the anticipated candidate pool, and any requirements related to the current employee handbook. City Human Resources has the final say on the process.
 - b. How the position will be advertised – If there is a financial cost for the advertising plan, approval for the expenditure must be obtained from the Finance Manager prior to moving forward.
 - c. Dates of opening and closing for receipt of applications.
 - d. Date and type of examination – The Hiring Manager should review any City examinations to determine the appropriateness of the questions in relation to the position.

- e. The Hiring Manager will be contacted by the City Department of Civil Rights if the position is underrepresented. This will then be discussed and taken into consideration during the hiring process.
6. City Human Resources posts the job announcement on the City of Madison website. City Human Resources does not accept paper applications and all applications must be completed online.
7. After the application period closes, minimally qualified candidates will move to the testing phase, which is conducted by City Human Resources. A list of referred candidates will be made available through the NEOGOV system. Every referred candidate must be offered an interview.
8. The Hiring Manager develops an interview panel with approval of the Captain/Manager.
 - a. The interview panel must be balanced and diverse (gender, race, and commissioned/non-commissioned) and usually has at least three people on it.
 - b. The names of the panel members should be kept confidential until the candidates appear for the interview. The Hiring Manager should remind the panel members the names of the people that appear before them are confidential and should not be discussed until after the process.
 - c. A list of job-related interview questions should be established along with benchmarks for scoring candidate responses.
 - d. All panel members should interview each candidate. However, if a panel member feels they cannot provide an impartial evaluation of a candidate due to a personal relationship with the individual, they should recuse themselves from that particular interview and any panel discussion of this candidate at the conclusion of the interview process. It is best to avoid any perception of impropriety in the selection process.
9. The interview panel ranks the top candidates for the position based on their responses to the interview questions and established benchmarks.
10. The Hiring Manager meets with the Captain/Manager to determine the number of backgrounds to be completed and whether there will be second interviews.
11. Background checks should be performed on those candidates who are to be considered for a final interview with the Captain/Manager. The Captain/Manager shall review the background check to determine if a candidate will be given a second interview.
12. The second interview may be less formal, and consist of the Captain/Manager and at least one other person. This less structured interview is a final check for alignment with MPD Mission, Values, and Goals.
13. The Hiring Manager and Captain/Manager determine the recommendation for hire.
14. The Captain/Manager provides the recommendation to the Assistant Chief of Support and Community Outreach, who shares the recommendation with the Chief of Police. The Chief of Police then determines whether to approve the hire.
15. Upon approval, the Hiring Manager contacts the prospective hire with the official job offer.
 - a. The job offer must include the proposed start date, which should coincide with the first day of a pay period.
 - b. Any potential start date which is after November 1 must be discussed with the Finance Manager prior to making the job offer.
16. Once the candidate accepts the job offer, the Hiring Manager:
 - a. Completes the hiring personnel action form in the NEOGOV system.
 - b. Contacts City Human Resources to schedule the City Orientation training.
 - c. Contacts the MPD Human Resources Coordinator to schedule the MPD Orientation training.

- d. Completes the New Employee Setup Information form on the intranet. It is preferred that this form be completed at least two weeks before the new employee starts. Information from this form is routed by the Chief's Office to set up the employee's payroll, TeleStaff, email account, seniority information, IBM, and add the employee to the internal phone list. This form is then placed in the employee's personnel file.
17. The Hiring Manager mails or emails rejection letters to candidates not selected. Refer to and utilize the Professional Staff Civilian Hiring Process Orientation Checklist. When appropriate, the Civil Rights Coordinator should be consulted to assure compliance with the Department's Equity Action Equitable Workforce Plan.
18. When a vacancy occurs at a Manager level, the Assistant Chief of Support and Community Outreach is the ultimate hiring authority and will follow the above steps as would a Captain/Manager.

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(Name change from Civilian Hiring Process to Professional Staff Hiring Process; 01/03/2024)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Professional Standards and Internal Affairs Complaint Investigation

Eff. Date ~~11/06/2020~~ 01/09/2024

Complaint Acceptance and Investigation

1. General Purpose

It is essential that public and employee confidence be maintained in the ability of the Madison Police Department (MPD) to investigate and properly resolve complaints against its employees, policies, or procedures. It is also essential that the rights of the employee, as well as those of the public, be preserved. Therefore, the MPD is committed to investigating complaints in a fair manner with the truth as the primary objective.

Community member Citizen complaints of code of conduct or procedural violations or alleged officer misconduct will be entered into the Professional Standards & Internal Affairs (PSIA) records system, including service complaints. All complaints will be given a PSIA investigation number.

2. Employee's Responsibility

When involved in an investigation, employees are required to cooperate fully, answer questions truthfully, and to provide material and relevant statements to the investigating supervisor or commander.

3. Supervisory Responsibility

Supervisors assigned to investigate a complaint against an employee are responsible for conducting a thorough and fair investigation, and for respecting the dignity of all persons involved.

4. Guideline for Complaint Acceptance

All **community member Citizen** complaints will be reviewed and/or investigated as appropriate. Where a significant time delay has elapsed from the time of the incident to the time of the complaint, the complaint will be reviewed/investigated as best as possible given the available information (witness recollection, physical evidence, etc.).

5. Prompt Disposition of Complaints

Investigations of complaints against employees will be prompt. The disposition of PSIA investigations will be within 90 days of the assignment of the complaint. An extension of these time limits may be granted by the Chief of Police.

6. False Complaints of Police Misconduct

Per **Wisconsin (WI)** Statute 946.66(2), whoever knowingly makes a false complaint regarding the conduct of a law enforcement officer is subject to a Class A forfeiture.

Responsibility For Accepting/Referring Complaints

Every employee has the responsibility to ensure that a **community member Citizen** complaint is received and is referred to the appropriate unit or supervisor.

Methods Available For Receiving **Community Member Citizen Complaints**

The methods available for receiving complaints from **community member Citizen** are listed below:

1. Verbal complaints can be tendered by a complainant either personally or by telephone.
2. A complainant may tender a complaint in writing or online on the MPD's website. **Community member Citizen** will not be required to submit a complaint in writing.
3. A **community member Citizen** may file a complaint against a commissioned employee with the Board of Police and Fire Commissioners, as provided in Wis. Statute **Section** 62.13.
4. **Community member Citizen** who have complaints against any MPD Code of Conduct provision or standard operating procedure (**SOP**) of MPD will be directed to submit their complaint in writing to the office of the Chief of Police.

Anonymous complaints will be accepted and investigated based on the available information.

Responsibility of Supervisor Receiving **Community Member Citizen Complaints**

1. Supervisors receiving **community member Citizen** complaints will obtain the nature of the complaint and a description of the events in question.
2. If the incident in question can be readily resolved because there are no disputed facts and because there is not an allegation of a significant Code of Conduct violation (i.e., alleged criminal conduct, excessive use of force, or other violations that if sustained would result in a letter of reprimand or more severe disciplinary action), the supervisor may document the circumstances and forward their investigative documentation/recommendation to their command staff for review. Command staff will review the investigation and forward to PSIA for final disposition.
3. A supervisor taking a complaint with an allegation of significant misconduct shall document the nature and description of the allegation, as well as the contact information for witnesses. This will be submitted to PSIA by entering it into the PSIA records system. The supervisor should then follow the appropriate command notification protocol.

Allegations of Criminal Activity, Serious Misconduct, and Critical Incidents

1. In all cases where a felony or other serious misconduct is alleged, the following individuals will be contacted as soon as possible:
 - a. The Chief of Police.
 - b. The PSIA Lieutenant.
 - c. The employee's commanding officer.
2. The investigation into significant allegations will begin as soon as possible upon receipt of the complaint.
3. Employee statements will generally not be compelled until after review by the District Attorney's Office in any case with the potential for criminal liability.
4. If the investigating supervisor determines that there may be probable cause for a criminal violation, the case shall be forwarded to the District Attorney's Office for review. This does not preclude an immediate physical arrest if there is a threat to public safety.
5. Allegations of criminal conduct that are unclear may be taken to the District Attorney's Office for informal review at the investigator's discretion.
6. The same legal standards regarding Miranda warnings shall be applied to employees as would be applied to individuals not employed by the MPD.
7. Employees involved in significant misconduct, which could result in discipline, termination, or criminal charges, shall be offered services from the City's Employee Assistance Program (EAP). This does not preclude offering employee assistance services in other disciplinary matters.

Investigative Responsibility

1. PSIA will review, document, and assign complaints.
2. PSIA will ensure that the Chief of Police and the employee's commanding officer have been notified of significant complaints.
3. **Category A** (as listed in PSIA Discipline Matrix) allegation investigations will generally be assigned to the employee's assigned work group supervisor or district command for investigation. Upon completion of the investigation, the investigating supervisor will contact PSIA to ensure consistency with similar investigations and that matrix guidelines have been followed.
4. **Category B** (as listed in the PSIA Discipline Matrix) allegation investigations **may** be sent to the assigned employee's work group supervisor or district command for investigation. PSIA will confer with the employee's commanding officer or supervisor to determine the most appropriate venue for investigation.
5. PSIA will typically investigate all **Category C, D, and E** (as listed in the PSIA Discipline Matrix) allegations.
6. When the PSIA investigator is unavailable or unable to conduct an investigation, a commanding officer assigned by the Chief of Police or his/her designee will be responsible for the investigation.
7. The Chief of Police reserves the right to request PSIA investigate allegations at any category level when circumstances merit.
8. Notification of the involved employee will be completed at the discretion of the investigating supervisor in order to protect the integrity of the investigation.
9. In cases where **community member citizen** complaints are filed against arresting officers, the investigation of an allegation will generally be conducted promptly. However, the investigation may be suspended, only at the discretion of the Chief of Police, until the court proceedings are completed. In these cases, a notice will be placed in the case file and the involved employee and their commanding officer shall be notified.
10. In cases of potential criminal conduct when it is necessary to assign additional investigators, the PSIA unit will be kept informed as to the progress and details of the investigation and assigned investigators.
11. When there are allegations of insubordinate or disrespectful behavior towards a supervisor, the commanding officer of the involved employee will designate someone other than the directly involved supervisor to investigate. In other instances when the appearance of an interpersonal conflict exists, the commanding officer of the involved employee may designate a non-involved supervisor to conduct the investigation.
12. The investigating supervisor will forward the file to the employee's commander for review. PSIA will review all complaint investigations/dispositions and will brief the Chief (or designee) of final disposition.
13. For all internal investigations, PSIA will ensure that:
 - a. The investigation was conducted in a fair, dignified, and thorough manner in accordance with Chapter 164 and Sec. 62.13, Wis. Stat.
 - b. All documents of a completed investigation shall be forwarded through the chain of command to the PSIA office for review and entry into the PSIA records system.
 - c. The investigation was completed within the allowable time period.

Steps in a Complaint Investigation

1. Complaint received.
2. Complaint entered into the PSIA records system. Contact PSIA to discuss the case and determine investigative venue.
3. Conduct investigation. Interview witnesses, review police reports, etc.
 - a. In all cases, the investigator shall review available information to determine if a Code of Conduct violation occurred. When a complainant or witness fails to follow through with the investigating supervisor, the attempts to contact the complainant/witness shall be documented in the record.
 - b. Interview notice should be sent to the employee(s) alleged to have committed the violation with at least 48 hours notice, when appropriate. An employee must be allowed to contact a representative in any interview if desired. Interview notice is not required for coaching, mentoring, training, feedback, interviews of employee witnesses, or basic fact finding.
 - c. In cases where the allegations, if proven true, would likely result in discipline, interviews with the officer(s) alleged to have committed the violation will be audio recorded. This does not apply to instances where the factual circumstances of the incident are clear and undisputed, or if recording the interview is impractical. Interviews may also be recorded at the employee's request or if other circumstances indicated that recording is appropriate.
 - d. The decision to audio record interviews with victims, witnesses, or complainants will take the following factors into account:
 - i. The severity of the allegation.
 - ii. The complexity of the allegation.
 - iii. The location of the interview.
 - iv. The relevance of the interview to the investigation/allegation.
 - v. The willingness of the interviewee to have the interview recorded.

When the allegations, if proven true, would likely result in discipline, complainant interviews should be recorded unless it is impractical to do so or the complainant declines to have the interview recorded.
 - e. Interviews of key witnesses in significant investigations should be recorded when possible.
 - f. Employees should be informed of and referred to the City's EAP.
 - g. Employees may be ordered to not discuss their involvement in an investigation with others. Such an order should only be imposed for the length of time reasonably necessary. It is not the MPD's intent to restrict employee rights to prepare a defense to a complaint filed against them.
4. If the preliminary finding is a sustained SOP or Code of Conduct violation that may result in discipline, a pre-determination hearing will be scheduled.
 - a. A pre-determination notice should be sent to the employee (and representative if a representative has previously been involved) at least one (1) week before the hearing.
 - b. In lieu of a personal appearance/hearing, the employee can opt to submit a written response. A written response may be submitted in addition to the hearing, but must be submitted before

or at the time of the hearing. The employee is allowed to have a representative present during the hearing if so desired.

- c. Pre-determination findings should document any mitigating or aggravating factors that employee discussed in pre-determination response.
5. The district/section Captain of the employee shall conduct a command review of the final investigation. The Captain will review the investigation and may direct further investigative steps if warranted. Once reviewed, the district/section Captain will forward the investigation and recommended finding to PSIA for final review with the Chief.
6. A discipline meeting will be held with PSIA, the employee's command staff, and the Chief of Police.
7. The Chief of Police has final authority on all discipline decisions.
8. The employee will be notified in writing of any discipline. The complainant will be notified of the final outcome of the case as well (in the manner in which they prefer to be contacted).
9. If a complainant is not satisfied with the outcome of the investigation, they should be advised that they have the option to pursue their complaint to the Police and Fire Commission.

Complaint Disposition

Upon completion of an investigation, the investigating supervisor will make a conclusion for each allegation from among the following dispositions:

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

Seven Tests For Just Cause

The Chief of Police must show "Just Cause" when issuing discipline to a sworn employee. In any internal investigation resulting in discipline, per Wis. Stat. Sec. 62.13, there are seven "Just Causes" that must be met:

1. Whether the subordinate could reasonably be expected to have had knowledge of the probable consequences of the alleged conduct.
2. Whether the rule or order that the subordinate allegedly violated is reasonable.
3. Whether the Chief of Police, before filing the charge against the subordinate, made a reasonable effort to discover whether the subordinate did, in fact, violate a rule or order.
4. Whether the effort described under sub. 3 was fair and objective.
5. Whether the Chief of Police discovered substantial evidence that the subordinate violated the rule or order as described in the charges filed against the subordinate.

6. Whether the Chief of Police is applying the rule or order fairly and without discrimination against the subordinate.
7. Whether the proposed discipline reasonably relates to the seriousness of the alleged violation and to the subordinate's record of service with the Chief of Police's department.

Police Bill of Rights

Wis. Stat. Sec. 164.02 provides guidance on police interviews as it relates to the Police Bill of Rights.

- (1) *If a law enforcement officer is under investigation and is subjected to interrogation for any reason which could lead to disciplinary action, demotion, dismissal, or criminal charges, the interrogation shall comply with the following requirements:*
 - (a) *The law enforcement officer under investigation shall be informed of the nature of the investigation prior to any interrogation.*
 - (b) *At the request of any law enforcement officer under interrogation, he or she may be represented by a representative of his or her choice who, at the discretion of the officer, may be present at all times during the interrogation.*
- (2) *Evidence obtained during the course of any interrogation not conducted in accordance with sub. (1) may not be utilized in any subsequent disciplinary proceeding against the law enforcement officer.*

Professional Staff ~~Civilian~~ Employees

All employees are expected to adhere to MPD Code of Conduct, standard operating procedures, and City of Madison Administrative Procedure Memoranda (APM). This SOP describes the complaint investigation process for all employees; however, discipline matters resulting from a sustained finding involving non-commissioned personnel follow the overall City of Madison Personnel Rules.

Cooperation With Investigations Required Notice

In some cases where there is a possibility of criminal liability and an employee is interviewed, the employee shall be given an MPD memo called "**Cooperation with Investigation Required.**"

This memo advises that although employees are required to cooperate in an internal investigation (Code of Conduct #20), that the employee's statement cannot be used against the employee in any subsequent criminal proceedings. If a statement is going to be ordered from an employee, the following procedure will be adhered to:

1. PSIA will order the officer(s) to provide a statement. The order will be documented in writing.
2. The interview will be audio recorded and transcribed.

Suspension

Should an employee be suspended without pay, the order shall be issued by the Chief of Police. Disciplinary actions against commissioned personnel requesting demotion or dismissal will be filed by the Chief of Police with the PFC, pursuant to Wis. Stat. Sec. 62.13.

Disciplinary actions against **professional staff civilian** employees will be in accordance with the relevant City Ordinances.

Notification/Documentation

After the imposition of a sanction or discipline, the imposing supervisor will direct a memorandum to the employee with a copy to PSIA indicating the complaint number, employee involved, policies violated, and date and the type of sanction or discipline imposed. A copy of this memorandum will be placed in the employee's PSIA file.

Notification of Decision

Following completion of a complaint investigation, the employee who is the subject of the complaint and the complainant(s), shall be informed in writing of the disposition by PSIA or by the Commander/Manager of the employee. This notification should be made as soon as possible, but not later than 10 days following completion of the investigation and command review procedure. Notification to the complainant shall be documented and attached to the PSIA case file.

The Police and Fire Commission will be notified of any dispositions involving suspension of a sworn employee. Such notification will be made immediately upon issuing the suspension to the employee.

Professional Standards & Internal Affairs Records

1. PSIA will maintain secure, electronic records of:
 - a. All PSIA complaints.
 - b. All received complaints, including dispositions.
 - c. Complaints against professional staff civilian-employees.
 - d. Expired work rules/performance improvement plans.
 - e. Documentation of verbal and documented counseling.
2. ~~A record of dispositions of investigations finding a sustained violation resulting in a letter of reprimand or greater sanction will be maintained in an employee's personnel file.~~
3. No records of complaints resulting in the dispositions of unfounded, exonerated, or not sustained will be maintained in an employee's personnel file.
4. PSIA records will not be released from the MPD without approval from the Chief of Police.

Administration of Sanctions/Discipline

Methods of correcting inappropriate behavior may range from counseling, where the immediate effect is on the individual, to corrective sanctions, or termination of employment, where the positive effect is in the reassurance to other employees and the community that unacceptable conduct will not be tolerated. In each case, care must be exercised to obtain a desired and just result and to ensure the uniform application of corrective action, including discipline, department-wide.

Role of the EAP

MPD recognizes that problems in the workplace may be related to alcoholism, other drug dependency, emotional disorders, or other personal problems. In order to address problems such as these, MPD has an EAP. Employees are encouraged to use the program as a prevention measure, as well as a parallel system to the disciplinary process.

PSIA Summaries

Quarterly summaries will be sent out to all MPD personnel, as well as to the local media on all PSIA cases regarding sustained complaints that result in discipline. Employees will not be named in these summaries. The summaries will include the PSIA case number, allegation, description, disposition, and discipline.

An individual summary may be sent out in cases that are deemed to be significant in nature. If an employee's alleged conduct is serious and "public" in nature and it is determined to be a sustained violation, the MPD may release the employee's name in a separate, individual summary. The Madison City Attorney's office will be consulted and will review the summary. This will be weighed on a case-by-case basis in determining the public's right to know about the conduct.

Rules of Wis. Stat. Sec. 19.356 "Notice to Record Subject" will be followed if employee's name is to be released. This statute requires that an employee be notified in writing if the employee's name is to be released. A copy of the record released will be provided at the time of the notification to the employee. The notification may occur in person or by certified mail. This statute also allows for an employee to challenge the records release in circuit court. The notice will be served on the employee according to statutory time requirements.

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**CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE**



Professional Standards and Internal Affairs Discipline Matrix

Eff. Date ~~03/29/2023~~ **01/09/2024**

Purpose

This procedure outlines the guidelines and expectations for the Madison Police Department’s (MPD) response to complaints and the steps involved in the investigation of complaints. Investigatory responsibilities, the Police Bill of Rights, and the Seven Steps for Just Cause are also detailed. This procedure begins with a description of the Discipline Matrix. A police discipline matrix aims to achieve consistency in discipline and to eliminate the appearance of disparity. This matrix does not remove discretion; it provides a range of possible sanctions, thus providing clarity.

Procedure

The matrix lists both code of conduct violations and Standard Operating Procedural (SOP) violations. It then provides sanction categories **A** through **E**. The least punitive sanctions are category **A**, with sanctions becoming more severe as the categories progress to category **E**.

In each category, there is a recommended guideline of sanctions. These guidelines are based on comparable sanctions for each violation from Professional Standards & Internal Affairs (PSIA) cases in years past.

This matrix captures most violation sanctions that have occurred in the past 25 years. There are code of conduct/procedural categories that are not covered in this matrix. There is the expectation that all policies and procedures will be followed. MPD understands that as times change, policies and expectations will change, and there will be violations that are not covered on the matrix. These violations shall be added to the matrix as deemed appropriate. For code of conduct violations not specified on the matrix, the sanction will be determined by the Chief of Police.

Sanction Categories

Category A	Category B	Category C	Category D	Category E
<p>Conduct violation in a single incident that has a minimal negative impact on the operations or reputation of the MPD. Sanctions listed in the below categories are not considered discipline. Sanction guidelines may include:</p> <ul style="list-style-type: none"> • Verbal Counseling • Mediation • Documented Counseling <p>A single sanction or a combination of the above listed sanctions may be deemed appropriate. Training and/or Work Rules can also be ordered in conjunction with any sanctions listed above.</p>	<p>Violations that have more than minimal impact on the operations or reputation of the MPD or that negatively impacts relationships with other officers, agencies, or the public. This includes repeated acts from Category A within time frames listed below. Sanction guidelines may include:</p> <ul style="list-style-type: none"> • Verbal Counseling • Mediation • Documented Counseling • Letter of Reprimand (First Level of Discipline) <p>A single sanction or a combination of the above listed sanctions may be deemed appropriate. Training and/or Work Rules can also be ordered in conjunction with any sanctions listed above.</p>	<p>Violations that have a pronounced negative impact on the operations or reputation of the MPD or on relationships with employees, other agencies, or the public. This includes repeated acts from Category B within time frames listed below. Sanction guidelines may include:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Suspension without pay for one to five days <p>A single sanction or a combination of the above listed sanctions may be deemed appropriate. Training and/or Work Rules can also be ordered in conjunction with any sanctions listed above.</p>	<p>Violations that are contrary to the core values of the MPD or that involve a substantial risk of officer or public safety. This includes repeated acts from Category C within the time frames listed below. Sanctions guidelines may include:</p> <ul style="list-style-type: none"> • Suspension without pay for five to fifteen days <p>Training and/or Work Rules can also be ordered in conjunction with any sanctions listed above.</p>	<p>Violations that are contrary to the core values of the MPD. This includes acts of serious misconduct or acts of criminal conduct. This also involves any conduct that will effectively disqualify an employee from continued employment as a law enforcement officer. Sanction guidelines may include:</p> <ul style="list-style-type: none"> • Suspension without pay for fifteen days or more • Reduction in rank • Separation from service <p>Training and/or Work /Rules can also be ordered in conjunction with any sanctions listed above.</p>

Repeated Acts

Repeated acts of category **A** violations within **one year** will increase the repeated violation into category **B**.

Repeated acts of category **B** within **two years** will increase the violation to category **C**.

Repeated acts of category **C** within **three years** will increase the violation to category **D**.

Repeated acts of category **D** within **five years** will result in **separation of service**.

This matrix does not apply to employees with a last chance agreement.

The matrix categories may not be sequentially followed in cases where there may be a number of violations or in cases where there are particularly egregious circumstances. The matrix is considered a guideline only and it is within the Chief of Police’s discretion to deviate from the matrix based on the individual case.

Discipline Matrix

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
2.	Truthfulness					
	Failure to be truthful.					X
	Employees shall not make false reports or knowingly enter false information into any record.					X
3.	Performance of Duties					
	Failure to respond to dispatch.		X			
	Failure to properly perform duties assigned.		X			
	Failure to meet expectations of special initiatives.	X				
	Failure to notify supervisor of custodial arrest.	X				
	Failure to obtain supervisor approval for strip search.			X		
	Failure to assist as backup officer(s).			X		
	Failure to make an effort to check email and mailbox once per shift and respond accordingly.		X			
	Failure to pursue flagrant law violations that they are aware of.		X			
	Engaging in activity on duty that does not pertain to MPD business.		X			
	Employees shall not sleep, idle, or loaf while on duty.		X			
	Supervisors shall not knowingly allow employees to violate any law, code of conduct, or procedure.			X		
	All employees shall report fit for duty.				X	
All MPD members shall not be impaired as a result of any drug usage or alcohol. All employees are prohibited from having any measurable amount of alcohol in their system while on-duty. No MPD member shall consume or purchase any intoxicants while in uniform. No MPD member shall consume intoxicants while armed except with the approval of the Chief of Police. It is the responsibility of the employee to consult with their physician to determine their fitness for duty based on their medical condition and/or prescribed treatment.				X		
4.	Absence from Duty					
	Employees shall not be late or absent from duty without prior permission from a supervisor or the Officer in Charge (OIC).		X			
	Failure to respond to subpoena or scheduled training.		X			
5.	Unlawful Conduct					
	Employees shall not engage in conduct that constitutes a violation of criminal law, or ordinance corresponding to a state statute that constitutes a crime.				X	

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
	Employees convicted of first offense OWI.			X		
	Failure to immediately notify a supervisor whenever investigating an incident involving a law enforcement officer who is a suspect in any criminal activity or OMVWI.			X		
6.	Notification Required of Law Enforcement Contact					
	Failure to notify of contact by any law enforcement agency regarding their involvement as a suspect, witness, victim, or contact in criminal conduct, or violation of municipal ordinance for which a corresponding state statute exists (ex. OWI or Hit and Run). The employee SHALL report the incident to their commanding officer or the OIC within 24 hours of the contact, or their return to duty, whichever comes first. This must be done in person or via telephone.		X			
7.	Equal Protection					
	Employees shall not show bias based on relationships in investigative decisions, or assist in investigations or enforcement decisions.		X			
	Employees are prohibited from interfering in the normal processing of traffic/parking citations or otherwise disrupting enforcement of the law by other members of the MPD. If a supervisor orders a change in an enforcement decision and a subordinate feels it is wrong, it should be reported to a commanding officer.		X			
9.	Harassment					
	Employees shall not engage in harassment or to retaliate against an employee who reports such harassment. (For definition of harassment, see APM 3-5.)			X		
	Supervisors shall not allow employees under their command to engage in harassment or permit retaliation against an employee who reports such harassment.			X		
	Employees shall not engage in sexual harassment; this includes unwanted sexual advances.			X		
10.	Courtesy, Respect, and Professional Conduct					
	Failure to be courteous to the public and to coworkers and shall avoid the use of profane language or gestures. Employees shall also avoid actions that would cause disrespect to the MPD.		X			
	Employees shall not act so as to exhibit disrespect for a supervisor.		X			
	Employees shall not speak derogatorily to others about orders or instructions issued by supervisors.		X			
	Employees shall use police communications systems, email, and radios only for official police business and shall exhibit courtesy during the transmission of all messages.		X			
11.	Public Criticism					
	Employees shall not publicly criticize the operations or personnel of the MPD if such criticism undermines the discipline, morale, or efficiency of the MPD. This applies both on duty and off duty.		X			
12.	Use of Force					
	9A Employees shall not use deadly force when a lesser degree of force was reasonable.					X
	9B Employees shall not use excessive force when a lesser degree of force was objectively reasonable.				X	
13.	Vehicle Operation					
	Employees shall operate city vehicles with due regard for safety.			X		

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
14.	Insubordination			X		
	Failure to promptly obey lawful orders from any supervisor. This includes violations of work rules. If these orders conflict with code of conduct or procedure, the ordered member shall call attention to this conflict. Any unlawful orders shall be promptly reported to the Chief of Police.					
16.	Criminal Association			X		
	Failure to avoid regular or continuous associations or dealings with persons known to be engaged in ongoing criminal activity, under indictment, on probation, parole, house arrest, or Huber. Association consists of more than a single occurrence.					
20.	Cooperation with Investigations Required					X
	Failure to cooperate in internal investigations of alleged misconduct, illegal activity, or code of conduct violations. This includes failure to answer questions or submit to proper investigative techniques.					
21.	Access to Police Records			X		
	Employees shall not access MPD official records for any reason inconsistent with their professional duties.			X		
	Employees shall not release official records of the MPD for reasons inconsistent with their professional duties.			X		
	Employees shall not tamper with any MPD records system.			X		
STANDARD OPERATING PROCEDURES						
SOP	Transportation and Treatment of Prisoners		X			
	Failure to take all reasonable precautions necessary to secure and safely transport prisoners in accordance with SOP.					
SOP	Status Changes	X				
	Failure to report changes in address or telephone number within 24 hours after making such changes by submitting in writing the changes to the Chief of Police's Office, their commanding officer, and the shift OIC. All employees shall maintain a working telephone number. Officers shall promptly notify their commanding officer if their drivers license status changes.					
SOP	Search and Seizure		X			
	Failure to obtain Command Approval for search warrants for any building or dwelling. This does not include search warrants for property or vehicles that are already in MPD custody. Tactical execution of warrants will only be performed by personnel with appropriate training and who are in uniform or otherwise clearly identifiable as police officers.					
SOP	Police Weaponry		X			
	Failure to adhere to the specifics of this procedure as described in the SOP.					
SOP	Firearms Safety			X		
	Employees who have been trained in MPD firearms safety shall strictly adhere to all safety guidelines when handling firearms to prevent unintentional discharges. This applies both on and off duty.		X			
	Unintentional discharge on the range line (no injury or horseplay).		X			
	Failure to ensure the security and safe storage of MPD approved weapons. This applies both on and off duty.		X			

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
SOP	Use and Care of City-Owned Property		X			
	Failure to adhere to prescribed procedures for check out and use of any MPD owned property. Members of the MPD are responsible for the good care of MPD property and shall promptly report to their supervisor in writing the loss of, damage to, or unserviceable condition of such property.		X			
	Unintentional discharge of electronic control device if it occurs in the armory during the check out process and no injuries.	X				
	Failure to drive city owned vehicles with due regard for safety at all times.			X		
	Employees shall not use any MPD property for private purposes unless permission is first obtained from the Chief of Police.		X			
SOP	Property Handling		X			
	Failure to take all precautions necessary to guarantee proper handling of evidence and any property seized, received, or found and shall conform to MPD procedure for handling and disposition; a written record of the property disposition shall be included in the employee's report.		X			
	Destruction of property without following normal tagging procedures.			X		
	Failure to adhere to the specifics listed in detail in this SOP.		X			
SOP	Personal Appearance					
	Failure to adhere to personal appearance code of conduct described in the SOP.	X				
SOP	Identification of Employees					
	Failure to identify with name, rank, and employee number when requested to do so. Plain clothes officers will ID themselves with badge and ID card.		X			
SOP	Reporting					
	Failure to write accurate and complete reports and reports shall be completed promptly.		X			
	Failure to complete reports in all arrests, use of force, stops, frisks, criminal investigations, property/evidence handling, and other cases outlined in SOPs.		X			
SOP	TIME System Access					
	TIME system access will be in strict compliance with their procedures and information gleaned shall be disseminated in accordance with the SOP.		X			
SOP	Stop and Frisk					
	Failure to adhere to the specifics listed in this SOP.	X				
SOP	Searches					
	Failure to adhere to the specifics listed in this SOP.		X			
SOP	Handling of Evidence, Contraband, Found or Lost Property					
	Failure to adhere to the specifics listed in this SOP.	X				
SOP	Use of Mobile Data Computers					
	Failure to adhere to the specifics listed in this SOP.		X			
SOP	Off-Duty Officer Responsibilities					
	Failure to adhere to the specifics found in the SOP.		X			
SOP	Traffic/Parking Enforcement and Crash Investigation					
	Failure to promptly report to an on-duty supervisor any accident with damage to any city owned motor vehicle operated by them or in their charge. An employee shall request a field supervisor be dispatched to supervise any accident investigation.		X			
SOP	Outside Employment					
	Failure to adhere to the specifics as described in the SOP.	X				
SOP	In-Car Video System					
	Failure to log into squad video system		X			
	Failure to sync in-car video microphone		X			

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
	Failure to wear microphone		X			
SOP	In-Car Video System (Continued)					
	Failure to record when required by SOP		X			
SOP	Social Media – Off Duty					
	Failure of personnel to appropriately represent MPD honestly, respectfully, and/or legally while on- or off-duty through the use of social media. Personnel are expected to represent the Core Values of the MPD at all times even when using the internet for personal purposes.		X			
SOP	Emergency Vehicle Operation					
	Unauthorized Pursuit.		X			
	Improper Use of Warning Devices and Other Safety Equipment.		X			
	Failure to Operate With Due Regard.			X		
	Improper or unsafe routine vehicle operation maneuver.		X			
SOP	Police Vehicle Parking					
	Failure to adhere to the specifics listed in this SOP.		X			
SOP	Domestic Abuse					
	Failure to Complete a Required Report Where No Arrest.		X			

See Code of Conduct manual and SOPs for detailed description of code of conduct/procedures. The above-described policies/procedures are general summaries and are not meant to be all inclusive.

Not all policies are listed in the matrix; however, all code of conduct/procedural violations will be enforced.

Sanction Options in Internal Investigations

These levels **are not considered formal discipline**:

1. Verbal Counseling.
2. Training.
3. Mediation: in minor complaints, if both parties are MPD employees and mutually agree, mediation will be arranged through Employee Assistance Program (EAP) using a professional mediator.
4. Work Rules.
5. Documented Counseling.

The levels covered below **are considered formal discipline** and are placed in the employee’s personnel file:

1. Letter of Reprimand.
2. Suspension without Pay.
3. Reduction in Rank.
4. Separation of Service.

Employees receiving formal discipline are not eligible for promotion or selection to a closed position for a period of one year from the date of the incident leading to discipline.

Restorative Performance Initiative

MPD employees who have received a Letter of Reprimand (considered discipline) may be eligible for Restorative Performance based on the Chief of Police’s discretion. By taking part in Restorative Performance, the Letter of Discipline may be reduced to Documented Counseling (not considered discipline).

The following are requirements for successful completion of the Restorative Performance Initiative:

- No prior sustained cases resulting in discipline and no recent (last five years) sustained violations.
- Offered at the Letter of Reprimand level of discipline.

- Officer will attend training in a field related to what Code of Conduct, Standard Operating Procedure, or City APM was violated.
- Officer will provide a written summary of the training attended and demonstrate knowledge learned.
- No additional Code of Conduct, Standard Operating Procedure, or City APM violations that result in discipline within one year from date of agreement.

An employee who is participating in the Restorative Performance Initiative will have the PSIA case held in “open” status for one year. If the above listed requirements are met after one year, the Letter of Reprimand is amended to Documented Counseling and the case status will be removed from the employee’s personnel file.

If the employee is unsuccessful in completing the program, the discipline will be maintained as a “Letter of Reprimand.”

Multiple Violations

In cases where there may be multiple code of conduct/procedural violations involved with a single investigation, each violation may receive a separate and distinct sanction.

Police and Fire Commission (PFC)

The PFC is established by Wis. Stats. Sec. 62.13. The PFC appoints all commissioned officers and establishes hiring guidelines. Charges may be filed against an officer by the Chief of Police, member of the PFC, or by any aggrieved party. These charges may request that an officer be reduced in rank, suspended, or removed. Under the statute, the PFC shall hold a hearing on the charges and evidence shall be presented. After the presentation of evidence, the PFC must determine that the seven just causes (outlined in Wis. Stats. Sec. 62.13(5)(3m)) have been met. If the PFC determines there is just cause to sustain the charges, the PFC may suspend, reduce in rank, suspend and reduce in rank, or remove the officer.

Rights of the Chief of Police/Right of Deviation

The Chief of Police reserves the right of suspension, transfer of assignment and extension of probation, counseling, alcohol/drug assessment, psychiatric evaluation, fitness for duty evaluation, or any other training, treatment, or evaluation reasonably deemed necessary by the Chief of Police, in certain cases. The Chief of Police also reserves the right to file charges with the PFC as outlined above. The Chief of Police also reserves the right to terminate civilian employees with just cause.

The Chief of Police or designee will approve all discipline.

The Chief of Police reserves the right to hold suspension days in abeyance.

The Chief of Police reserves the right to deviate outside the recommended Matrix guidelines. If a deviation occurs, the factors leading to the deviation shall be addressed in the discipline notice to the employee. Deviation may be based on mitigating or aggravating factors.

The Chief of Police will make the final determination of disposition.

EXAMPLES OF MITIGATING AND AGGRAVATING FACTORS

Mitigating factors include but are not limited to:

- Ordered by supervisor.
- Mistake of facts.
- Necessity.
- Unintentional.

Aggravating Factors include but are not limited to:

- Inappropriate use of force.
- Personal motive.
- Intoxication.
- Conspiracy.
- Criminal conduct.
- Deception.
- Intentional act.

Nothing in this code of conduct shall be construed to limit the management prerogative of the Chief of Police, nor any other supervisory officer, to take corrective action whenever appropriate.

The Chief of Police may file formal charges against an employee, with the appropriate authorities, irrespective of an internal investigation.

Civilian Employees

All employees are expected to adhere to the MPD code of conduct, SOPs, city administrative procedural memoranda (APMs), and the City of Madison Employee Benefits Handbooks. This discipline matrix is not meant to cover civilian employees of the MPD. Discipline matters resulting from a sustained finding involving non-commissioned personnel follow the overall City of Madison Personnel Rules.

In situations where there is a conflict between the MPD Code of Conduct, SOP, APM, or the Employee Benefit Handbook, the most stringent rule, code, or guideline shall apply.

Probationary Police Officers

This matrix SOP may not apply to probationary police officers whose employment status is subject to their probationary performance.

Original SOP: 02/27/2015

(Revised: 02/29/2016, 03/21/2016, 01/06/2017, 06/15/2017, 07/06/2017, 12/06/2017, 06/08/2018, 05/31/2019, 01/03/2020, 01/09/2020, 10/26/2020, 03/29/2023, 01/09/2024)

(Reviewed Only: 01/30/2019, 02/04/2022, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Recording Suspect Interviews

Eff. Date ~~11/30/2020~~ 1/23/2024

Purpose

The purpose of this standard operating procedure is to establish guidelines for recording interviews of suspects. The Madison Police Department (MPD) uses electronic recording systems to provide accurate documentation of events, actions, conditions, and statements made during law enforcement interviews. The use of electronic recording systems shall be in accordance with applicable laws and MPD standard operating procedures.

Procedure

WHEN RECORDING IS REQUIRED

All custodial interviews of adults suspected of committing a felony shall be recorded. The MPD recognizes that in some circumstances, victim/witness statements may be electronically recorded.

All custodial interviews of juveniles shall be recorded when questioning occurs at a place of detention. Any police facility, including MPD District Stations, MPD vehicles equipped with in-car video systems, the Juvenile Reception Center, and any in-patient treatment facility will be considered a "place of detention." If a custodial interview of a juvenile occurs in the field and is not recorded, the officer shall document in a report the reason the interview was not recorded.

The recording may be audio only, or both audio and video. Interviews requiring recording may occur in the field or at MPD facilities. Miranda warnings shall be provided in accordance with MPD policy.

The law does not require that officers recording a custodial interview inform the subject that the questioning is being recorded. If asked, officers should ordinarily disclose whether recording is occurring.

Once a recording of an interview begins, the recording should not be stopped **prior to the conclusion of the interview**. Recordings, reasons for any interruptions/microphone muting, and times of the break(s) and resumed recordings shall be documented within official reports or narratives of citations.

Custodial interviews taking place in an MPD facility can be recorded using the dictation system (with either a handheld device, landline speakerphone, or cell phone) or using the electronic video and audio recording systems available in the interview rooms. Upon completion of a recording in an interview room, it is necessary to preserve the interview video as evidence by **either** completing a Lab Request Status Report and forwarding that report to the PD Lab Request email group **or by requesting a detective or supervisor access the recording in the Arbitrator program and assign the officer's initials, case number, and the correct classification tag to the recording.**

Custodial interviews conducted within a squad car can be recorded using the squad's in-car video system. Officers shall refer to the In-Car Video System SOP for protocols related to that system. Upon completion of a recording in a squad car using the in-car video system, **officers shall select the applicable classification tag** from the available menu of the Arbitrator program **and also provide a case number to accompany the saved interview**. Officers or sergeants shall not close the recording window on the **Mobile Data Computer (MDC)** without making a selection from the classification choices.

Noncustodial interviews of suspects may be recorded in accordance with this policy.

EXCEPTIONS

The following are exceptions to the recording requirements listed above:

1. The suspect requests that the recording be stopped, or refuses to provide a statement if it is recorded. The officer must audibly record the request/refusal and/or document the request/refusal in a report.
2. The statement was part of routine prisoner processing.
3. The recording equipment did not function properly.
4. The statement was made spontaneously and not in response to questioning.
5. Exigent circumstances prevented recording or made recording not feasible.
6. The officer, at the outset of the interview, reasonably believed that the offense being investigated was not a felony.

Original SOP: 02/25/2015

(Reviewed Only: 01/22/2016, 11/01/2016, 02/04/2022)

(Revised: 11/09/2017, 01/03/2020, 11/30/2020, 1/23/2024)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Social Media - Investigative Use

Eff. Date ~~05/02/2018~~ 1/23/2024

Purpose

The Madison Police Department (MPD) endorses the use of web-based and mobile-based technologies designed to facilitate internet communications, known as “social media,” for the purpose of investigating criminal activities and actors and for the purpose of monitoring any potential or ongoing “flash mobs,” protests, riots, or other mass demonstrations. This procedure establishes a standard of conduct in regards to the use of these forms of technology and communication for investigative purposes.

Application

This procedure applies to all MPD employees and personnel using or posting to social media as an investigative tool during the course of an investigative operation or assignment.

Definitions

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for “Web log.”

Page: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post: Content an individual shares on a social media site, or the act of publishing content on a site.

Profile: Information that a user provides about himself or herself on a social networking site.

Crime Analysis and Situational Assessment Reports: Analytic activities to enable MPD to identify and understand trends, causes, and potential indicia of criminal activity.

Criminal Intelligence Information: Data which has been evaluated and determined to be relevant to the identification of criminal activity engaged in by individuals who, or organizations which, are, reasonably suspected of involvement in criminal activity.

Criminal Nexus: Established when behavior or circumstances are related to an individual or organization’s involvement or planned involvement in criminal activity or enterprise.

Online Alias: An online identity encompassing identifiers, such as name and date of birth, differing from the employee’s actual identifiers, which may include use of a nongovernmental Internet Protocol address. An online alias may be used to monitor activity on social media websites or to engage in authorized online undercover activity.

Online Undercover Activity: The utilization of an online alias to engage in interactions with a person via social media sites that may or may not be in the public domain. This includes sending personal messages to other users or posting content on the timeline of

other profiles. The act of simply joining an online group or sending or accepting a friend request would not be considered undercover activity unless messaging content accompanies said actions. This includes “friending” a person on Facebook and “following” a private Twitter account.

Public Domain: Any Internet resource that is open and available to anyone.

Social networking websites / social media website: Sites which focus on building online communities of people who share interests and activities and/or exploring the interests and activities of others. Social media websites are further categorized by Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, X (formerly known as Twitter)), micro blogging sites (Tumblr, Nixle), photo and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit) where users can create profiles, share information, and socialize with others using a range of technologies. The absence of an explicit reference to a specific social media website does not limit the application of this policy.

Valid law enforcement purpose: Investigation or information/intelligence-gathering development, collection, use, retention or sharing that furthers the authorized functions and activities of a law enforcement agency – which may include prevention of crime, ensuring the safety of the public and public or private structures and property, and/or furthering officer safety (including situational awareness) and homeland and national security – while adhering to law and agency policy designed to protect the privacy, civil rights, and civil liberties of Americans.

Procedure

This procedure serves to clarify and establish guidelines and prohibitions for MPD-authorized use of social media for investigative purposes. These guidelines and prohibitions build on policy requirements put forth in the Law Enforcement Code of Ethics, MPD Mission Statement and Core Values, MPD Code of Conduct and Standard Operating Procedures, City of Madison Administrative Procedure Memoranda (APM), as well as established City, State, and Federal Law. However, because investigations utilizing social media may involve undercover or confidential activities, requiring a certain level of dissimulation and clandestinity, portions of these requirements (specifically those put forth in APM 3-16 and MPD Code of Conduct and Standard Operating Procedures) may not be universally applicable to actions taken during such investigations.

Social media as an investigative tool may be used by members of MPD for a valid law enforcement purpose consistent with this SOP. Unless such information is relevant to the individual or if the individual or organization is involved in an activity or event that may require advanced notice in order to coordinate adequate police resources to ensure public safety, maintain order, or protect property, or organization's suspected criminal activity or if required to identify the individual for a valid law enforcement purpose, the employee will not utilize social media to seek or retain information about the following:

1. Individuals or organizations solely on the basis of their religious, political, or social views or activities
2. An individual or organization's participation in a particular non-criminal organization or lawful event
3. An individual's race, ethnicity, citizenship, place of origin, disability, gender, or sexual orientation

4. An individual's age other than to determine if someone is a minor

Information developed from social media sites should be corroborated using traditional investigative tools including interviews, verification of address, verification of internet protocol address information, or other lawful means.

No authorization is necessary to access information available in the public domain, so long as the access is consistent with this SOP. The use of personal social media accounts for investigations is discouraged.

Online Alias

Sworn officers, ~~or~~ analysts, or authorized police department personnel may only use an online alias to seek information for a valid law enforcement purpose. Only sworn officers and analysts are authorized to create an online alias. ~~with command approval to seek information for a valid law enforcement purpose.~~ The employee seeking authorization to create/utilize an online alias will complete the MPD online alias request form and submit it to ~~his/her~~ their commanding officer for approval. The commander will review the request and determine whether use of the online alias would serve a valid law enforcement purpose. If exigent circumstances require the immediate creation of an online alias without prior approval, the employee will notify their commanding officer of the online alias creation as soon as possible. Within a reasonable amount of time following the exigent circumstance, the employee will document the online alias. The employee will include all the information that would have been documented on a request form.

- A. When necessary, profile pictures or website images of humans purporting to depict the operator of the alias profile must be of an individual over the age of 18 who has provided written consent for the image to be used. ~~At the time that the written consent is obtained, the individual must be employed by a law enforcement agency.~~
- B. Online alias usernames and passwords shall be made immediately available to supervisors upon request. ~~shared with supervisors.~~
- C. Alias accounts should only be used with Department-issued devices while on duty, unless otherwise approved by a supervisor.

Online Undercover Activity

Only sworn officers may engage in online undercover activity with command approval. The officer seeking authorization to engage in online undercover activity will complete the MPD online undercover activity request form and submit it to ~~his/her~~ their commanding officer. The commanding officer will review the request and determine whether the online undercover activity serves a valid law enforcement purpose. If exigent circumstances require the immediate use of online undercover activity without prior approval, the employee will notify their commanding officer of the online undercover activity as soon as possible. Within a reasonable amount of time following the exigent circumstance, the officer will document the online undercover activity. The employee will include all the information that would have been documented on a request form.

- A. When necessary, profile pictures or website images of humans purporting to depict the operator of the alias profile must be of an individual over the age of 18 who has provided written consent for the image to be used. ~~At the time that the written consent is obtained, the individual must be employed by a law enforcement agency.~~
- B. Online alias usernames and passwords shall be made immediately available to supervisors upon request. ~~Undercover usernames and passwords shall be shared with supervisors.~~
- C. Undercover work should only be performed with Department-issued devices while on duty, unless otherwise approved by a supervisor.

- D. For **Internet Crimes Against Children (ICAC)**-related online undercover investigations, those investigations must also conform to the ICAC Program Operational and Investigative Standards Manual.

All online undercover activity **yielding actionable intelligence or leading to the development of probable cause** will be documented. The commanding officer will regularly review all online undercover activity requests to ensure a continued need for the online undercover activity.

Real Time and Open Source Analysis Tool

Employees may use social media monitoring tools that gather information from the public domain only for a valid law enforcement purpose. Employees may only use social media monitoring tools that gather information not within the public domain with command approval. The commanding officer will review the request and determine whether the use of social media monitoring tools is appropriate. If exigent circumstances require the immediate use of social media monitoring tools (that gather information not within the public domain) without prior approval, the employee will notify their commanding officer as soon as possible. Within a reasonable amount of time following the exigent circumstance, the officer will document the use of the monitoring tool.

Upon ending use of the tool for the specified events, the employee will submit a summary describing the actions that resulted from the use of the monitoring tool.

Documentation

Documentation of command approval will occur electronically through the MPD SharePoint site, unless an exception has been approved by the Chief.

Employees should place any relevant case information obtained from social media websites within a **Law Enforcement Records Management System (LERMS)** case file, suspicious activity report, police report, or intelligence bulletin. MPD personnel will not maintain any social media files/records outside of these authorized files.

Crime analysis and situational assessment reports may be prepared for special events management, including First Amendment-protected activities. At the conclusion of the situation requiring the report, the information obtained that indicates a criminal nexus will be retained in an intelligence bulletin, suspicious activity report, police report, or LERMS case file as directed by the established retention schedule.

Information identified as criminal in nature that is obtained in the course of an investigation from a social media site may be collected and retained using screen shots, printouts of chat logs, copying uniform resource locators (URLs) for subpoena or investigatory purposes, or storing the information via secure digital means. Employees may utilize investigative computer systems and software intended to record data from social media sites.

At no time should the name of an individual or organization that is not reasonably suspected of criminal activity be recorded unless such name is clearly labeled as "non-criminal identifying information."

Dissemination

Information recorded in accordance with this SOP will only be disseminated when authorized by the Records Custodian and the Office of the City Attorney.

Audit

Compliance with this SOP will be verified as part of case management meetings with employees.

Original SOP: 02/25/2015

(Revised: 02/05/2016, 03/26/2018, 05/02/2018, 1/23/2024)

(Reviewed Only: 11/01/2016, 01/31/2020, 02/04/2022)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Special Events Team Specialty Teams

Eff. Date ~~01/31/2023~~ 01/03/2024

PURPOSE

The purpose of this standard operating procedure (SOP) is to establish guidelines for the Madison Police Department (MPD) Special Events Team (SET) Specialty Teams' functions and responsibilities outside of crowd event activations. SET Specialty Team crowd event activation details are available in the MPD Demonstrations and Assemblies SOP. The SET Specialty Teams include the following specialty teams: Bike Team, Community Dialogue Team (CDT), **Dignitary Protection Team (DPT)**, Field Extrication Team (FXT), Grenadiers, Logistics, and Medics.

DEFINITIONS

SET Bike Team: The SET Bike Team, under the direct command of the MPD SET, provides a more nimble transportation and response option for SET personnel beyond the range and capabilities of on-foot SET personnel. SET Bike Team members have specialized training and skills to use police bikes to perform crowd engagement and management duties.

SET Community Dialogue Team (CDT): The SET Community Dialogue Team (CDT), under the direct command of the MPD SET, exists to provide informational and educational opportunities about event and demonstration activities. SET CDT members work closely with Community Dialogue Representatives and are often tapped to serve as Demonstration/Event Liaisons when feasible.

SET Dignitary Protection Team (DPT): The SET Dignitary Protection Team (DPT), under the direct command of the MPD SET, may be used during dignitary visits within the jurisdiction of MPD. DPT members receive specialized training in skills related to planning a dignitary visit, providing direct protection to dignitaries, and driving in a motorcade. DPT members prepare to serve in both uniformed and plainclothes official capacities.

SET Field Extrication Team (FXT): The SET Field Extrication Team (FXT), under the direct command of the MPD SET, exists to better respond to protest events with an internal resource. SET FXT members have specialized training and skills to extricate persons from protest devices when demonstrators' actions and/or practices unreasonably impede traffic, restrict the public's freedom of movement, and/or jeopardize public safety.

SET Grenadiers: The SET Grenadier position, under the direct command of the MPD SET, exists to enhance the capabilities of SET. The SET Grenadier team members have specialized training, equipment, and skills in the use of chemical (CS) and oleoresin capsicum (OC or Pepper Spray) munitions, sprays, or aerosols, and in the deployment of impact munitions.

SET Logistics: The SET Logistics Team, under the direct command of the MPD SET, is responsible for the organization, standard guidelines, and maintenance of SET's physical assets. SET Logistics Team members ensure that needed SET assets are deployed and available for any given SET activation, and that the assets are properly stored at the conclusion of any activation.

SET Medics: The SET Medic position, under the direct command of the MPD SET, exists to better respond to protest and crowd events with an internal resource. The SET Medics have specialized training and skills to provide immediate emergency medical care to officers and to community members within an austere environment.

SET SPECIALTY TEAM PERSONNEL

SET Commanders will designate a primary SET command structure (sergeant(s), lieutenant, and captain) to supervise the overall operation of each SET Specialty Team.

When any SET Specialty Team needs to add new members, that team's primary commanders will select new members from eligible SET members through a process determined by SET commanders. The SET Medics and SET Grenadiers should maintain a number of team members sufficient to staff each SET platoon with at least two (2) SET Medics and two (2) SET Grenadiers. SET members can serve on more than one SET Specialty Team; however, given the equipment needs of SET Medics and SET Grenadiers, SET members will not be allowed to maintain simultaneous assignment to the SET Medics team and to the SET Grenadiers team.

TRAINING/STANDARDS

All members of any SET Specialty Team shall attend all full-team and specialty team trainings scheduled throughout the year unless excused by a SET commander or designee. Membership on any SET Specialty Team is a privilege and specialty team members shall remain dedicated to serving in their specialty role(s), shall remain committed to maintaining the core competencies of their specialty team assignment(s), and shall be physically able to perform the necessary tasks associated with their specialty team assignment(s). SET Specialty Team members shall also demonstrate the proper use and handling of all equipment and must be able to use their team's assigned equipment safely. Records of all trainings and activities shall be maintained in the participating officers' personnel file and SET commanders shall designate a SET supervisor or senior member of each SET Specialty Team to forward to MPD Training the records related to any training. Each SET Specialty Team further employs the following training and standards guidelines for each team:

- **SET BIKE TEAM:** The SET Bike Team trains biannually. SET Bike Team members must also take an International Police Mountain Bike Association (IPMBA) certification training, MPD Bike Training, or equivalent as soon as practicable after selection to the SET Bike Team if not already certified before selection.
- **SET COMMUNITY DIALOGUE TEAM:** The SET CDT convenes quarterly, with at least one of these four sessions open to community attendance and participation. SET CDT members must also take the Wisconsin Unified Tactics Professional Communications Skills instructor course as soon as practicable after selection to the SET CDT if not already a certified PCS instructor before selection.
- **SET DIGNITARY PROTECTION TEAM:** The SET DPT trains at least biannually.
- **SET FXT:** The SET FXT trains quarterly. New SET FXT members will be sent to Field Force Extrication Tactics training as soon as practicable after selection to the SET FXT.
- **SET GRENADIERS:** The SET Grenadiers train biannually.
- **SET LOGISTICS:** The SET Logistics team convenes as a group when needed to coordinate details related to any new equipment acquisitions, storage location adjustments, or other logistical considerations.
- **SET MEDICS:** The SET Medics train quarterly. SET Medics shall maintain any required certifications or licenses as determined by the SET commander(s). SET Medics shall follow appropriate protocol for treatment as established by the following authorities: the State of Wisconsin Department of Justice Law Enforcement Standards Board for Tactical Emergency Casualty Care and the directions, trainings, and protocol as ordered by the Medical Director of the Madison Police Department.

SET SPECIALTY TEAM DEPLOYMENT

SET Specialty Team(s) will be deployed to crowd events pursuant to the provisions of the MPD Demonstrations and Assemblies SOP.

MPD members shall use the following guidance when evaluating any request to employ the use of the following SET Specialty Teams within the City of Madison jurisdiction:

- **SET Bike Team:** At the request and/or with approval of a supervisor, SET Bike Team members may utilize MPD police bikes to respond to calls for service and as a mode of transportation during their work shift. Officers should have a City of Madison Police vehicle equipped with a bike rack accessible (i.e., available at a district station, parked near a deployment) when utilizing bikes as an alternate mode of transportation during their shift. SET Bike Team members should deploy in numbers no fewer than at least two (2) Bike Team members for any deployment on bikes.
- **SET CDT:** SET CDT members should be selected to serve as Demonstration/Event Liaisons whenever available and requested by SET Command for known/planned events. In the case of a spontaneous crowd event, an MPD supervisor or the Officer in Charge (OIC) should notify a SET commander to determine if there are any available on-duty SET CDT members who could assist with communication attempts with the event organizers/person(s)-in-charge.
- **SET DPT:** SET DPT members may be requested to provide support when there is a visiting dignitary. The request should include the extent of protection that is being requested, what kind of protection detail the dignitary will provide, known threats to the dignitary, the itinerary of the event, transportation being requested, and contact details the DPT event lead can contact for more information.
- **SET FXT:** SET FXT members should not carry FXT equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee. In the event that patrol personnel respond to an incident where a protest device is being used, officers on scene should notify a street supervisor and/or the Officer in Charge (OIC) that a protest device is being used. The OIC should then notify a SET commander to determine if the SET FXT should be activated. The SET FXT may be utilized for situations outside of a SET deployment under specific requests with the approval of a SET commander or designee and with the authorization of the Chief of Police or the Chief's designee.
- **SET Grenadiers:** SET Grenadiers should not carry Grenadier equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee. In exigent circumstances, SET Grenadiers may deploy specialized grenadier equipment without the permission of a supervisor, but shall inform a SET commander as soon as practicable. Upon deployment of chemical, OC, or impact munitions by SET Grenadiers, available SET members should assist with decontamination and medical treatment of those affected, unless circumstances specifically prohibit rendering such assistance.
- **SET Logistics:** SET Logistics Team members may deploy SET vehicle assets (minivans, Utility Terrain Vehicles (UTVs)) outside of a SET deployment under specific requests with the approval of a SET commander.
- **SET Medics:** At the request of a supervisor, or at their own discretion, SET Medics may deploy to a call for service involving mass casualties or to a clear need for emergency medical care coverage. SET Medics may also respond to an emergent tactical call where there is a potential for injury to officers or others, but to which Madison Fire Department Tactical Emergency Medical Services (MFD TEMS) personnel have not yet arrived. In the event of such a deployment, the

SET Medic shall notify SET command and/or the Officer in Charge (OIC) as soon as practicable. SET Medics may keep their SET-issued specialized medical equipment with their regular work equipment for this purpose.

- Deployment of SET Medics on SET Bike Team:
 - SET Medics who deploy with the SET Bike Team for any assignment shall carry their medical gear with them on bike.
- Deployment of SET Medics to SET Field Extrication Team extrications:
 - At least one SET Medic should be present during any extrication. A SET Medic, the FXT supervisor, or designee shall request a Madison Fire Department ambulance to be on standby in a reasonable staging location to the extrication.

MUTUAL AID

SET Specialty Teams may be deployed pursuant to a mutual aid request from another agency for the particular team's specialty with the approval of a SET commander and with the authorization of the Chief of Police or Chief's designee. In any mutual aid deployment, SET Specialty Team members shall always abide by the MPD Code of Conduct, MPD SOPs generally, and the SET Specialty Team's training and standards.

EQUIPMENT

Each SET Specialty Team shall maintain an inventory of all equipment and supplies assigned to that team and each team's equipment and supplies shall be used for official use only. Any equipment not functioning properly, damaged, or dysfunctional shall be taken out of service and shall not be used until repaired or replaced. Any SET Specialty Team munitions or supplies with identifiable expiration dates shall be used only in a training environment beyond the expiration date.

The Lieutenant of each SET Specialty Team shall submit an annual report documenting any use, maintenance, warranties, and repairs of the equipment assigned to that lieutenant's specialty team. These annual reports shall be submitted to the SET Lead Commander or designee.

SET Bike Team members shall conduct an inspection of their assigned bicycles and equipment prior to use to ensure proper working order of equipment. SET Bike Team members are responsible for the routine care and maintenance (i.e., tire pressure, chain lubrication, overall cleaning) of their assigned bike. If a needed repair is beyond the ability of the SET Bike Team member, an email should be sent to the PD SET Bike email group and the email should include a description of the issue and the location of the bicycle in need of repair. Each department-owned police bicycle will have an annual maintenance tune-up performed by members of the SET Bike Team/MPD Bike Mechanics. Police bicycles requiring maintenance and/or repairs beyond the capabilities of the SET Bike Team members may be taken to a private bicycle repair shop with authorization from the SET Lead Commander.

SET CDT members shall perform an annual review of any printed—physical documents/brochures and online—informational/educational materials. SET CDT supervisors will also maintain a log of informational/educational sessions held throughout the course of the year.

SET DPT members should be prepared to operate in a plainclothes capacity. The team will designate soft uniform standards as well as apparatus to clearly identify plainclothes officers as police officers in the event of a critical incident.

SET FXT members shall perform a function check of all FXT equipment on a regular basis and the department shall provide Personal Protective Equipment (PPE) for SET FXT members. SET FXT shall wear all appropriate PPE during deployments and trainings. During any extrication, SET FXT members shall provide any necessary PPE and take any reasonable precautions to ensure the safety of the arrested person, the public, and other officers.

Original SOP: 09/20/2022

(Special Events Team Field Extrication Team SOP, Special Events Team Grenadiers SOP and Special Events Team Medic Platoon SOP combined into this one SOP 09/20/2022)
(Revised: 01/31/2023, 01/03/2024)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Stops & Frisks

Eff. Date ~~01/14/2022~~ 1/22/2024

Purpose

It is the policy of the Madison Police Department (MPD) that field investigatory stops will be conducted in a manner that not only promotes public safety and safeguards law enforcement officers from harm, but also holds invasions of personal rights and privacy to a minimum.

Procedure

STOPS

A “stop” is the temporary detention of a person for investigation. A “stop” occurs whenever an officer uses their authority to make a person halt, or to keep a person in a certain place, or to compel a person to perform some act. If a person is under a reasonable impression that they are not free to leave or ignore the officer’s presence, a “stop” has occurred.

Basis for a Stop

An officer may stop a person in a public place, after having self identified her/himself as a law enforcement officer, if they reasonably suspect that a person has committed, is committing, or is about to commit a criminal offense or ordinance violation. Both pedestrians and persons in vehicles may be stopped.

Reasonable Suspicion

The term “Reasonable Suspicion” is not capable of precise definition; however, it is more than a hunch or mere speculation on the part of an officer, but less than the probable cause necessary for an arrest. Every officer conducting a stop must be prepared to cite the existence of specific facts in support of that officer’s determination that “reasonable suspicion” was present.

Police Conduct during a Stop

Proper justification for a stop does not permit unreasonable conduct during the stop. Every phase of the detention must be reasonable, for the United States Supreme Court has stated in *Terry v. Ohio*, 392 U.S. 1, 28 (1968), that the manner in which stops and frisks are conducted is “as vital a part of the inquiry as whether they were warranted at all.”

1. Identification

Officers conducting a stop, if not in uniform, shall clearly identify themselves as police officers by announcing identity and displaying MPD badge/ID.

2. Duration of Stop

A person stopped pursuant to these rules may be detained at or near the scene of the stop for a reasonable period of time. Officers should detain a person only for the length of time necessary to obtain or verify the person’s identification, an account of the person’s presence or conduct, an account of the offense, or otherwise determine if the person should be arrested or released.

3. Explanation to Detained Person

Officers shall act with courtesy towards the person stopped. At some point during the stop, the officer shall, in every case, give the person stopped an explanation of the purpose of the stop.

4. Rights of Detained Person

The officer may direct questions to the detained person for the purpose of obtaining the detained person's name, address, and an explanation of the person's conduct. The detained person may not be compelled to answer questions or to produce identification documents for examination by the officer; however, the officer may request the person to produce identification and may demand the production of an operator's license if the person has been operating a vehicle.

5. Effect of Refusal to Cooperate

Refusal to answer questions or to produce identification does not by itself yield probable cause to arrest, but such refusal may be considered along with other facts as an element adding to probable cause.

6. Use of Force

An officer may use only the amount of non-deadly force that is reasonably necessary to stop and detain a person pursuant to these guidelines. MPD's Non-Deadly Force Guidelines shall be followed. If an officer is attacked or circumstances exist that create probable cause to arrest, the officer may use that amount of force necessary for defense or to effect a full-custody arrest. **In these instances, both MPD's Non-Deadly Force and Deadly Force Guidelines shall be followed.**

Stopping Witnesses near the Scene of a Crime

A police officer who has probable cause to believe that any violent crime has just been committed, and who has probable cause to believe that a person found near the scene of such offense has knowledge of significant value to the investigation of the offense, may order that person to stop. The sole purpose of the stop authorized by this section is the obtaining of the witness' identification so that the witness may later be contacted. Officers shall not use force to obtain this information and will effect the detention with minimal intrusiveness.

Stopping Vehicle at Roadblocks

If authorized to do so by a commanding officer, a police officer may order the drivers of vehicles moving in a particular direction to stop. Authority to make such stops may be given only in those situations where such action is necessary to apprehend the perpetrator of a crime who, if not apprehended, poses a significant and imminent public safety threat, or to discover the victim of a crime whose physical safety is presently or potentially in danger. Roadblocks established for this purpose will only be implemented in limited geographic areas (where there is a reason to believe the suspect/victim will be discovered) and for a reasonable period of time. Once a vehicle is stopped pursuant to this section, it may be searched only to the extent necessary to determine if the perpetrator or victim is present in the vehicle and such search shall be made as soon as possible after the stop.

FRISKS

A frisk is a limited protective search for concealed weapons or dangerous instruments.

When to Frisk

A police officer may frisk any person whom that officer has stopped when the officer reasonably suspects that the person is carrying a concealed weapon or dangerous instrument. The frisk may be conducted at any time during the stop if reasonable suspicion develops.

Reasonable Suspicion for Frisk

“Reasonable suspicion” for a valid frisk is more than a vague hunch and less than probable cause. If a reasonably prudent police officer under the circumstances would be warranted in believing anyone in the vicinity was in danger, a frisk is justified. Every officer conducting a frisk must be prepared to cite the existence of such factors in support of the determination that “reasonable suspicion” for a frisk was present.

General Procedure

1. The officer should begin the frisk at the area of the person’s clothing most likely to contain a concealed weapon or dangerous instrument. Usually, an officer should begin the frisk with a pat-down of the outside of the person’s outer clothing, and the officer should not reach inside the clothing unless an object is felt which the officer reasonably believes to be a weapon or dangerous instrument. If the outer clothing is too bulky to allow the officer to determine if a weapon or dangerous instrument is concealed underneath, then the outer clothing may be opened to allow a pat-down directly on the inner clothing. If the officer has a reasonable belief, based on reliable information or personal knowledge and observations, that a weapon or dangerous instrument is concealed at a particular location on the person, such as a pocket, waistband, or sleeve, then the officer may reach directly into the suspected area. This is an unusual procedure and any officer so proceeding must be prepared to cite the precise factors that led the officer to forego the normal pat-down procedure.
2. An officer may also frisk those areas that the person could reach to obtain an object that could be used to harm the officer, if the officer reasonably suspects personal harm should the object not be obtained. This includes vehicles. If an officer possesses reasonable suspicion that a vehicle driver or passenger is armed, the “frisk” may be extended to the vehicle. This “frisk” is a protective search and is limited to places in the vehicle’s passenger compartment that could contain a weapon.
3. If during the course of a frisk, the officer discovers an object that is a container capable of holding a weapon or dangerous instrument and if the officer reasonably believes that it does contain such an item, the officer may look inside the object and briefly examine the contents.
4. An officer may use only the amount of non-deadly force that is reasonably necessary to effect a frisk pursuant to these guidelines. MPD’s Non-Deadly Force Guidelines shall be followed. If an officer is attacked or circumstances exist that create probable cause to arrest, the officer may use that amount of force necessary for defense or to effect a full-custody arrest.

Discovery of Weapon, Instrument, or other Property

If a frisk or search discloses a weapon, instrument, or any other property--possession of which the officer reasonably believes may constitute the commission of a crime or which may constitute a threat to personal safety--the officer may take it and keep it until the completion of the questioning, at which time it shall either be returned, if lawfully possessed, or seized by the officer.

Discovery of Incriminating Evidence

If, while conducting a frisk, an officer feels an object which is reasonably believed not to be a weapon or dangerous instrument, but the officer does believe it to be a seizable item, the officer may not—on the basis of the officer’s authority to frisk—take further steps to examine the object. However, if the nature of the object felt—alone or in combination with other factors—provides probable cause to arrest, the officer should tell the

person they are under arrest. The officer may then conduct a full-custody search incidental to arrest, but must not take any step to examine the object before making the arrest. If a seizable item is not found, the person should be released.

Procedure Following Unproductive Frisk

If the frisk discloses nothing justifying removal or seizure and nothing providing probable cause for arrest, an officer may continue to detain while concluding the investigation.

RECORDKEEPING

Adequate records of stop and frisk activity will serve to ensure the proper exercise of police authority. They will also greatly enhance an officer's ability to reconstruct what occasioned a stop or frisk and what took place during this contact. Such records are vital, not only when the stop and frisk results in immediate arrest; they also may be valuable as "leads" in other investigations. Further, such records serve MPD's vision of transparent and unbiased policing.

1. Reporting

Officers must file a report any time there is a stop and subsequent frisk to protect themselves, the MPD, and the community.

2. Stop Based on Informant's Tip

If the stop or frisk was based in whole or partly upon an informant's tip, the officer making the stop or frisk shall make every reasonable effort under the particular circumstances to obtain and record the identity of the informant. Further, the officer shall record the facts concerning such tip, e.g., how it was received, the basis of the informant's reliability, and the origin of the informant's information.

Original SOP: 03/04/2015
(Revised: 02/05/2016, 11/19/2019, 10/27/2020, 01/14/2022, 1/22/2024)
(Reviewed Only: 01/09/2017, 12/26/2017, 01/30/2019, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Supervision, Employee Check-Ins and the Early Intervention System

Eff. Date 02/08/2024

PURPOSE

The Madison Police Department's members are its greatest asset. Members of the MPD deserve engaged supervision focusing on employee development, performance, motivation and satisfaction. In addition, the Department has a responsibility to its employees and to the community to identify and assist employees who may be experiencing job stress and/or personal problems that may adversely impact job performance.

MPD Supervisors are expected to be proactive in their management, leadership, supervision and support of employees. In addition to their daily supervisory opportunities and responsibilities, MPD utilizes city and departmental process intended to enhance employee development and well-being to include Peer Support, Employee Assistance Program, Employee Check-In Process and the Early Intervention System.

This standard operating procedure provides an overview of general MPD supervisory guidelines, the employee check-in process by assignment and the Early Intervention System. For information on Peer Support and the Employee Assistance Program, refer to those departmental SOPs.

SUPERVISION

It is the expectation that all supervisors, while completing their management responsibilities, actively engage subordinates, continually appraise work performance, provide timely feedback, and support employees when they observe or identify opportunities to assist.

All MPD supervisors shall regularly do the following:

- Ensure employee emergency forms are updated on an annual basis.
- Engage in routine and ongoing informal meetings, contacts, and discussions with employees in addition to the formal contacts outlined in this SOP.
- Complete the designated employee check-in process and continually engage employees in meaningful conversation regarding their well-being and performance.
- Review available employee information each month, to include EIPro and Telestaff, and provide support while managing employees when a concern or opportunity is observed or identified.
- When reviewing available information, supervisors will consider each employee in comparison to others as they work to manage the full group of employees they supervise and in considering whether a clarification follow-up should occur. A clarification follow-up should be considered if/when a potential concern is identified.
- Regularly review other stressors to include those listed in the Early Intervention System section below.
- Communicate concerns, stressors, and/or opportunities to assist, to appropriate personnel in the chain of command. This initial notification should be done in a timely fashion via email, verbally, or in person. Following notification and discussion of appropriate follow-through and intervention, command will determine the necessity for documentation and whether it should be completed via email or written memorandum.

MPD captains, managers, lieutenants and mid-level supervisors shall regularly do the following:

- Ensure that frontline supervisors are meeting MPD supervisory expectations.
- Confirm that employee information is being reviewed on a monthly basis.
- Proactively check in with frontline supervisors on at least a quarterly basis to ensure that employee check-ins and clarification follow-up meetings are taking place.

EMPLOYEE CHECK-IN PROCESS

The purpose of an employee check-in is to allow time for employees and supervisors to talk about the important work employees do, recognize good work, and allow us to best meet the needs of the City. MPD utilizes a variety of employee check-in formats based on the employee's assignment.

Employee Assignment	Supervisor Employee Check-In Tool
Professional Staff	City of Madison's Employee Check-In Process
Probationary Police Officers	MPD's Supervisor's Monthly Evaluation Report
Police Officers, Sergeants, Detective Sergeants and Investigators	MPD's Employee Feedback Process
Detectives	MPD's Caseload Management Process
All remaining commissioned personnel	Employee Check-In or Employee Feedback

Employee Check-In

The City of Madison's Employee Check-In Process was created to help employees and supervisors have a space for communication about performance and related expectations. The process includes a regular meeting between supervisors and employees using an employee check-in tool for guidance. For more information and resources related to this process, refer to the Employee Check-In main page on the city's website.

Employee Feedback

MPD's Employee Feedback Process provides MPD supervisors a framework through which to gain understanding and provide meaningful feedback to their employees. Effective employee feedback is intended to clarify expectations and to assist all employees in their professional development. The Employee Feedback process includes the following:

- Formal scheduled meetings between employees and their immediate supervisor.
- An Employee Feedback Worksheet to guide the conversation.
- Employee feedback documentation.

Supervisors will formally meet in person with each employee a minimum of three times per year as part of their employee management responsibilities.

1. Meeting One:

- a. Scheduled during the first month following shift change.
- b. Review the previous year's complete Employee Feedback Worksheet if the employee is new to the supervisor.
- c. Confirm the employee's Emergency Forms are updated and entered into LERMS.
- d. Discuss Sections I and II of the worksheet and add summary notes.
- e. Complete the officer safety equipment check in Section III.

2. Meeting Two:

- a. Scheduled at the approximate midyear point.
- b. Discuss and note any updates to Sections I and II.
- c. Complete the officer safety equipment check in Section III.
- d. Supervisor provides verbal feedback to employee in all performance domains in Section IV.
- e. Supervisor and employee discuss feedback and any strategies to act on identified strengths and areas for growth.

3. Meeting Three:

- a. Scheduled during the final two to three months of the calendar year.
- b. Discuss and note any updates to Section I and II.
- c. Supervisor provides summary feedback to employee in all performance domains in Section IV.
- d. In preparation for, or immediately following the third meeting of the year, the supervisor completes a draft of the Employee Feedback Worksheet for review.

4. Finalized Employee Feedback – Due by December 1st.

- a. The supervisor and employee review and discuss the draft Employee Feedback Worksheet and make any necessary changes. Once complete, the supervisor and employee electronically sign the worksheet.
- b. The supervisor submits an electronic copy of the worksheet to their next in command.

5. End of Year Documentation – Due by January 1st.

- a. Each member of the employee's chain of command will review, sign and forward the completed worksheet on until it arrives to the district or section Captain.
- b. The Captain will place an electronic copy of the completed worksheet into the folder designated by the Captain of Training.

Caseload Management

Detective Lieutenants and/or supervisors shall check in with detectives assigned to them at a minimum of on a quarterly basis. The purpose of the check in is to discuss individual cases currently assigned to the Detective and for the Detective Lieutenant and Detective to work cooperatively to achieve optimal performance.

The following should be discussed during the check-in:

- Caseload and individual case management
- Review cases that have been open for six months or longer
- Evaluate work product that is incomplete or needs improvement
- Address any performance issues
- Identify training needs or training opportunities
- Mentor inexperienced Detectives and provide feedback
- Give positive feedback and acknowledge good work

EARLY INTERVENTION SYSTEM

The Early Intervention System is intended to provide supervisors with employee information, which may indicate an employee has been exposed to potentially impactful stressors. Various MPD systems have information regarding common stressors for staff. The purpose of sharing this information is to ensure supervisors have a more thorough understanding of what additional stressors their subordinates are exposed to, and to prompt further discussion as to what action, if any, is appropriate. The list below are some examples of what can contribute to employee stress:

Commissioned Personnel

- Vacation / Leave Denials
- FMLA applications
- Worker's compensation / injuries

Professional Staff

- Vacation / Leave Denials
- FMLA applications
- Worker's compensation / injuries

- Bereavement leave
- Use of exigency leave
- Denied specialized training
- Excessive work volume
- Holdovers
- Invitations to participate in critical incident debriefings
- Cases involving death / significant injury
- Use of force
- Firearms discharges
- PSIA internal / external complaints
- On-duty crashes / pursuits
- Audits (MDC, email, Arbitrator, Use of force reporting)
- Involvement or exposure to a critical incident
- Vicarious trauma / exposure to critical or sensitive cases

Following a monthly review of employee information where a concern and/or opportunity to assist has been identified, MPD supervisors should assess the necessity for a clarification follow-up meeting with the employee.

Clarification Follow-Up: For the purposes of this procedure, a clarification follow-up is defined as a process during which a supervisor meets with an employee in a non-disciplinary setting to discuss the employee's performance and well-being. Follow-ups may result in any of the following intervention strategies:

- **No Further Action** – The meeting with the employee is sufficient and no further action is warranted.
- **Supervisory Coaching** – Coaching sessions are a pro-active, positive tool to assist employees in reaching a higher level of effectiveness and to improve their well-being.
- **Recommendation for Authorized Departmental Training** – Training may be provide to improve overall understanding that ultimately will aid in the professional or personal development of the employee.

An offer of EAP as a resource may be provided to the employee but is never mandated.

After a clarification follow-up meeting with an employee, the supervisor will consult with their command team to determine what, if any, additional action or communication will be required beyond what is expected for normal routine management. When intervention strategies are recommended to assist the employee, the lieutenant or mid-level supervisor of the Command Team shall work with the direct supervisor of the employee on implementation. The Command Team will determine the necessity for documentation and whether it should be completed via email or written memorandum.

Supervisors should not wait for patterns or trends to emerge before checking in with their employees. If a supervisor identifies and addresses any concerns with an employee as a result of a clarification follow-up meeting, any follow-up shall be documented accordingly. Intervention strategies and resources recommended and documented through this process are not considered discipline.

After an employee transfers into a new area, district, or unit, the first line supervisor and command staff shall review the new employee EIS.

RECORDS

Employee check-in documentation and all EIS records are MPD management tools are personnel records subject to specific rules and law and therefore shall be retained per the established City of Madison records retention schedules. Per WI state statute 103.13, if the employee disagrees with any information contained in the personnel records, a removal or correction of that information may be mutually agreed upon by the employer and the employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position. The employer shall attach the employee's statement to the disputed portion of the personnel record. The employee's statement shall be included whenever that disputed portion of the personnel record is released to a 3rd party as long as the disputed record is part of the file.

DEFINITIONS

- A. **Clarification Follow Up** – A process during which a supervisor meets with an employee in a non-disciplinary setting to discuss the employee's performance and well-being.
- B. **Concern** – A matter of interest that causes a supervisor or peer to feel unease, uncertainty or apprehension.
- C. **Early Intervention System** – A non-disciplinary process designed to support employees through regular, proactive supervisory engagement.
- D. **Employee Check-In Process** – A process to allow time for employees and supervisors to talk about the important work employees do, recognize good work, and allow us all to best meet the needs of the City.
- E. **Employee Feedback Process** – A non-disciplinary process designed to support supervisors in appraising performance and providing feedback to the employee for their professional development.
- F. **Intervention** – A proactive supervisory engagement intended to provide resources, support, and coaching as needed.
- G. **Peer Support Program** – A core group of personnel who are trained to provide support, information, and referral to employees and family members who are seeking assistance related to a critical incident, day-to-day work stress, or personal life stress.
- H. **Stressors** – Identified experiences that can challenge the resiliency of employees.

Original SOP: 05/16/2016

(Reviewed Only: 01/11/2021, 02/04/2022, 01/31/2023)

Name change/overhaul of Supervision and the Early Intervention System SOP: 02/08/2024



SWAT Body Worn Cameras

Eff. Date ~~02/24/2020~~ 1/22/2024

Purpose

To outline the guidelines for the use of Body Worn Cameras (BWCs) by Madison Police Department (MPD) ~~Special Weapons and Tactics (SWAT)~~ personnel.

Procedure

- SWAT supervisors will assign body-worn cameras to team members prior to tactical operations (unless it is impractical to do so or cameras are unavailable). Available BWCs will be assigned in such a way to maximize audio/video capture of the operation.
- Briefings for pre-planned operations will specify which personnel are assigned to wear BWCs.
- For pre-planned search warrants, recording should begin during vehicle movement to the target location. ~~For extended tactical operations, recording should begin prior to anticipated tactical intervention and should capture any negotiations or other relevant activity when possible. Recording should continue until the incident is resolved.~~ Recording should continue until the warrant service is complete. For extended tactical operations, recordings should begin prior to anticipated tactical intervention and should capture any negotiations or other relevant activity when possible.
- Team leaders or personnel wearing a BWC should advise other team members when recording is beginning and when it has ended (unless it is impractical to do so). The command post should also be advised when practical (if applicable).
- Team members assigned BWCs for an operation will ~~turn the camera over to a team supervisor or commander after the incident~~ return the camera to the docking cradle for download upon conclusion of the operation, or notify a supervisor if unable to do so.
- Video files shall be tagged as evidence with the deployment case number by the team supervisor or commander within 48 hours or as soon as practicable. A copy of the video file may also be saved for training purposes.
- Video files are considered MPD records and may not be released or distributed except as provided for in MPD standard operating procedures.
- A SWAT supervisor will document who wore the cameras in an MPD police report.
- SWAT team leaders will periodically review video from tactical operations to ensure compliance with MPD's Code of Conduct and Standard Operating Procedures, and to identify areas for performance improvement or additional training.

Original SOP: 10/20/2016
(Reviewed Only: 12/26/2017, 02/04/2022)
(Revised: 02/24/2020, 1/22/2024)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Traffic/~~Parking Enforcement~~ and Crash Investigation

Eff. Date ~~10/03/2022~~ 02/08/2024

Purpose

The traffic enforcement objective of the Madison Police Department (MPD) is to reduce traffic crashes and injuries and to facilitate the safe and expeditious flow of vehicular, bicycle, and pedestrian traffic through voluntary compliance with traffic regulations.

Procedure

PUBLIC EDUCATION

MPD stands committed to the concept of education as an important factor in prevention and law adherence. Whenever appropriate, MPD will preface any new or concentrated traffic enforcement initiative with a period of public education or reeducation.

TRAFFIC ENFORCEMENT

MPD commissioned personnel should take appropriate enforcement action to address unsafe driving and bicyclist or pedestrian behavior, focusing on areas with a high incidence of traffic crashes as well as being responsive to neighborhood and citizen complaints.

PARKING ENFORCEMENT & TICKET REVIEW PROCESS

Street parking is restricted in various areas of the City of Madison (City) to ensure fair access to parking and to expedite the flow of vehicular traffic. All existing parking regulations will be primarily enforced by members of the City of Madison Parking Division. On the limited occasions when Madison Police Officers engage in parking enforcement activities, they will do so and with reasonableness and impartiality in all areas of the City.

On-duty City of Madison Police Department employees shall attempt to find available off-street parking for their vehicles whenever possible while conducting official business. In the event that an on-duty MPD employee must park in a restricted/enforceable city parking space, the on-duty MPD employee shall display the squad placard issued to the employee's squad in the windshield dash area to park in such a spot while conducting official business. Squad placards shall not be used in privately owned vehicles for any purpose. Replacement placards for lost or damaged placards may be obtained from the Captain or Lieutenant of Traffic & Specialized Services or the MPD Fleet Coordinator.

In the event that an on-duty Madison Police Department employee receives a parking citation in a City-owned vehicle, the employee shall notify their commanding officer of the ticket. If the commanding officer would like to have the ticket reviewed for dismissal, the commanding officer—or the employee who received the citation—shall follow the ticket review process outlined on the back of the parking citation and submit an online ticket review form by clicking the "Appeal Ticket" button on the following web page: <https://parkingtickets.cityofmadison.com/>.

In the event that an on-duty Madison Police Department employee receives a parking citation on a privately owned vehicle and the employee wishes to contest the citation, the employee will be responsible for submitting an online ticket review form by clicking the "Appeal Ticket" button on the following web page: <https://parkingtickets.cityofmadison.com/>.

Withdrawal of Parking Citations

Parking citations may only be withdrawn by a Traffic & Specialized Services Supervisor pursuant to the following standard review process:

- 1) A written request for review is submitted to the Traffic Section (online or paper form).
- 2) A Parking/Traffic & Specialized Services Supervisor will review the circumstances of the issuance of the parking citation and will make a determination on the status of the citation.
- 3) A written response from the reviewing Parking/Traffic & Specialized Services Supervisor will be sent to the requestor notifying the requestor of the outcome of the review.

Commanding Officers may request withdrawal of parking citations for employees under their command if the citation resulted from an emergency call in, holdover, or other unusual work related circumstances.

The Chief of Police or Commanding Officers may authorize withdrawal of parking citations issued to citizens if the citation resulted from department related issues.

A Traffic & Specialized Services Supervisor may withdraw a citation for "malfunctioning meter" when such conditions are verified.

When a parking citation is withdrawn for any of the above reasons, the disposition must be noted on the original citation, or on the written or electronic citation disposition record. No other method of withdrawing a citation is authorized.

TRAFFIC CRASH INVESTIGATIONS

Commissioned members of our department conduct traffic crash investigations in order to protect the rights of citizens, to detect traffic violations, and to determine enforcement, engineering, and educational needs.

Officers will respond to, investigate, and **complete a Wisconsin Motor Vehicle Accident Report (DT4000)** within 10 days of the crash per Wisconsin State Statute 346.70(4) when the crash occurred on public property or private property held open to the public and the crash resulted in a reported injury or fatality of a person, or resulted in damage to government-owned property, to the apparent extent of \$200 or more, or to a government-owned vehicle, to an apparent extent of \$1,000 or more.

Officers should generally not be dispatched to private property vehicle crashes unless an injury is involved or other circumstances warrant a response (impaired driver, disturbance, etc.). Officers should also generally not be dispatched to crashes not involving injury or road blockage unless other circumstances warrant a response (impaired driver, disturbance, uncooperative driver, etc.). Involved parties should be referred to the Wisconsin Department of Transportation (WI DOT) website for self-report crash reporting.

If officers respond to a private property and/or a non-injury crash due to circumstances that warranted a response, officers will complete a Wisconsin Motor Vehicle Accident Report (DT4000) when the crash resulted in damage to one person's property to an apparent extent of \$1,000 or more. Officers responding to such crashes may complete a Madison Police Department crash report (MPD4000) when the crash resulted in less than an apparent \$1,000 damage to any involved owner's property/vehicle and there are community members requesting police documentation of their crash.

If an officer responds to a crash scene and determines that the crash does not meet the criteria for a reportable DT4000, the involved community members can mutually decide that they would rather simply exchange names at the crash scene and request not to have an MPD4000 accident report completed.

An MPD "Driver Information Exchange" form (with the case number and officer name only listed) should be provided to each driver to complete the remaining information. Officers themselves shall not provide

identifying information of those involved in the crash to the other involved parties. Officers shall not utilize the Driver Exchange Form in Traffic and Criminal Software (TraCS) program.

Officers are also not required to complete a DT4000 or an MPD4000 crash report under the following additional circumstances:

- a) When the crash resulted in property damage only and occurred during a time period when the Officer in Charge (OIC) has determined that severe weather conditions, or other unusual circumstances have increased the number of crashes beyond the department's capacity to respond, or
- b) When all of the vehicles/pedestrians involved in the crash have left the scene of the crash prior to calling police, unless special circumstances prompted their leaving, such as, following a hit and run vehicle, seeking medical treatment, or moving to a nearby safe location.

When a. or b. above occur, community members involved in the crash should be referred to the WI DOT website to obtain and complete a DT4002 Self Report of Accident form.

Officers will not complete a DT4000 or an MPD4000 when the crash involved a collision between bicycles and/or pedestrians and no motor vehicles. In this case, officers shall document the incident in a regular police report.

Officers will submit addendum reports related to crash incidents under the following circumstances:

- a) When any charges are issued/pending (the DT4000 cannot be used in any criminal case), or
- b) When all of the information cannot be adequately reported in the narrative section of the DT4000 or MPD4000, e.g., hit & run, witness statements.

Issuance of Citations at Motor Vehicle Crashes

Officers shall issue citations in any crash where probable cause exists for a violation that is a causal factor in the crash, regardless of which crash form is used to document the crash investigation.

Investigation of Motor Vehicle Crashes Involving Serious Injury or Death

In order to ensure that motor vehicle crashes involving serious injury or death are handled consistently, the case management of such crashes will be the responsibility of Traffic & Specialized Services personnel.

Serious injuries are those injuries that appear life threatening. Crashes with injuries of questionable severity will be investigated as if they were serious injury/fatal crashes. An MPD Field Supervisor will be responsible for assessing the crash scene and any associated injuries to determine if a Forensic Services Unit (FSU) Investigator and a Traffic Specialist should be called to the crash scene.

If the MPD Field Supervisor determines a crash is a serious injury or fatal crash, the following procedural steps shall be considered and requested as necessary:

- a) The MPD Field Supervisor will be in charge of the crash scene and will be responsible for coordination of the initial investigation.
- b) The MPD Field Supervisor at the scene will consult with the OIC to determine if a Traffic Specialist, Detective, and/or additional Investigators are needed. The OIC should give particular consideration to the need for a Traffic Specialist when a driver has fled the scene of a serious injury/fatal traffic crash.
- c) If the OIC deems it necessary that a Traffic Specialist is needed to assist with the crash investigation, Traffic & Specialized Services Commanders should be contacted:
 - i. Lieutenant of Traffic & Specialized Services Emergency Management
 - ii. Lieutenant Sergeant of Forensics Services Unit
 - iii. When unable to contact either lieutenant, contact the Captain of Traffic & Specialized Services
 - iv. If unable to contact any of the above, Lead Traffic Specialist and/or Traffic Specialist.

- d) At least one FSU Investigator will be dispatched to manage the collection of evidence and documentation of the crash scene. If determined appropriate after consultation with above command staff, a Traffic Specialist, Detective, and additional Investigators will be assigned.
- e) The MPD Field supervisor(s) will make all assignments, with specific attention to witnesses' statements, facilitation of blood specimen(s) collection, and collection of other evidence relative to the investigation (video evidence collection and/or preservation). **Traffic Specialist and** Detective resources should be requested and utilized as needed.
- f) Whenever possible, investigating officers should obtain a signature authorizing the release of medical information from injured persons who are conveyed to medical facilities for treatment. Officers should use the current version of the MPD Consent for Release of Medical Records form; this form is available for download under the Consent heading of the A to Z Forms section of the Police Intranet. All medical facilities also have their own release forms that can be used if the investigating officer does not have access to the Police Intranet. Proper documentation of injuries is particularly critical in cases that may result in criminal charges against a driver. The signed medical release form should be filed with the officer's police report.
- g) MPD Field supervisors will ensure that a "Supervisor Serious and Fatal Crash Investigation" form is completed. MPD Field supervisors will also ensure that all essential witnesses' statements have been taken and that all Investigators, Detectives, and Officers assigned to the crash investigation-complete their reports before ending their shifts when appropriate.
- h) The Dane County Medical Examiner (ME) will be contacted in cases involving a fatality and information detailing the ME's office personnel must be included in the appropriate report.
- i) The Major Case Investigations Standard Operating Procedure (SOP) should be followed for report completion.
- j) The Traffic & **Specialized Services Emergency Management** Lieutenant will make all follow-up investigation assignments as needed, in consultation with the Detective Lieutenant of the involved district. Detectives are to be assigned when appropriate.
- k) **Per WI State Statutes 165.785(1)(b)3, 165.785(2r), and 175.51(2m)**, if law enforcement receives a report of a hit and run violation, the agency **shall** disseminate the report through the integrated crime alert network if the law enforcement agency determines that **all** of the following conditions are met:
 - i. A person has been killed due to the accident that is related to the violation;
 - ii. The law enforcement agency has additional information that could help identify the person who has allegedly committed the violation or the vehicle involved in the violation; and
 - iii. An alert could help avert further harm or could aid in apprehending the person who allegedly committed the violation.

DEPARTMENT VEHICLE TRAFFIC SAFETY

Proper and safe driving of department vehicles is an important job-related responsibility of MPD employees. Injuries and damaged property resulting from preventable employee crashes reflect adversely upon the department's image as a public safety agency. Therefore, the following procedure is intended as a positive education program aimed at reducing preventable motor vehicle crashes by correcting higher risk driving behavior.

All department employees who drive city-owned vehicles may be required to participate in crash prevention in-service programs which will include a review of existing policies, "good practices" in police driving, and special requirements of emergency driving, especially the use of speed and the approaching of intersections.

Madison Police Employee Involved Traffic Crash Protocol

Members of the MPD shall promptly report to any on-duty supervisor any traffic crash with, or damage to, any City-owned motor vehicle operated by them or in their charge.

If an off-duty MPD employee operating a privately owned motor vehicle is involved in a reportable traffic crash resulting in evident damage or reported injury within the City of Madison, an MPD field supervisor shall be dispatched to supervise. If no field supervisor is initially dispatched, the responding officer shall request a supervisor respond.

CITY VEHICLE/EMPLOYEE TRAFFIC CRASH INVESTIGATION PROCEDURE

Definitions

The following definitions will apply for reporting purposes under this SOP:

Traffic Crash: Any contact between a City-owned or on-duty City of Madison employee driven vehicle and another vehicle, bicyclist, pedestrian, or object, resulting in evident damage or reported injury.

Incident: Any time a City-owned or on-duty City of Madison employee driven vehicle:

- Has contact with an occupied, privately owned vehicle, or
- Is in motion and has contact with a pedestrian, bicyclist, or fixed object and there is no evident damage or reported injury.

Investigation

Officer Responsibilities: When an officer is dispatched to investigate a vehicle traffic crash involving a City-owned vehicle and/or an on-duty City of Madison employee, the officer shall:

- Investigate the crash in a manner consistent with MPD policies and request that an MPD Field Supervisor be dispatched to the scene to oversee the investigation; any non-MPD City of Madison employee involved in an on-duty crash will follow the provisions of Administrative Procedure Memorandum (APM) 5-2.
- Determine the causal factors of the crash and determine if probable cause exists that an involved driver committed a traffic violation.
- Complete a DT4000 and report before the end of shift. The OIC or a Supervisor may grant approval to hold over the report, but all efforts should be made to have all crash documents submitted within two days of the crash. The MPD4000 short form is not to be used to document crashes involving City-owned vehicles and/or on-duty City of Madison employees except when approved by a Supervisor for single vehicle crashes on City property involving only City vehicles and very minor damage. The estimated damage costs must be under \$200 if utilizing the MPD4000 crash form.

Under no circumstances will an MPD employee complete a DT4000 or an MPD4000 crash report for an incident in which the employee was involved. If an MPD Field Supervisor is not available, the MPD OIC will make the determination as to whether an Investigator or Police Officer will investigate the crash. If the operator of the MPD vehicle involved is a commissioned officer, the involved officer may be required to complete a supplemental report.

Supervisor Responsibilities: An MPD Field Supervisor will be required to respond to all motor vehicle crashes involving City of Madison vehicles or on-duty City of Madison employees that occur within the City of Madison.

For crashes involving City of Madison vehicles or on-duty employees that occur outside of the City limits, but within Dane County, only a Field Supervisor from the same City agency as the involved City of Madison employee is required to respond. An MPD supervisor will also be required to respond to all reportable motor vehicle crashes involving off-duty MPD employees as drivers that occur within the City of Madison.

MPD supervisors shall complete a City Involved Crash Notification form for any crash involving a City of Madison employee as a driver to which they respond and shall send the completed form and any photos to the following personnel:

- Captain of Traffic & Specialized Services
- City of Madison Risk Manager
- City of Madison Risk Manager Assistant

Supervisors shall send this information via email prior to clearing from the crash investigation, or as soon as practicable thereafter.

MPD supervisors shall also complete a Squad Damage Log entry in SharePoint as soon as practicable after any crash involving an MPD vehicle.

For all crashes involving an on-duty MPD employee, the on-scene/MPD Field Supervisor must also complete, within four days of the crash, a Blue Team entry and a memo to the Captain of Traffic & Specialized Services. The investigative memo should include all pertinent details of the crash to include probable cause for any applicable moving violation as well as any **duty related mitigating factors** that may exist. Follow the memo template attached to this SOP.

In the event of a serious injury crash involving on-duty City employees, the steps outlined under the "Investigation of Motor Vehicle Crashes Involving Serious Injury or Death" heading of this SOP will be followed. As a standard procedure, all crashes involving on-duty City employees in which serious injury or death occurs shall be submitted to the City of Madison Attorney's Office and to the Dane County District Attorney's Office for review.

Citation issuance: If probable cause exists for a violation by an **on-duty** City employee, the investigating officer shall:

- **For non-MPD City employees:**
 - Issue the appropriate citation.
- **For MPD employees:**
 - Do not issue a citation at the scene.

For crashes that occur within the City of Madison and that involve on-duty law enforcement personnel from another law enforcement agency as an involved driver, do not issue a citation at the scene and route the crash report(s) to the Captain of Traffic & Specialized Services and to the Lieutenant of Traffic & **Specialized Services Emergency Management** for review.

Review and Follow-Up

For crashes involving on-duty MPD employees, the following review and follow-up process shall be followed:

- All traffic crash memos involving on-duty MPD employees will be entered into Blue Team by a supervisor and will be routed to Professional Standards & Internal Affairs (PS&IA). PS&IA will review and will assign the incident to the Lieutenant of Traffic & **Specialized Services Emergency Management** well as to the employee's Commander/Manager for follow-up.
- The Lieutenant of Traffic & **Specialized Services Emergency Management** will convene a meeting of the Vehicle Operations Review Committee (VORC) to review any crash involving an MPD employee as determined by the Captain of Traffic & Specialized Services. VORC will conduct a review of the crash within 45 days of the incident. This timeframe may be only be extended if essential documentation from the crash is not available.
- The Lieutenant of Traffic & **Specialized Services Emergency Management** will complete a memo detailing the committee's review of the crash as well as any recommendation for additional training or equipment modifications. The Lieutenant of Traffic & **Specialized Services Emergency Management** will enter the memo into Blue Team and will route the entry to the MPD employee's Commander/Manager for further review.
- The Captain of Traffic & Specialized Services will coordinate with PS&IA to present the findings from the crash review and will offer recommendations to the Chief of Police. The Chief will make the final determination as to the issuance of a citation to the MPD employee.

- If it is determined that a citation is warranted, the MPD on-scene/Field Supervisor will be responsible for issuing the citation. The involved MPD employee's Commanding Officer will be notified of the decision.
- In addition, the department will assess whether remedial training or internal discipline is appropriate for the involved employee.

For crashes involving all other on-duty City of Madison employees, the following review and follow-up process shall be followed:

- All traffic crash reports involving on-duty (non-MPD) City employees will be routed to the Captain of Traffic & Specialized Services for review.
- The Captain of Traffic & Specialized Services (or designee) will review the circumstances of a crash involving an issued citation. Consideration should be given to establishing probable cause, mitigating circumstances, and equity with similar incidents. For this review, the employee's supervisor or Department Head may be consulted. The Captain of Traffic & Specialized Services will be responsible for a decision regarding whether the citation will stand or be withdrawn.

Recordkeeping

All crash data will be stored in a designated MPD database. Details regarding crashes involving MPD employees will be shared with the Chief and Assistant Chiefs on a biweekly basis.

Vehicle Operations Review Committee

The Vehicle Operations Review Committee (VORC) will review crashes involving on-duty City of Madison Police Department employees as directed by the Captain of Traffic & Specialized Services. This may include operations of City-owned vehicles, leased vehicles, or privately owned vehicles if the operator is on duty. The committee may also be asked to review operations that Command staff consider potentially hazardous or unprofessional.

The Lieutenant of Traffic & Specialized Services Emergency Management will chair the VORC. In addition to the chair, the VORC will consist of four to six Madison Professional Police Officer Association (MPPOA) members of the department, a Parking Enforcement Officer, and the a PS&IA Sergeant assigned to PS&IA. The Captain of Traffic & Specialized Services will designate members to serve on the committee. When selecting VORC members, consideration should be given to the prospective members' training and assignment, utilizing persons who regularly operate city vehicles in conditions similar to those experienced by field personnel and who may include Traffic Specialists, Emergency Vehicle Operations Course (EVOC) Instructors, and Officers or Sergeants assigned to patrol.

The Lieutenant of Traffic & Specialized Services Emergency Management will schedule crash review meetings based on the number of incidents requiring review. Minimally, the VORC shall meet biannually.

The Vehicle Operations Review Committee will consider the following factors in their review of an employee-involved crash:

- 1) Type of vehicle involved;
- 2) Environmental factors;
- 3) Training and experience of the operator;
- 4) Past incidents involving similar circumstances;
- 5) Applicable policy and procedures;

The results of the review will be recorded in memo format composed by the Lieutenant of Traffic & Specialized Services Emergency Management and will be disseminated through Blue Team to the appropriate MPD managers/commanders. This review may include recommendations for additional training or equipment modifications. Once the review of a crash is completed, PS&IA will consider MPD employees' actions for compliance with Codes of Conduct and/or Standard Operating Procedures.

Original SOP: 02/25/2015

(Revised: 02/29/2016, 03/11/2016, 05/18/2016, 05/19/2016, 01/09/2017, 02/03/2017, 04/27/2017, 11/09/2017, 02/06/2020, 12/28/2021, 10/03/2022, 02/08/2024)

(Reviewed Only: 11/01/2016)

APPENDIX A: ON-DUTY OFFICER CRASH MEMO TEMPLATE

DATE:

TO: PS&IA
FROM: Your name
SUBJECT: **Case Number of On-Duty MPD Crash**

PS&IA,

Enter Basic Information

Initial Dispatch

<When were you notified? How? By Whom? Did initial information include blockage or injuries?>

Police Officer's Statement

<Enter the officer's statement regarding what happened. Include what they were doing before the crash, such as traffic enforcement. In this section, also note what work related mitigating factors are present.>

Department Vehicle

<Enter the squad car's info. License plate number; squad number; vehicle make, year, and model; marked/unmarked; and light package information are all good to include. Also include new vehicle damage and any mechanical issues that may be germane.>

Involved Subject's Statement

<Enter the statement of the non-MPD involved subject. Include anything you think is germane to the investigation.>

Subject's Vehicle

<Just like the squad information, enter all the identifying information that you have available. Also include any equipment or visibility factors that may have been part of the crash.>

Witness Statements

<If applicable.>

Squad video

<Enter the squad video information, if the vehicle is so equipped. Describe your observations from watching the video, if it is available to you. Note the time/date/officer information from the video, including the file name if you can.>

Road Conditions

<Enter any road, traffic, or weather information that you think is pertinent. Consider noting any traffic signs that the involved vehicles would have had to obey.>

Conclusion

<Enter a brief statement covering your conclusions as of the completion of this memo. If you issued the other party a citation, note it here.>

Incident Documentation

<Use this section to list the resources and supporting documents that you relied on in making this report. Include the DT4000 number, case number, citation number, and any squad video or photos that are part of this investigation.>

Respectfully submitted,

<Enter Your Name>



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Uniform Standards

Eff. Date ~~06/12/2023~~ 01/03/2024

Purpose

All officers shall possess a serviceable military style uniform and the necessary equipment to perform uniformed field duty. If an officer's regular job duties do not require the wearing of the military style uniform, it is necessary for them to have the uniform immediately available.

Procedure

MILITARY STYLE UNIFORM GUIDELINES

1. No uniforms or equipment may be worn or carried on-duty unless it has been approved by the Chief of Police. Lists shall be maintained of approved uniform and equipment items. These lists will include items for specialized units and assignments.
2. Officers shall wear the military style uniform while on duty unless their assignment allows otherwise.
3. The uniform shall be kept clean and pressed and be worn complete with silver or gold (rank appropriate) buttons, insignias, badge, and ~~name tag~~ **nametag** in place. It should not be torn, faded, or frayed, although it is understood that this situation can occur during regular job duties. The ~~name tag~~ **nametag** will be worn by all uniformed personnel and will have the first name or initial and last name of the officers (no nicknames). The ~~name tag~~ **nametag** will be worn above the right pocket, centered and even with the pocket (see Addendum A for correct placement of insignia).
4. The full military style uniform consists of a uniform shirt with Madison Police Department (MPD) patches on both shoulders and uniform trousers. An employee shall wear the uniform shirt and trousers that are approved for their particular assignment.
5. Long-sleeve uniform shirts may be worn with a uniform tie or open at the collar without a tie. Short-sleeve uniform shirts will be worn open at the collar without a tie. When the uniform shirt is worn open at the collar, all but the top button will be buttoned.
6. When any uniform shirt is worn open at the collar, officers may wear only t-shirts ~~that which~~ are white, navy blue, or black in color. When wearing a long-sleeve uniform shirt, a mock or ~~turtle neck~~ **turtleneck**, navy blue or black in color, may be worn with the collar folded once. No visible insignia of a commercial nature is allowed.
7. Uniform shirt sleeves will not be worn rolled up when in public view. **Special Event Team (SET)** and **Special Weapons and Tactics (SWAT)** officers are exempted from this rule while wearing their specialized BDU shirts, unless their Commander rules otherwise.
8. Uniform sweaters authorized for use as an outer garment may be worn over the military style uniform.
9. No pins, flags, tie tacks, tie bars (other than the approved silver or gold tie bar), or other such paraphernalia will be worn with the military style uniform unless approved by the Chief of Police. The Purchasing Clerk shall keep the list of authorized pins.
10. Members of the Field Training Cadre may wear the field training pin with the military style uniform. The pin will be worn centered and directly above the ~~name tag~~ **nametag**.
11. Members of the SET, SWAT, and Honor Guard teams may wear their respective team pins with the military style uniform. The pin will be worn centered and directly above the ~~name tag~~ **nametag**, or centered directly above the field training pin, if worn. The Chief may authorize the

wearing of any other pins at his discretion. Officers who have received certain awards (Valor, Meritorious Conduct, Meritorious Lifesaving, Blue Star, and Lifesaving) may wear the approved award pin with the military uniform. If only one award pin is worn, the pin will be worn centered above the highest other pin (name tag, Field Training, SET, SWAT, or Honor Guard). If two award pins are worn, the pins will be worn side-by-side, above the ~~name tag~~ nametag or Field Training pin (if worn), but below the SET, SWAT, or Honor Guard pin (if worn).

12. Service bars may be worn on long-sleeve uniform shirts, jackets and coats. One bar is authorized at the completion of each four years of service (see Addendum A for correct placement).
13. Approved footwear worn with the military style uniform will be black and must be kept clean and polished.
14. When long uniform pants are worn, socks should also be worn that cover the ankle, specifically at least a mid-calf or crew sock. Shorter socks such as anklets, no-show, or low cut are only authorized to be worn with uniform shorts. Socks shall be black or navy in color, except when a medical waiver is granted and approved by the Chief of Police.
15. Wearing of the uniform hat is optional, unless a commanding or supervisory officer requires that a hat be worn for a particular assignment. An approved MPD baseball cap, trooper hat, or stocking cap may also be worn.
16. Officers may wear an authorized outer jacket with the military style uniform. Chevrons and bars will be worn on the epaulets, not the collar.
17. When a uniformed officer directs traffic, the safety vest or reflective side of the spring/fall jacket shall be worn, whether in an on-duty or special employment status. The department-issued raincoat, with the reflective side out, may be worn instead of the traffic vest.
18. The following supplemental equipment is required while wearing the military style uniform:
 - a. A plain black belt with gold or silver closure.
 - b. Authorized weaponry as per the Police Weaponry Policy.
 - c. Authorized leather or nylon goods.
 - d. Any equipment as may be required by the officer's commander.
19. The full military style uniform will be classified as follows:

Dress Class A	Class A	Class B	Class C
Commander Overcoat (if purchased)	Approved Outer Garment	Approved Outer Garment	Approved Outer Garment
8 point hat (outdoors, optional)	Approved Head Gear (outdoors)	Approved Head Gear (optional)	Approved Head Gear (optional)
Dress Blouse			
White Long-Sleeve Uniform Shirt, Navy tie	Approved Class A Uniform Shirt, long-sleeve (tie required) or short-sleeve	Approved Class A Uniform Shirt, long-sleeve (tie optional) or short-sleeve	Approved Tactical Uniform Shirt
Body armor (if worn) will be concealed under the uniform shirt	Body armor (if worn) will be concealed under the uniform shirt	Approved external body armor carrier or body armor (if worn) concealed under the uniform shirt	Approved external body armor carrier or body armor (if worn) concealed under the uniform shirt
Approved Class A Uniform Trousers (4 pocket)	Approved Class A Uniform Trousers (no cargo or TDU style)	Approved Uniform Trousers	Approved Tactical Trousers
Black Shoes (non-athletic)	Black approved (non-athletic) Footwear	Approved Black Footwear	Approved Black Footwear
No Name Tag on Outside of Commander Overcoat	Duty Belt	Duty Belt	Duty Belt

20. Officers with the rank of Police Captain and above shall maintain a Class "A" Dress uniform. Officers with the rank of Police Lieutenant shall have the option of maintaining a Class "A" Dress

uniform. Dress Class A uniforms shall be worn at official ceremonies of the MPD (e.g., funerals, memorial services, graduations), or as directed by the Chief of Police.

21. Officers should wear a Class A uniform to all court appearances (including probation and parole revocation hearings), to special assignments, or any other time as directed by a supervisor. It is expected that officers who have court scheduled during their regular work hours will wear a Class A uniform to the court appearance, though it is understood that in limited circumstances it may not be possible to change into a Class A uniform prior to the court appearance. The Class A uniform is required for uniformed personnel testifying at a jury trial unless it is impractical to do so or upon specific request from the prosecuting attorney.
22. Officers shall have the option of wearing Class A or Class B uniforms for their daily assignments unless otherwise directed by MPD policy or a MPD Supervisor.
23. Rank Insignia
 - a. Rank insignia shall be worn on the epaulets of the outer most garment (including Dress Blouse), except rainwear and raid jackets.
 - b. All insignias shall be worn on the shirt collar.
24. The approved Honor Guard uniform may only be worn by Honor Guard members or auxiliary team members, as approved by Honor Guard Command.
25. Bike Uniform

Officers may wear the approved bike uniform only when assigned to ride MPD bicycles for the duration of their shift. The bike uniform will consist of:

 - a. Approved MPD bicycle shirt.
 - b. Approved athletic shorts, pants, shoes, and black or navy blue socks.
 - c. Protective helmet.
 - d. Full duty belt, including weaponry as required in the Police Weaponry Policy.
 - e. Approved MPD bicycle jacket.
 - f. Officers may also wear the military style uniform while using the bicycle, but in that situation must wear a protective helmet and yellow reflective vest over their uniform for greater visibility. With supervisor's approval for tactical reasons, an officer may refrain from wearing the yellow reflective vest.
26. Mounted Patrol Uniform

Mounted Patrol officers may wear the Mounted Patrol uniform while assigned to Mounted Patrol activities. The Mounted Patrol uniform will consist of:

 - a. Approved MPD Mounted Patrol shirt. The approved Class A MPD uniform shirt may be worn for ceremonial activities.
 - b. Approved MPD riding pants.
 - c. Approved MPD riding boots.
 - d. Approved MPD Mounted Patrol jacket.
 - e. Protective helmet.
 - f. Full duty belt.
27. Canine Officer Duty Uniform

Canine officers may wear the approved Canine BDU/Class C uniform only when engaged/assigned to Canine duties. The Canine BDU uniform will not be worn for any other assignment/purpose.
28. Alternative Uniform Attire

Alternative uniform attire may be approved for certain activities/assignments where a uniform would not be appropriate. These include MPD polo shirts, t-shirts, etc. These alternative items are not a substitute for the standard uniform, and may only be worn for specific assignments/activities with the approval of the Chief.

30. External Body Armor Carrier

An approved external body armor carrier may be worn over the uniform shirt with the Class B or Class C uniform. All other uniform requirements (visible badge, name tag, collar brass, etc.) apply when the external body armor carrier is worn.

An approved medical/load-bearing external body armor carrier may be worn over the uniform shirt with the Class B or Class C uniform. Officers electing to wear the medical/load-bearing external body armor carrier will have their equipment carrying configuration approved by the Training Section prior to field deployment.

The medical/load-bearing external body armor carrier should appear as similar to the standard uniform shirt as possible, though a single "Police" patch may be worn on the rear of the carrier. All other uniform requirements (visible badge, approved ~~name tag~~ ~~nametag~~, collar brass, etc.) apply when the medical/load-bearing external body armor carrier is worn.

IN-SERVICE DRESS/EMPLOYEE DEVELOPMENT

Officers shall dress in clothing and gear consistent with their regular assignment unless notified otherwise by a member of the Training staff.

SPECIAL DUTY JOB

Officers working "special duty" jobs in uniform shall adhere to the military style uniform guidelines in this policy. If the assignment requires a non-military style uniform dress, officers shall dress in clothing consistent with the non-uniform clothing standards in this policy.

BODY ARMOR

It is the policy of the MPD to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

If the officer's assignment is uniform field work in an enforcement capacity rather than administrative or support capacities, body armor shall be worn. Officers are responsible to ensure that body armor is functional and does not interfere with the performance of their duties. Exceptions will be at the discretion of the commanding officer.

HEAVY BODY ARMOR

Officers may utilize personally owned, MPD approved supplemental heavy body armor while on duty in accordance with these provisions:

1. Only approved heavy body armor and accessories will be utilized. Heavy body armor carriers will indicate "POLICE" on the front and back and may not be modified without approval of the Captain of the Personnel and Training Team.
2. Officers will ensure that their individually owned heavy body armor is properly maintained and regularly inspected.
3. Officer must complete training and firearms qualification (as established by the Captain of the Personnel and Training Team) while wearing heavy body armor prior to using it in the field. All use of supplemental heavy body armor will be in accordance with departmental training.
4. Supplemental heavy body armor is not authorized for full-time wear. It may be utilized anytime an officer reasonably believes the potential for a deadly force threat from a firearm exists.

5. Officers will not utilize heavy body armor not assigned to them unless exigent circumstances are present.

BALLISTIC HELMETS

Officers may utilize MPD approved and issued ballistic helmets while on duty in accordance with these provisions:

1. Only MPD approved and issued ballistics helmets are to be worn. MPD ballistic helmets will have a Velcro badge number affixed on the rear of the helmet and may not be modified or removed without approval of the Captain of Personnel and Training Team.
2. Officers will ensure that their individually issued ballistic helmet is properly maintained and stored. Ballistic helmets should be kept in a location where officers can easily access them for deployment.
3. Ballistic helmets are not authorized for full-time wear. Ballistic helmets may be utilized anytime an officer reasonably believes that there is a potential for a deadly force threat from a firearm.
4. Officers will not utilize a ballistic helmet that is not assigned to them unless exigent circumstances are present.
5. Officer shall not affix or attach additional equipment or decals to their issued ballistic helmet unless approved by the Captain of Personnel and Training Team.

BADGES

Officers on duty must carry their assigned badge and departmental identification card on their person. Officers wearing the military style uniform will have their badge displayed on the outermost garment worn. Officers not wearing the military style uniform who have their primary handgun visible must have their badge displayed either on the front of their waistband or on their chest area.

PARKING ENFORCEMENT OFFICER UNIFORM

1. ~~Parking Enforcement Officers shall wear the prescribed uniform while on duty, unless their assignment allows otherwise. The prescribed uniform shall consist of items that have been authorized by the Chief of Police.~~
2. ~~The uniform shall be kept neat and clean at all times. MPD Command Staff shall determine the wearable condition of the uniforms.~~
3. ~~The uniform will consist of authorized pants, shorts, short or long sleeve polo shirts, short or long sleeve military style shirts, authorized jackets or sweaters, and approved footwear and headgear.~~
4. ~~Long and short sleeve uniform shirts may be worn open at the collar, with all but the top button buttoned.~~
5. ~~When any authorized uniform shirt is worn open at the collar, officers may wear approved undershirts. These undershirts shall be black, white, or navy blue in color. It is not authorized to wear long sleeve undershirts with short sleeve gray uniform shirts.~~
6. ~~Authorized uniform sweaters (with MPD patch) may be used as an acceptable outer garment over an approved undershirt (turtleneck).~~
7. ~~A Madison Parking Enforcement authorized ANSI Safety Vest must be worn as the outer most garment at all times. When wearing uniform jackets and coats the ANSI Safety vest must be worn~~

~~and it is required that a uniform shirt, uniform sweater, or authorized turtleneck be worn underneath at all times.~~

8. ~~The approved footwear shall consist of black boots or shoes when wearing uniform pants, and must be kept clean and polished. Approved footwear when wearing uniform shorts shall consist of gray shoes with black or white socks, or black shoes with black socks.~~
9. ~~Parking Enforcement Officers wishing to purchase tennis shoes for duty use may do so. These shoes must be gray or black in color, free of bright colors, overly graphic designs, or lights; must be made from an approved vendor (if purchased with uniform account funds); and must be an approved brand (Nike, Brooks, Asics, New Balance, Adidas, or Reebok). The purchase and exact shoe model must be pre-approved by the parking supervisor.~~
10. ~~Wearing authorized headgear is optional.~~
11. ~~Any items that Parking Enforcement Officers wish to incorporate into the approved uniform list must be brought to the attention of the Parking Uniform Committee.~~

UNIFORM ACCOUNT

1. Existing agreements between the City of Madison and the labor unions which represent uniformed personnel of the MPD spell out current provisions for use and administration of uniform accounts.
2. Under no circumstances are employees permitted to exceed the amount available in their account. It is the employee's responsibility to track their account balance, and employees are responsible for any applicable tax.
3. All uniform and equipment purchases for use on-duty by personnel on the monthly clothing allowance must be approved items consistent with this policy.

Original SOP: 02/25/2015

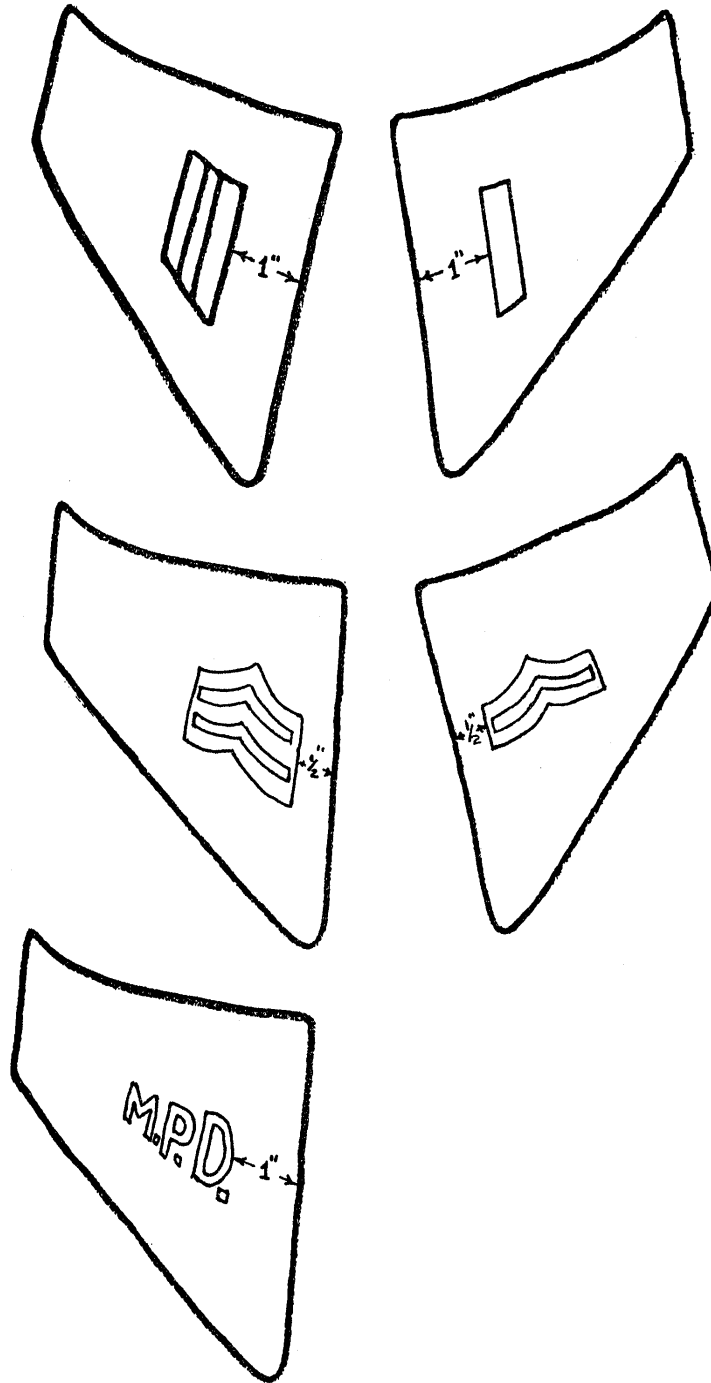
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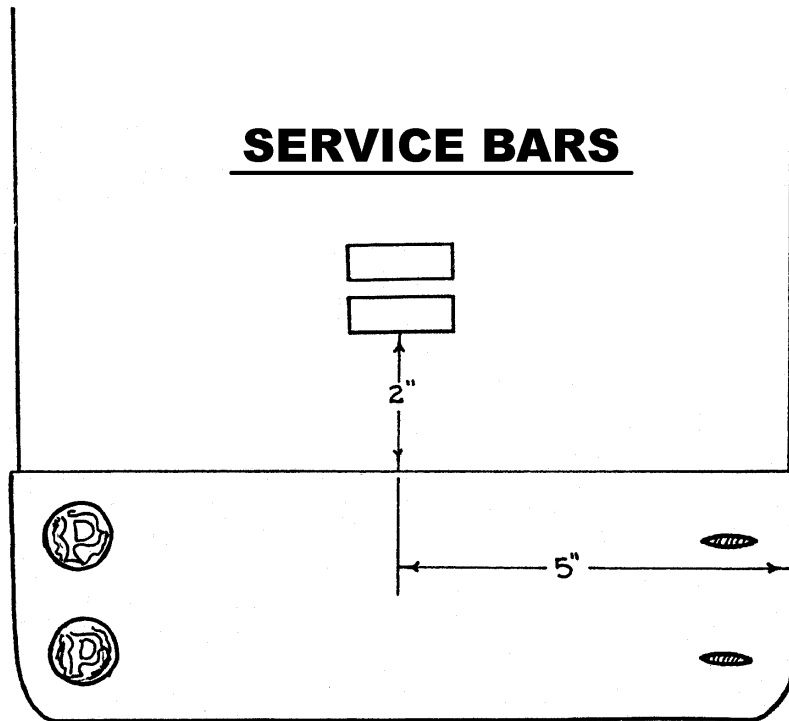
(Revised: 09/13/2016, 02/18/2018, 04/16/2018, 4/30/2019, 10/08/2019, 10/19/2020, 05/19/2023, 06/12/2023, 01/03/2024)

ADDENDUM A

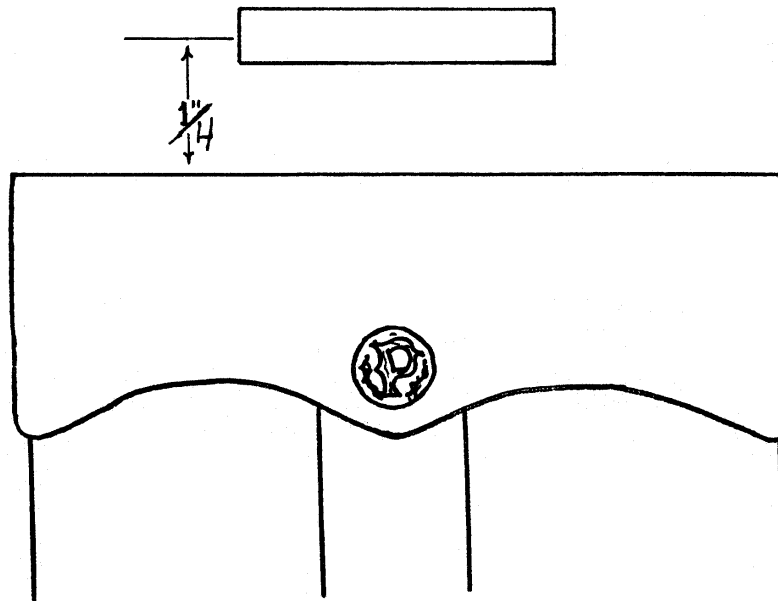
COLLAR INSIGNIAS

All insignias are to be centered between top and bottom of collar.



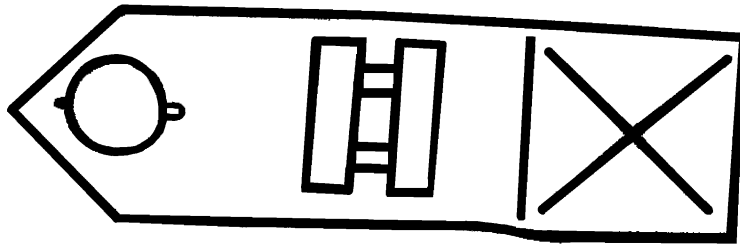
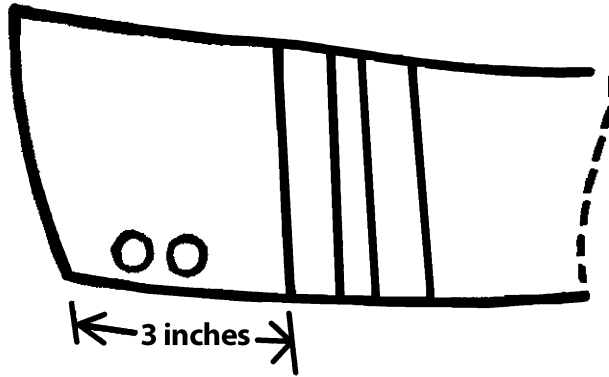


NAME TAG POSITION



COMMANDER'S OVERCOAT

- Sleeve Bars: 4 bars: Chief of Police
- 3 bars: Assistant Chief of Police
- 2 bars: Captain
- 1 bar: Lieutenant





CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Use of Force

Eff. Date ~~12/18/2023~~ 1/22/2024

Purpose

Consistent with our Mission and Core Values, the Madison Police Department (MPD) is committed to protecting and preserving human life. The protection and preservation of all human life – including the lives of individuals being taken into custody – is the MPD’s fundamental objective and the primary duty of all MPD employees. The application of deadly force is a measure of last resort, only to be employed when an officer reasonably believes all other options have been exhausted or would be ineffective.

The MPD is committed to resolving conflicts through the use of communication skills, crisis intervention, and de-escalation tactics, when feasible. Officers may only use that force which is objectively reasonable, and only in furtherance of a legitimate, lawful objective. “Objective reasonableness” is a test based on the totality of the circumstances. *Graham v. Connor*, 490 U.S. 386 (1989). Officers will only apply force in a manner consistent with MPD’s Code of Conduct, SOP, and training.

As used in this standard operating procedure (SOP), deadly force refers to the intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.

DE-ESCALATION

Whenever safe and feasible, officers will attempt to utilize de-escalation tactics and techniques in a manner consistent with the De-Escalation SOP.

DUTY TO INTERVENE

Any officer present and observing another officer using excessive force, engaged in unlawful conduct, or in violation of the Madison Police Department’s Code of Conduct has an affirmative obligation to intervene and to report without regard for chain of command or experience of the personnel involved. An officer shall intervene, only if circumstances are such to safely do so and if the force in question is clearly beyond what is objectively reasonable under the circumstances. Any officer observing the use of excessive force shall notify an uninvolved supervisor as soon as practicable. No officer may be discharged, disciplined, demoted, or otherwise discriminated against because the officer intervened to prevent what they believed was excessive force or reported or is thought to have reported what they believed to be excessive force.

NON-DEADLY FORCE

THE USE OF OLEORESIN CAPSICUM SPRAY (OC SPRAY)

1. Officers may use OC spray when they reasonably believe they are facing active resistance, or its threat, from the subject. OC spray is not to be used against subjects who are offering only passive resistance.
2. Officers shall only direct OC spray in a manner as prescribed by the Chief of Police through MPD training.
3. OC spray shall not be used once an individual is subdued and under control.
4. High-volume OC delivery systems (larger than MK-9) will only be used as outlined below.
5. If practical, the individual on whom OC spray was used should be provided with an opportunity to eliminate the effects of the irritant by washing and flushing the affected areas with water.

USE OF SPECIALIZED CHEMICAL IRRITANT DELIVERY SYSTEMS

Specialized chemical irritant delivery systems include the following:

1. High-volume OC delivery systems (larger than MK-9)
2. Projectile-delivered chemical irritants (OC or CS)
3. Hand-thrown chemical irritant canisters (OC or CS)

Specialized chemical irritant delivery systems will only be deployed by officers who have been trained in their use and use will be consistent with departmental training. Only delivery systems and munitions approved by the Chief of Police or designee are authorized for use.

Unlawful Assembly/Crowd Control – Specialized chemical irritant delivery systems will only be used in a crowd control context under the following circumstances:

1. Dispersal of unlawful assembly
 - a. The incident commander has declared an unlawful assembly and made the decision to disperse a crowd as outlined in the MPD Demonstrations and Assemblies SOP.
 - b. Appropriate warnings have been provided as outlined in the MPD Demonstrations and Assemblies SOP.
 - c. The crowd has been provided reasonable time to disperse but has not dispersed voluntarily.
 - d. Unlawful behavior resulting in the unlawful assembly declaration is continuing.
 - e. The incident commander determines that the use of specialized chemical irritant delivery systems is reasonably necessary to do one or more of the following:
 - i. Protect officers or others from imminent physical harm;
 - ii. Respond to specific acts of violence or property damage;
 - iii. Disperse the crowd without utilizing more intrusive levels of force.
 - f. Avenues of egress for the crowd exist.
 - g. Officers involved are appropriately equipped and notified that use of specialized chemical irritant delivery systems is imminent.
 - h. The incident commander should also balance the immediate need for the use of specialized chemical irritant delivery systems (the severity and volume of unlawful activity) with the potential for adverse impact of said use (effect on uninvolved persons; visibility/traffic concerns; etc.).
 - i. The incident commander has approved use.
2. Exigent circumstances

In all but the most extreme circumstances, specialized chemical irritant delivery systems should only be deployed to disperse an unlawful assembly with incident commander approval as outlined above. Emergency deployment without incident commander approval is only permitted under the following circumstances:

 - a. Criteria for an unlawful assembly exists.
 - b. An urgent and immediate threat of physical harm to officers or others exists.
 - c. The risk of immediate physical harm is such that approval from the incident commander for deployment cannot be sought without unreasonably risking the safety of officers or others.
 - d. Addressing the immediate threat by use of other force options is not practical or would be ineffective.
 - e. Avenues of egress for the crowd exist.
 - f. Deploying officers will notify the incident commander of the use of specialized chemical irritant delivery systems as soon as practical.

Tactical operations/barricaded subjects – When seeking resolution of a barricaded suspect/subject incident, specialized chemical irritant delivery systems may be utilized as follows:

1. The decision has been made that intervention/resolution is required, consistent with the Barricaded Persons Incidents SOP.
2. Attempts to resolve the incident without tactical intervention have failed.
3. Legal authority to enter the area occupied by the suspect/subject exists.

4. The subject/suspect is armed or reasonably believed to be armed, or other circumstances suggest that tactical entry creates a significant risk to officers or others.
5. The incident commander determines that the use of specialized chemical irritant delivery systems is reasonably necessary to attempt to get the suspect/subject to exit (when avenues of egress/exit are available) or to facilitate safer employment of other tactical interventions.
6. Officers involved are appropriately equipped and notified that use of specialized chemical irritant delivery systems is imminent.
7. The incident commander should balance the need for the use of specialized chemical irritant delivery systems with the potential for adverse impact of said use (effect on uninvolved persons; visibility/traffic concerns; etc.).
8. Specialized chemical irritant delivery systems deployed to the interior of a dwelling must be non-pyrotechnic, unless deadly force is justified. This excludes pyrotechnic chemical munitions designed for interior use or delivered in an approved "burn box" or other similar device.
9. Specialized chemical irritant delivery systems should only be deployed by projectile if it is unsafe or impractical to deploy manually. Projectiles should be deployed in a manner to reduce the risk of striking a person.
10. The incident commander has approved use.
11. Specialized chemical irritant delivery systems may be deployed in tactical operation/barricaded subject incident without prior command approval under the following circumstances:
 - a. All of the criteria described above for command approved deployment are present;
 - b. An urgent and immediate threat of physical harm to officers or others exists;
 - c. The risk of immediate physical harm is such that approval from the incident commander for deployment cannot be sought without unreasonably risking the safety of officers or others.

ELECTRONIC CONTROL DEVICE USE

1. An approved electronic control device (ECD) may only be utilized by officers who have successfully completed training in its use. Deployment and use of the electronic control devices will be in accordance with MPD training and procedure.
2. In cases where a subject is believed to be armed with a dangerous weapon, an ECD is not a substitute for deadly force. In such situations, an officer should not be armed with an ECD without another officer at the scene having the immediate ability to deliver deadly force, unless unique circumstances indicate otherwise. Officers armed with an ECD should continuously monitor and evaluate the ability of other officers present to deliver deadly force.
3. An officer may only display, present, or threaten to use an ECD if the officer reasonably believes that the potential for its authorized use exists. Furthermore, an officer may only display, present, or threaten to use an ECD absent deadly force coverage if they reasonably believe the involved person is not armed with a dangerous weapon.
4. An ECD may only be used under the following circumstances:
 - a. To overcome violent or assaultive behavior or its threat when the officer reasonably believes that the subject poses an articulable threat of harm to an officer or to another person.
 - b. To control persons in order to prevent them from harming themselves or others.
5. Use of an ECD under the following circumstances is prohibited, unless exigent circumstances are present:
 - a. Against handcuffed subjects.
 - b. Against subjects fleeing on foot.
 - c. Against subjects in an elevated position where a fall is likely to result in significant injury.
 - d. Against subjects operating a motor vehicle.
 - e. Against small children.
 - f. Against a subject who is visibly pregnant or known to be pregnant.
 - g. Against elderly subjects.
 - h. From a moving vehicle.
6. The ECD will not be used under the following circumstances:
 - a. For coercion or intimidation.

- b. To escort or prod subjects.
 - c. To awaken unconscious or intoxicated subjects.
 - d. Against subjects who are offering only passive resistance.
7. ECD probes may not be intentionally fired at the face, head, neck, or groin, unless the use of deadly force would be justified.
8. Multiple, extended, or simultaneous ECD applications against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the subject or unavailability of alternative force options outweighs the potential risk posed by multiple, extended, or simultaneous applications.
9. Officers shall assess all subjects against whom an ECD has been deployed. The subject shall be evaluated by medical personnel if:
 - a. The subject requests medical treatment.
 - b. The subject displays an adverse reaction to the ECD deployment.
 - c. The subject has been exposed to more than one ECD simultaneously.
 - d. The subject has been exposed to three (3) or more ECD firing cycles, or one continuous firing cycle of 15 seconds or more.
10. If the ECD probes have penetrated the skin in a sensitive area (head, neck, groin, or breast), the subject will be conveyed to an emergency room for probe removal. If the probes are embedded in non-sensitive areas, a trained officer may remove them.
11. Removing the air cartridge to deploy an ECD in the drive-stun mode is not authorized as a primary ECD deployment technique.

REMOTE RESTRAINT DEVICE

1. Only department-approved remote restraint devices may be used and only by officers that who successfully completed training in their use. Deployment of remote restraint devices will be in accordance with MPD training.
2. Remote restraint devices may be used only under the following circumstances:
 - a. To overcome violent or assaultive behavior or its threat when the officer reasonably believes that the subject poses an articulable threat of harm to an officer or to another person.
 - b. To control a subject in order to prevent them from harming themselves or others.
3. Use of remote restraint devices is prohibited under the following circumstances, unless exigent circumstances are present:
 - a. Against handcuffed subjects.
 - b. Against subjects fleeing on foot.
 - c. Against subjects in an elevated position where a fall is likely to result in significant injury.
 - d. Against subjects operating a motor vehicle.
 - e. Against small children.
 - f. Against a subject who is visibly pregnant or known to be pregnant.
 - g. Against elderly subjects.
 - h. From a moving vehicle.
4. The remote restraint devices may not be intentionally fired at the face, head, neck, or groin unless deadly force is authorized.
5. If the remote restraint devices probes have penetrated the skin in a sensitive area (head, neck, groin, or breast), the subject will be conveyed to an emergency room for probe removal. If the probes are embedded in non-sensitive areas, a trained officer may remove them in accordance with training.
6. When deployed operationally, all cartridge components will be collected and property tagged.

BATON USE

1. A baton may be used to overcome continued resistance or assaultive/dangerous behavior when an officer reasonably believes a lesser degree of force would be insufficient to control the situation.

2. An officer shall never intentionally strike a person's head with a baton unless such an action is justified under the use of deadly force.
3. Officers shall only use MPD-approved batons and techniques.
4. MPD-approved batons are the only authorized impact weapons. Flashlights, radios, firearms, etc., are not recommended as impact weapons; however, the MPD recognizes that emergency self-defense situations involving other objects and instruments may occur.

IMPACT PROJECTILES

1. Impact projectile weapons may only be utilized by officers who have successfully completed training in their use. Deployment of impact projectiles will be in accordance with MPD training. Only munitions approved by the Chief of Police or designee are authorized for use.
2. In cases where a subject is believed to be armed with a dangerous weapon, an impact projectile weapon is not a substitute for deadly force. Unless circumstances indicate otherwise, an officer should not go armed with an impact projectile weapon unless another officer at the scene has the immediate ability to deliver deadly force. Officers armed with impact projectile weapons should continuously monitor and evaluate the ability of other officers present to deliver deadly force.
3. It is the responsibility of the officer going armed with an impact projectile weapon to ensure that the weapon is loaded with impact projectiles each time the weapon is deployed.
4. Deployment of impact projectiles at non-vital areas of a subject's body is considered non-deadly force. Impact projectiles may only be used under the following circumstances:
 - a. To overcome violent or assaultive behavior or its threat when the officer reasonably believes that the subject poses an articulable threat of harm to an officer or to another person.
 - b. To control persons in order to prevent them from harming themselves or others.Additionally, an officer must reasonably believe that a lesser degree of force would be insufficient to control the situation, or that it is necessary to deliver force at a safe distance from the subject.
5. The intentional deployment of impact projectiles at the face, head, or neck, or groin is considered deadly force.
6. All persons taken into custody who have been struck with an impact projectile will be conveyed to an emergency room for medical clearance.
7. A deadly force investigation will commence only if deployment of an impact projectile results in death or great bodily harm.
8. Absent an imminent risk of harm to officers or community members, impact projectiles will not be used in crowd control situations. Before deploying an impact projectile in a crowd environment, the officers shall consider the density of the crowd and the potential for striking a bystander. Impact projectiles will not be used to move or disperse crowds.
9. Impact projectiles may be deployed in other jurisdictions pursuant to a mutual aid request. In the event that an individual struck with an impact projectile is taken into custody by another agency, officers from that agency shall be notified of the need for medical treatment.

CANINE USE

See MPD SOP on Canine Use.

USE OF RESTRAINING DEVICES

1. Officers shall place handcuffs on any individual in custody when the officer reasonably believes the individual may become violent, attempt to escape, or pose a danger to self or others. It is mandatory that all persons who have aggressively resisted or attacked another person be placed in handcuffs.
2. Officers shall apply handcuffs in a manner prescribed by the Chief of Police through MPD training.
3. When handcuffs prove to be insufficient in restraining an individual (e.g., kicking, attempting to flee, etc.), officers may employ the use of additional MPD-approved restraining devices.

4. In an emergency situation when an MPD-approved restraining device is not available, the MPD recognizes that alternative devices may have to be employed. In such situations, approved devices should be substituted as soon as reasonably practicable.
5. Individuals who are placed in a maximum restraint position should be continuously monitored for breathing and circulation.

USE OF SPIT HOODS

1. A spit hood is a temporary protective device, which may be used on persons who display behavior or threatening behavior that pose a hazard of exposure to bodily fluids transmitted by spitting, wiping blood from their face/head, or wiping/blowing nasal discharges at or onto officers.
2. Officers should use only MPD-approved spit hoods. In an emergency situation if a department approved spit hood is not readily available, officers may utilize other breathable items, such as surgical masks, etc.
3. Subjects must be stabilized and restrained (handcuffed) before applying the hood. The subject should be advised, when practical, that a hood is being applied.
4. Officers shall apply the spit hood in accordance with MPD training.
5. Persons wearing the spit hood must be closely monitored and shall not be left unattended.
6. Officers shall document the use of the spit hood including the circumstances requiring its use in their report of the incident. A copy of the report shall be routed to the MPD Use of Force Coordinator.

USE OF FORCE REPORTING REQUIRED

Any officer who uses physical force, or any of the following enumerated weapons, devices, or tactics against another person, shall complete an original or supplementary report on the incident during which the force was used:

1. Firearms (including pointing a firearm at an individual)
2. Baton or Less Lethal Impact Munitions
3. Chemical Agents, OC spray, or Electronic Control Devices
4. Handcuffs or other Restraining Devices, including hobble restraints, spit hoods, remote restraint devices, etc.
5. Physical force, including focused and diffused strikes, pressure points, escort holds, decentralization techniques, holding or grabbing of subjects, etc.

The report shall specifically note the totality of the circumstances necessitating force and the manner of force employed. A copy of the report should be routed to the MPD Use of Force Coordinator.

AFTERCARE

Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with their training to any individual who has visible injuries, who complains of being injured, or who requests medical attention. Individuals taken into custody should be positioned in a way so that their breathing is not obstructed.

Any time recordable force (takedowns, active countermeasures, OC spray, impact weapons, hobble restraints, less lethal projectiles, ECD deployments, K9 apprehensions) is used, officers will affirmatively ask the subject against whom the force has been used if the subject wants medical treatment.

USE OF FORCE REVIEW AND INVESTIGATIONS

All instances of the use of non-deadly force shall be reviewed for compliance with MPD procedure by an appropriate supervisor. Any time a commissioned employee uses recordable force during an incident, the force must be documented in the MPD use of force database.

In cases where a complaint is filed pertaining to an officer's use of non-deadly force, the Professional Standards and Internal Affairs Unit (PSIA) has the primary responsibility for coordinating the internal investigation to ensure compliance with the MPD Use of Force SOP.

If necessary, as part of the District's or PSIA's internal investigation, members from the Training Team who are certified WI Defensive and Arrest Tactics (DAAT) instructors can be consulted to determine findings and forward their conclusions to the appropriate source requesting assistance.

DEADLY FORCE

The use of deadly force is only authorized when, under any of the following circumstances, an officer reasonably believes a lesser degree of force would be insufficient:

1. To protect another person or persons from what is reasonably believed to be an imminent threat of death or great bodily harm.
2. To protect the officer from what is reasonably believed to be an imminent threat of death or great bodily harm.
3. To prevent the escape of a fleeing subject when all of the following are present:
 - a. The officer has probable cause to believe that the person has committed or has attempted to commit a felony involving the use or threatened use of deadly force.
 - b. The officer reasonably believes the subject presents a continuing imminent risk of great bodily harm or death to the officer or another subject if not immediately apprehended.
4. To protect the officer or another from an animal which an officer reasonably believes may cause great bodily harm if not immediately controlled, or to end the suffering of an animal gravely injured or diseased after considering public view, safety, and other reasonable dispositions. Officers shall only use a firearm to euthanize a gravely injured or diseased animal.

As used in this SOP, the word "imminent" means "about to happen." An imminent threat is an immediate threat.

VERBAL WARNING

Before using deadly force, officers shall, if practicable and feasible, identify themselves and order the subject to desist from unlawful activity.

DEADLY FORCE IS NEVER AUTHORIZED

Deadly force is never authorized:

1. As a warning shot.
2. From a moving vehicle, unless deadly force is justified and the consequences of not acting to stop the threat outweigh the risk created by the use of deadly force.
3. At a moving vehicle unless:
 - a. A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or
 - b. the vehicle is operated in a manner that reasonably appears deliberately intended to strike an officer or another person and all other reasonable means of defense have been exhausted (or are not present or practical), which includes moving out of the path of the vehicle. To prevent the threat of being struck by a vehicle, officers should avoid intentionally putting themselves in the path of any moving vehicle, and when such positioning is unavoidable, move out of the vehicle's path as soon as practical.
4. When its use unreasonably risks the lives of innocent bystanders.

PROHIBITED TECHNIQUES

The following techniques create a substantial likelihood of death or great bodily harm and are prohibited (except if deadly force is authorized and all other reasonable means of defense have been exhausted or are not present or practical):

1. Intentional punching or striking of the throat/trachea.
2. Intentional continued restriction of the carotid neck arteries.
3. Intentional application of pressure to the windpipe or throat with an arm or other object.

AFTERCARE

Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with the officer's training to any individual who has visible injuries, complains of being injured, or requests medical attention.

INVESTIGATION OF THE USE OF DEADLY FORCE

See the Madison Police Department "Officer Involved Critical Incidents" Standard Operating Procedure.

Original SOP: 03/23/2015

(Revised: 05/26/2016, 07/10/2017, 12/06/2017, 03/01/2019, 09/23/2019, 10/14/2019, 01/27/2020, 01/14/2022, 04/25/2022, 06/21/2022, 06/27/2022, 01/31/2023, 12/18/2023, 1/22/2024)

(Reviewed Only: 12/22/2016)

(Deadly Force, Use of and Non-Deadly Force Use of SOPs combined into Use of Force SOP: 06/21/2022)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Vehicle Use, Assignment, and Maintenance

Eff. Date ~~10/03/2022~~ 01/03/2024

Purpose

Proper vehicle use and maintenance are essential elements to the efficient operation of the Madison Police Department's (MPD) ability to deliver services. The following procedures will be in effect for vehicle use and maintenance. Compliance and cooperation is needed by all MPD vehicle operators.

Procedure

VEHICLE USE

All MPD Vehicles

1. Vehicles are to be used for City business only.
2. When traveling outside of Dane County in a City car, MPD employees must have written permission (email) from a supervisor to have a passenger in the vehicle, unless that passenger is also on duty. Any potential passenger must be identified before permission is granted.
3. **MPD vehicles are not to be left idling while unattended, even if locked, unless one of the following exemptions is present** (Note: After a squad engine is turned off, the Arbitrator in-car video system will stay powered for up to one (1) hour and the computer system will stay powered for up to two (2) hours.):
 - a. The overhead emergency lights are in use.
 - b. The weather is extremely cold or inclement and shutting down the vehicle would delay the deployment of patrol resources (clearing snow, ice, or fogging from windows and lights) to respond to a call for service.
 - c. Canine vehicles with the dog in the vehicle.
4. If it is necessary to leave any MPD vehicle parked and unattended on the street at the end of an employee's tour of duty, the employee, or a supervisor, shall notify the Officer in Charge (OIC) to make arrangements to return the vehicle to its normal storage location.

Patrol Vehicles

1. All officers not using a permanently assigned squad for a patrol shift shall notify the Dane County Public Safety Communications (911) Center of their vehicle number for that patrol shift.
2. Marked patrol squads are assigned to various districts or stations. If a vehicle is taken from a station, it should be returned to that location barring an issue requiring maintenance, or a special circumstance. Notification by email to the District Commanders impacted is required.

Non-Patrol Vehicles

1. All non-patrol vehicles, except loaner/pool cars, are assigned to specific employees or units for specific purposes. These vehicles may only be used by other employees after a check with the assigned employee, unit supervisor, or a commanding officer for the unit impacted.
2. Employees must be trained in the proper operation of specialty vehicles; uses of these vehicles are limited to trained personnel.
3. The Captain of Traffic & Specialized Services will maintain the listing of MPD vehicle assignments.

SPECIAL DUTY RESTRICTIONS

1. Marked squad cars shall not be used for off-duty assignments unless the request for off-duty employment form indicates a squad car is necessary.

2. Officers must get OIC or District Command approval before taking a squad to ensure there is adequate availability of marked squads for on-duty patrol shifts.

MAINTENANCE AND REPAIR OF VEHICLES

1. All employees should check the interior and exterior of the vehicle to be used at the beginning and throughout their shift. Any damage discovered shall be reported to a supervisor.
2. Crashes are to be reported immediately; refer to the Traffic/Parking Enforcement and Crash Investigation standard operating procedure (SOP) for specific procedures.
3. Preventive maintenance is regularly scheduled. The MPD Fleet Coordinator will provide a temporary vehicle during maintenance when possible.
4. When a vehicle is disabled or in need of mechanical repair during a tour of duty, it must be towed or driven to the Fleet Services garage on Nakoosa Trail. When the garage is closed, the vehicle is to be locked. A "Vehicle Problem Report" form must be completed and left on the dashboard of the vehicle.
5. Technology issues: In Car Video, Toughbooks, and connectivity should be reported to Information Management and Technology (IMAT) via the support line Monday-Friday 8:00am-4:30pm at 608-261-9655 or send an email containing the district, vehicle number and problem to imat@cityofmadison.com.
6. Vehicles shall be fueled if the gas gauge indicates one quarter of a tank or less and vehicles are to be kept clean.
7. Occasionally a police vehicle may be driven in a manner that could compromise later safe operation of the vehicle (e.g., jumping curbs, prolonged high-speed pursuit, driving on unpaved roadways). In order to identify potential hidden damage, any extreme use should be documented on the Vehicle Problem Report so that Fleet Services personnel can conduct a more thorough safety inspection of the vehicle.
8. Reports of damage from a crash or other problem also require the supervisor to whom the crash or damage was reported to complete a Squad Damage Log entry in SharePoint as soon as practicable prior to the end of the supervisor's shift.

GPS/AVL

Department vehicles may be equipped with technology that provides real-time and historical Global Positioning System (GPS) location/automatic vehicle locator (AVL) information. This technology is intended to enhance officer safety and to improve departmental efficiency.

Employees shall not remove, disable, or tamper with GPS devices in any way without prior authorization from the Chief or designee. Any observed problems with GPS functionality must be reported promptly to MPD Information Management and Technology (IMAT) personnel no later than the end of the shift in which the problem is noted. Employees are only permitted to access or view GPS data for legitimate work-related purposes in conjunction with their official duties.

While the primary focus of this technology is not discipline or performance evaluation, GPS data may be utilized for appropriate internal purposes (complaint investigation, audits, crash or pursuit review, etc.). Employees with personally assigned vehicles equipped with GPS technology are encouraged to log out of their mobile data computer (MDC) at a district station prior to ending their shift and traveling home.

Historical GPS data will be maintained in accordance with MPD's records retention schedule. These records may only be released in accordance with MPD's SOP on Records Inspection and Release.

Original SOP: 12/23/2015
(Revised: 12/02/2019, 01/14/2022, 10/03/2022, 01/03/2024)
(Reviewed Only: 01/22/2016, 11/01/2016, 12/26/2017)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Vehicle Use, Assignment, and Maintenance

Eff. Date 01/03/2024-2/19/2024

Purpose

Proper vehicle use and maintenance are essential elements to the efficient operation of the Madison Police Department's (MPD) ability to deliver services. The following procedures will be in effect for vehicle use and maintenance. Compliance and cooperation is needed by all MPD vehicle operators.

Procedure

VEHICLE USE

All MPD Vehicles

1. Vehicles are to be used for City business only.
2. When traveling outside of Dane County in a City car, MPD employees must have written permission (email) from a supervisor to have a passenger in the vehicle, unless that passenger is also on duty. Any potential passenger must be identified before permission is granted.
3. **MPD vehicles are not to be left idling while unattended, even if locked, unless one of the following exemptions is present** (Note: After a squad engine is turned off, the Arbitrator in-car video system will stay powered for up to one (1) hour and the computer system will stay powered for up to two (2) hours.):
 - a. The overhead emergency lights are in use.
 - b. The weather is extremely cold or inclement and shutting down the vehicle would delay the deployment of patrol resources (clearing snow, ice, or fogging from windows and lights) to respond to a call for service.
 - c. Canine vehicles with the dog in the vehicle.
4. If it is necessary to leave any MPD vehicle parked and unattended on the street at the end of an employee's tour of duty, the employee, or a supervisor, shall notify the Officer in Charge (OIC) to make arrangements to return the vehicle to its normal storage location.

Patrol Vehicles

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2. Marked patrol squads are assigned to various districts or stations. If a vehicle is taken from a station, it should be returned to that location barring an issue requiring maintenance, or a special circumstance. Notification by email to the District Commanders impacted is required.

Non-Patrol Vehicles

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3. The Captain of Traffic & Specialized Services will maintain the listing of MPD vehicle assignments.

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1. Marked squad cars shall not be used for off-duty assignments unless the request for off-duty employment form indicates a squad car is necessary.

2. Officers must get OIC or District Command approval before taking a squad to ensure there is adequate availability of marked squads for on-duty patrol shifts.

MAINTENANCE AND REPAIR OF VEHICLES

1. All employees should check the interior and exterior of the vehicle to be used at the beginning and throughout their shift. Any damage discovered shall be reported to a supervisor.
2. Crashes are to be reported immediately; refer to the Traffic Enforcement and Crash Investigation standard operating procedure (SOP) for specific procedures.
3. Preventive maintenance is regularly scheduled. The MPD Fleet Coordinator will provide a temporary vehicle during maintenance when possible.
4. When a vehicle is disabled or in need of mechanical repair during a tour of duty, it must be towed or driven to the Fleet Services garage on Nakoosa Trail. When the garage is closed, the vehicle is to be locked. A "Vehicle Problem Report" form must be completed and left on the dashboard of the vehicle. Please report the issue to Fleet ASAP by emailing fleet@cityofmadison.com or calling the shop office at (608) 246-4541. Include the vehicle number and brief description of the problem in the email/voicemail.
5. Technology issues: In Car Video, Toughbooks, and connectivity should be reported to Information Management and Technology (IMAT) via the support line Monday-Friday 8:00am-4:30pm at 608-261-9655 or send an email containing the district, vehicle number and problem to imat@cityofmadison.com.
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Historical GPS data will be maintained in accordance with MPD's records retention schedule. These records may only be released in accordance with MPD's SOP on Records Inspection and Release.

Original SOP: 12/23/2015
(Revised: 12/02/2019, 01/14/2022, 10/03/2022, 01/03/2024, 2/19/2024)
(Reviewed Only: 01/22/2016, 11/01/2016, 12/26/2017)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Video Evidence Retrieval

Eff. Date ~~12/28/2024~~ 01/03/2024

Purpose

The Madison Police Department (MPD) realizes the increased role that video evidence plays in **all types of investigations of all scopes and types**. This standard operating procedure (SOP) addresses the collection and disposition of video evidence from **external sources** in order to standardize the procedure department-wide. This SOP does not pertain to video evidence obtained from **traffic-city owned and operated cameras**, district interview rooms, **body worn cameras, unmanned aircraft system (UAS) cameras**, and squad cameras. These video files are maintained by the city and can be preserved, saved, and copied by filling out a lab request.

Procedure

The following procedure addresses three major components of external video source collection and disposition:

- 1) Filling out the Video Retrieval Report Form
- 2) Property tagging of video surveillance evidence
- 3) Making copies of video surveillance evidence

Filling out the Video Retrieval Report Form

The purpose of the Video Retrieval Report Form is to ensure that a chain of custody for video evidence is sufficiently documented for prosecution purposes. This form is available on the MPD intranet in A-Z forms section (<https://www.cityofmadison.com/employeeNet/police/internal/forms/>). For the purposes of this SOP, the term "officer" applies to any commissioned MPD employee.

This form shall be utilized whenever an officer takes custody of video evidence or whenever video evidence is made available while conducting an investigation. The officer shall make a reasonable attempt to fill out the form in its entirety; however, it is understood that sometimes this will not be possible.

If an officer views surveillance video in the course of conducting an ongoing investigation, the officer shall document the viewing of that video and the contents observed in the narrative section of an official police report.

In situations where an officer is dispatched to retrieve video evidence from the originating source after the incident has occurred, the Video Retrieval Report Form will act as an officer's report and shall be placed in the attachment tray to be scanned into the MPD Law Enforcement Records Management System (LERMS). No supplemental report will be needed in these situations.

Property tagging of video surveillance

When conducting any type of **municipal, misdemeanor, or felony level** investigation where video evidence collection is warranted:

All collected video evidence for any type of investigation must be assigned a property tag number and placed into evidence by the collecting officer.

The purpose for this action is to maintain a chain of custody for these items because they are potentially evidence documenting either municipal ordinance violations or criminal acts. **If a primary officer requests video surveillance for an investigation, the primary officer should attempt to make arrangements to retrieve the their own video.** If that is not possible, then an additional responding officer will collect the video evidence, place it into evidence, and fill out the Video Retrieval Report Form.

Making copies of video surveillance

The criteria for making copies is as follows:

- For all felony level and other major cases, a working copy of the surveillance video shall be made and placed in either the command post (if there is one) or in a district tray specifically designated to hold such copies for assigned detectives. If an officer does not have the ability to copy the video, the reason should be noted on the Video Retrieval Report Form. If the officer does not know how to copy the video, training will be provided at their request.
- For cases that do not meet the threshold described above, copies do not need to be made; however, it is **however** expected that the original **video** evidence shall still be placed in property, shall be assigned a property tag number, and the officer shall complete the Video Retrieval Report Form.

Original SOP: 05/19/2016

(Reviewed Only: 01/09/2017, 12/26/2017, 01/30/2019, 01/31/2020, 01/11/2021, 01/31/2023)

(Revised: 12/28/2021, **01/03/2024**)