

**CITY OF MADISON**  
**INTRA-DEPARTMENTAL**  
**CORRESPONDENCE**

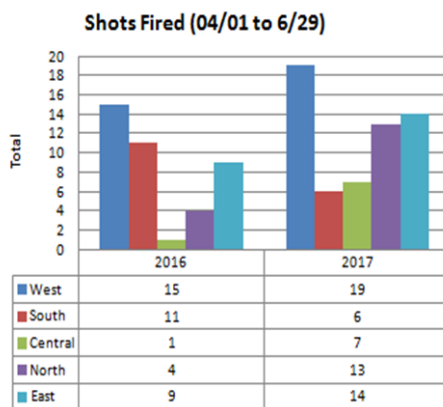
**DATE:** July 17, 2017

**TO:** All Alders  
**FROM:** Michael Koval, Chief of Police  
**SUBJECT:** Quarterly Update

This document provides an update on selected MPD topics for the second quarter (April, May, June) of 2017. Please consider the data included in this update as preliminary, subject to modification.

**Significant Incident Types**

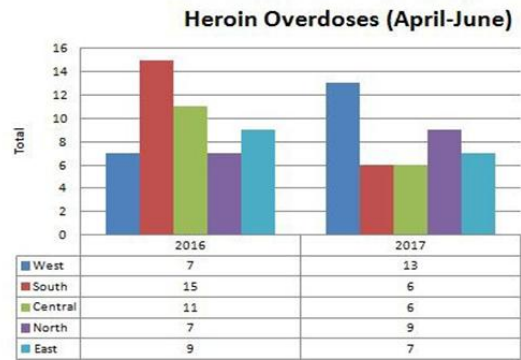
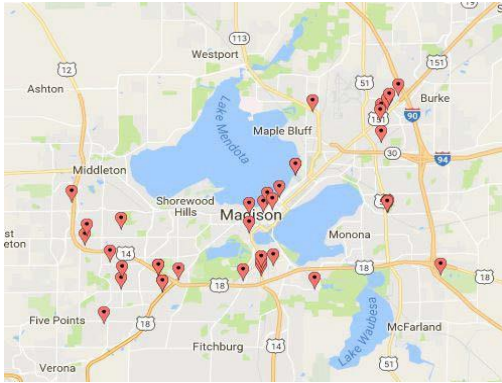
*Shots Fired* – there were fifty-nine (59) shots fired incidents in the City from April 1<sup>st</sup> through June 30<sup>th</sup>. This is a 48% increase over the second quarter of 2016. Thirty (30) shots fired incidents were reported during the 4pm – midnight period; twenty-two (22) were reported during the midnight – 8am time period; and seven (7) were reported during the 8am – 4pm time period.



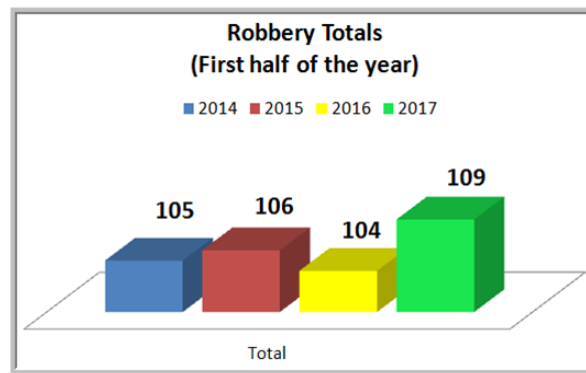
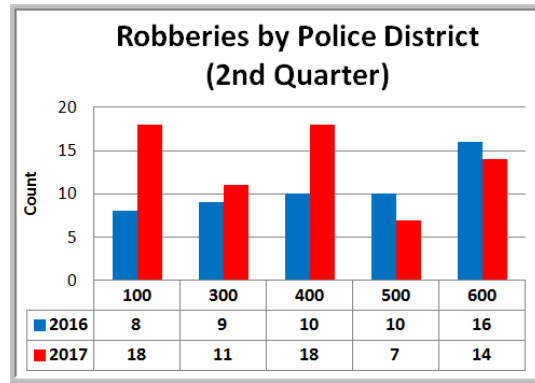
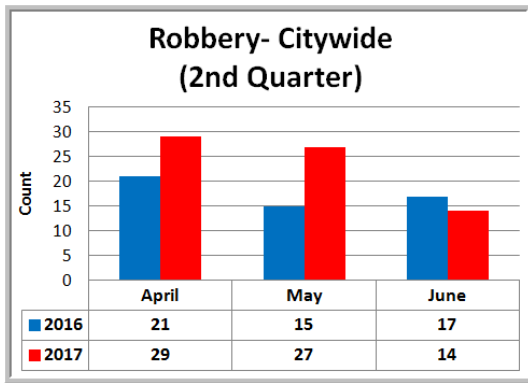
There have been ninety-five (95) shots fired incidents in 2017 through June 30<sup>th</sup>. This is a 79% increase over 2016.

*Heroin Overdoses* – MPD responded to forty-one (41) known heroin overdoses during the second quarter. This is down 16% from the second quarter in 2016. Note that these figures refer to known overdoses...now that Narcan is available over the counter, it is likely that many are occurring without any report to MPD or MFD. This is supported by intelligence and information received from offenders.

There have been eleven (11) known fatalities from heroin overdoses so far in 2017. This is a significant increase over the same time period in 2016 (when only two had occurred). The increased purity of heroin and the combination of Fentanyl and heroin are contributing factors to this increase.

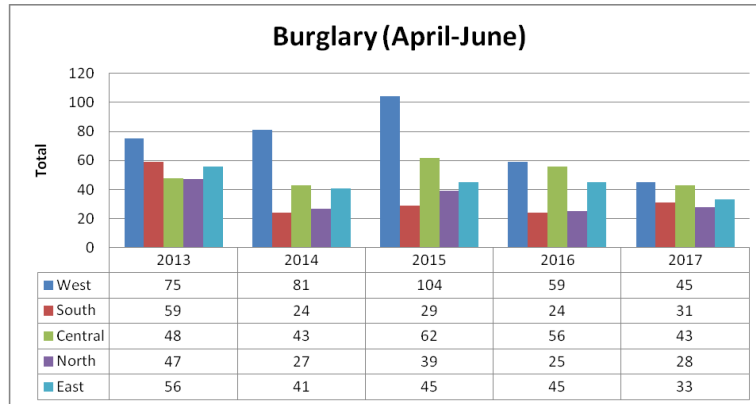


**Robberies** – Sixty-eight (68) robberies occurred in the City during the second quarter. This is a 28% increase over the second quarter of 2016, and a significant increase over the first quarter of 2017 (when thirty-eight robberies were reported).



**Burglaries** – MPD responded to 180 burglaries during the second quarter. This is a 14% decrease over the second quarter in 2016. There have been 425 burglaries in 2017 (through June 30).

At least forty (40) burglaries occurred when a resident was at home and/or asleep, and at least sixty-four (64) burglaries occurred with the help of an unlocked door or an open garage.



### Quarterly Arrest Data

Race	April	May	June	Total
Asian	12	12	11	35
African-American	278	349	247	874
Native American	1	4	3	8
Unknown	8	12	10	30
Caucasian	394	482	270	1,146
<b>Total</b>	<b>693</b>	<b>859</b>	<b>541</b>	<b>2,093</b>

Gender	April	May	June	Total
Male	485	602	396	1,483
Female	208	257	145	610
Other/Unknown	0	0	0	0
<b>Total</b>	<b>693</b>	<b>859</b>	<b>541</b>	<b>2,093</b>

Offense Type	April	May	June	Total
All Other Offenses	328	405	233	966
Animal Cruelty	0	2	0	2
Assaults	88	98	81	267
Burglary	10	5	2	17
Counterfeiting	2	1	1	4
Curfew	0	1	2	3
Damage to Property	37	36	30	103
Disorderly Conduct	172	209	153	534
Drug Offenses	52	82	53	187
Embezzlement	8	4	3	15
Extortion	0	1	0	1
Family Offenses	8	8	7	23
Fraud	5	8	6	19
Homicide	2	0	2	4
Kidnapping	3	5	2	10
Larceny/Theft	116	144	79	339
Liquor Law Violations	96	79	47	222
Motor Vehicle Theft	3	5	3	11
OMVWI	31	40	20	91

Pornography	2	2	1	5
Robbery	2	16	4	22
Sex Offenses - Forcible	6	4	7	17
Stolen Property Offenses	0	2	2	4
Trespass	33	81	33	147
Weapon Law Violations	13	16	12	41
<b>Total</b>	<b>1,017</b>	<b>1,254</b>	<b>783</b>	<b>3,054</b>

Note that the first two tables reflected persons arrested, and the third table reflects charges. Some arrested persons are charged with multiple offenses, so the totals will not match.

### Use of Force Overview

From April 1st through June 30th of 2017, Madison Police Officers responded to 36,206 calls for service. In that time, there were 64 citizen contacts in which officers used some kind of force during their encounter. This means that in the 2nd quarter, MPD officers used force 0.18% of the time when engaging with our citizens. Each of these force incidents documented by officers was reviewed for compliance with MPD standard operating procedures.

Description	Q1	Q2	Q3	Q4	Total	
Calls for Service	32071	36206			68277	
Citizen Contacts Where Force Was Used	42	64			106	
% of CFS Where Force Was Used	0.13%	0.18%			0.16%	
<b>Force</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Total</b>	<b>%</b>
Decentralization/Takedown	32	52			84	56.4%
Active Counter Measures	23	14			37	24.8%
Taser Deployment	5	5			10	6.7%
Hobble Restraints	4	10			14	9.4%
OC Spray	1	2			3	2.0%
Baton Strike	1	0			1	0.7%
K9 Bite	0	0			0	0.0%
Firearm Discharged Toward Suspect	0	0			0	0.0%
Impact Munition	0	0			0	0.0%
<b>Total</b>	<b>66</b>	<b>83</b>			<b>149</b>	<b>100%</b>
Firearm Discharged to Put Down a Sick or Suffering Animal	18	30			48	32.2%

### Training

Training updates from the second quarter:

- All MPD sworn personnel attended spring inservice, which included:
  - Firearms training
  - First-aid training
  - An overview on MPD's MARI grant (Madison Addiction Recovery Initiative)
  - Panel discussion/Q&A on opioid abuse
- All sworn MPD personnel went through a firearm/rifle qualification.
- Members of the recruit academy hired in 2016 completed field training and moved on to solo patrol.

The training staff has also been exploring options for providing resiliency training/programming for MPD officers. As a result of this research the planned approach will adopt two methods, Resilience Advantage by HeartMath (an evidence-based training system to improve officers' emotional well-being, stress coping and interpersonal skills), and Mindfulness Based Resiliency Training with the Center for Healthy Minds. These programs are complementary and provide options for police employees.

The Resilience Advantage Program will begin with the 2017 Academy with content delivered by an MPD officer who is a certified trainer. Full implementation will require additional resources so MPD has applied for a grant through the COPS office (for just under \$40,000) to provide this training and content to additional officers. We expect to hear back on the grant in September; if grant funding is not approved additional City funding may be needed to move forward with expanding this initiative.

The Training Team is currently in discussions with the Center for Healthy Minds to expand our current partnership. The goal is a program that would allow all officers who wish to participate in mindfulness practice a chance to receive training through MPD (with Center for Healthy Minds trainers). This would be a multi-year program that would also incorporate MPD teacher mentorship to build sustainability. This is in the preliminary stages, with a plan expected in September of 2017.

## **SOP Updates**

The following MPD SOP's were updated during the second quarter:

1. CFS Dispatch Guidelines:  
<http://www.cityofmadison.com/police/documents/sop/CFSDispatchGuidelines.pdf>
2. General Duties and Expectations of Employees:  
<http://www.cityofmadison.com/police/documents/sop/GenDutiesExp.pdf>
3. Guidelines for Case Assignment and Management:  
<http://www.cityofmadison.com/police/documents/sop/GuidelinesCaseAssignMgmt.pdf>
4. Identification Procedures:  
<http://www.cityofmadison.com/police/documents/sop/identificationPro.pdf>
5. Officer Involved Deaths and Other Critical Incidents:  
<http://www.cityofmadison.com/police/documents/sop/OICI.pdf>
6. System Audits:  
<http://www.cityofmadison.com/police/documents/sop/SystemAudits.pdf>
7. Traffic/Parking Enforcement and Crash Investigation:  
<http://www.cityofmadison.com/police/documents/sop/TrafficParkingCrash.pdf>
8. Tuition Reimbursement and Educational Incentive:  
<http://www.cityofmadison.com/police/documents/sop/TuitReimbEduIncentive.pdf>
9. Notification of Commanding Officers:  
<http://www.cityofmadison.com/police/documents/sop/NotificationCO.pdf>

10. In-Car Video System:  
<http://www.cityofmadison.com/police/documents/sop/InCarVideo.pdf>
11. Handling of Evidence, Contraband, Found or Lost Property:  
<http://www.cityofmadison.com/police/documents/sop/evidenceHandling.pdf>
12. Professional Standards and Internal Affairs Discipline Matrix:  
<http://www.cityofmadison.com/police/documents/sop/PSIAdiscMatrix.pdf>
13. Unmanned Aircraft Systems:  
<http://www.cityofmadison.com/police/documents/sop/UnmannedAircraftSystems.pdf>
14. Social Media – On-Duty Use:  
<http://www.cityofmadison.com/police/documents/sop/SocialMediaOnDutyUse.pdf>
15. PSIA Complaint Investigation:  
<http://www.cityofmadison.com/police/documents/sop/PSIAcomplaintInv.pdf>

The Use of Deadly Force and Use of Non-Deadly Force SOP's were updated in a manner consistent with the President's Work Group on Police and Community Relations final report. The full SOP's are attached to this memo. Work on the other SOP's referenced in the final report are in progress, and I anticipate that they will be finished/implemented during the third quarter.

Two noteworthy SOP updates include the Officer Involved Deaths and Other Critical Incident SOP and the Identification Procedures SOP. The former addresses MPD response to an officer-involved shooting or other critical incident. It impacts how we interact with an outside investigating agency (typically DCI) in cases of an MPD officer involved death, and also outlines how MPD would investigate another agency's officer involved death (if requested). The SOP was updated to reflect current practices. The Identification Procedures SOP was also updated to maintain consistency with research and national best practices in identification procedures (lineups, photo arrays, etc.).

## **New Initiatives**

*Unmanned Aircraft Systems (UAS)* – MPD's new UAS devices became operational during the 2<sup>nd</sup> quarter. UAS's are in widespread use by public safety agencies across the country, and can be deployed to assist with a variety of situations (search and rescue, crime scene photography, etc.). A small group of MPD officers were selected to be part of the UAS team; all have received training in UAS operation and are now certified by the Federal Aviation Administration (FAA) as commercial UAS operators. A comprehensive SOP on UAS use by MPD has been created and implemented. The SOP is in line with applicable state/federal law, is consistent with best practices on public safety UAS usage (including guidance from the International Association of Chiefs of Police) and places appropriate protections on community privacy. MPD collaborated with the City Attorney's Office and Risk Manager on SOP development and program implementation. MPD deployed a UAS on four occasions during the second quarter (for crime scene video and to assist with search efforts).

*MARI Grant* – MPD is continuing to work towards implementation of the Madison Addiction Recovery Initiative (MARI) grant/initiative. MARI is an effort to reduce overdoses, substance abuse and recidivism by diverting low-level offenders from the criminal justice system to treatment. The grant will provide funding for a counselor and recovery coaches, who will facilitate treatment options for

offenders/addicts. MPD will divert offenders who have overdosed or committed certain low-level crimes into the MARI program without an arrest, and no charges will be filed as long as the individual is meeting program requirements as of six months after the incident. The grant also has a research component to evaluate effectiveness (overseen by UW).

*SIU Notification* – MPD’s Special Investigations Unit coordinated another notification of repeat offenders in mid-June. The offenders are selected by a committee comprised of law enforcement, prosecutors, community members and corrections representatives. The ten offenders selected for notification are responsible for 191 total charged criminal offenses; 29 misdemeanor convictions and 50 felony convictions (including recklessly endangering safety, armed robbery, armed burglary and sexual assault). All ten have convictions and substantial involvement in shootings and gun crimes, and their convictions impacted sixty-three (63) victims. The notification process provides the offenders with access to services (jobs, housing, etc.) and an opportunity to change their behavior.

*Promotions:*

- Police Officer Kurt Wege was promoted to Sergeant

Discipline/compliments (link to quarterly PS&IA summary):

<http://www.cityofmadison.com/police/PSIA/>



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Deadly Force – Use of**

Eff. Date: 07/10/2017

**Purpose**

Consistent with the Department's Core Values, the Madison Police Department is 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 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 Department 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 SOP, deadly force refers to the intentional use of a firearm or other instrument, the use of which would result in a high probability of death.

**Procedure**

**DEADLY FORCE AUTHORIZED**

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. In the defense of another person who the officer has reasonable cause to believe is in imminent danger of death or great bodily harm.
2. In defense of oneself, when there is reasonable cause to believe one is in imminent danger of death or great bodily harm.
3. To effect the arrest or prevent the escape of a suspect who the officer has reasonable cause to believe has committed, or attempted to commit, a felony involving the use or threatened use of deadly force, when a high probability exists that the suspect, if not immediately apprehended, may cause death or great bodily harm.
4. To protect one's self 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.

**VERBAL WARNING**

Before using deadly force, officers shall, if reasonably possible, identify themselves and order the suspect 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 an officer has reasonable cause to believe that one's self or another is in imminent danger of death or great bodily harm.



3. At a moving vehicle unless an officer has reasonable cause to believe that one's self or another is in imminent danger of death or great bodily harm or Deadly Force Authorized, paragraph 3, regarding certain felons applies.
4. When its use unreasonably risks the lives of innocent bystanders.

### **USE OF FORCE TECHNIQUES/INSTRUMENTS**

The intentional punching or striking of the trachea creates a substantial likelihood of death and is therefore considered deadly force and shall be used only in accordance with this SOP.

### **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 INTERCEDE**

Any officer present and observing another officer using excessive force, or engaged in unlawful conduct, or in violation of the Madison Police Department's Code of Conduct has an affirmative obligation to intercede and report.

### **AFTERCARE**

Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention.

### **INVESTIGATION OF THE USE OF DEADLY FORCE**

See Madison Police Department Standard Operating Procedure regarding "Officer Involved Critical Incidents".

Original SOP: 03/23/2015  
(Revised: 03/26/2015, 05/26/2016, 7/10/2017)  
(Reviewed Only: 12/22/2016)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Non-Deadly Force – Use of**

Eff. Date 07/10/2017

**Purpose**

Consistent with the Department's Core Values, the Madison Police Department is 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 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 SOP, non-deadly force means the use of any weapon or instrument, or any physical action taken by an officer which is not likely to cause death.

**Procedure**

**NON -DEADLY FORCE AUTHORIZED**

Non-deadly force is only authorized when an officer reasonably believes it is necessary to control a person under any of the following circumstances:

1. Detaining a person reasonably suspected of unlawful behavior.
2. Effecting an arrest.
3. Overcoming resistance.
4. Preventing escape.
5. Protecting oneself or another.
6. Maintaining order.

**FORCE CONSIDERATIONS**

Officers shall use the degree of force believed to be objectively reasonable to control a situation considering the following factors:

1. The existence of alternative methods of control.
2. Physical size, strength and weaponry of the person as compared to the officer.
3. The nature of the encounter.
4. Actions of the person.
5. The severity of the offense.
6. Whether the suspect poses a threat to the safety of officers or citizens.
7. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

**SPECIAL CIRCUMSTANCES**

As time and circumstances permit, there are a number of special circumstances officers may consider when engaging in and evaluating reasonable uses of force. These factors include, but are not limited to:

1. Reasonable perception of threat.
2. Special knowledge of the subject.

3. Sudden assault.
4. Subject's ability to escalate rapidly.
5. Officer's physical positioning.
6. Injury or exhaustion.
7. Equipment and training.
8. Availability of backup.
9. Other exigent circumstances.

Control of a person through presence and verbal commands shall always be the preferred method of control. Because verbal commands are not always effective or appropriate in gaining compliance, officers may escalate the degree of force based on the actions of the person they are attempting to control or make an affirmative decision to disengage. Once a person is under control, officers are required to revert to the lowest degree of force necessary to maintain that control, and then begin steps to render aid when applicable.

The degree of force an officer chooses should be based on his/her tactical evaluation and threat assessment of the situation. Based upon the totality of the circumstances known at the time, and in light of the officer's training and experience, the officer should choose a tactic/procedure that is objectively reasonable and is consistent with one of the following:

1. The tactic/procedure utilized is a trained technique.
2. The tactic/procedure is a dynamic application of a trained technique.
3. The tactic/procedure not trained, but justifiable under the circumstances.<sup>1</sup>

## **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.

## **USE OF FORCE TECHNIQUES/INSTRUMENTS**

The intentional continued restriction of the carotid neck arteries is not a trained MPD technique and is therefore prohibited, unless deadly force is justified.

## **THE USE OF OLEORESIN CAPSICUM SPRAY (O.C. SPRAY)**

1. Officers may use O.C. spray when they reasonably believe they are facing active resistance, or its threat, from the subject. O.C. spray is not to be used against subjects who are offering passive resistance.
2. Officers shall only direct O.C. spray in a manner as prescribed by the Chief of Police through MPD training.
3. O.C. spray shall not be used once an individual is subdued and under control.
4. If practical, the individual should be provided with an opportunity to eliminate the effects of the irritant by washing and flushing the affected areas with water. Further, the officer should inform such individuals that it is not advisable to use creams, ointments, or bandages on the affected areas.

## **CHEMICAL AGENT USE**

Officers shall discharge chemical agents only in a manner as prescribed by the Chief of Police through MPD training.

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<sup>1</sup> Excerpted from Defensive and Arrest Tactics, A Training Guide For Law Enforcement Officers, Wisconsin Department of Justice, Law Enforcement Standards Board, March 2007.

## ELECTRONIC CONTROL DEVICE USE

1. An approved electronic control device (ECD) may only be utilized by officers that 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. Consistent with best practices, when encountering a subject believed to be armed with a dangerous weapon, an officer should not arm him or herself with an ECD unless another officer at the scene has the immediate ability to deliver deadly force, unless unique circumstances dictate 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.
4. An ECD may only be used under the following circumstances:
  - a. To overcome violent or assaultive behavior or its threat; if 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 operating a motor vehicle.
  - d. 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. Officers shall evaluate all subjects against whom an ECD has been deployed. The subject shall be medically evaluated 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 fifteen (15) seconds or more.
9. If the ECD probes have penetrated the skin in a sensitive area (head, neck, groin or breast of a female) the subject will be conveyed to an emergency room for removal. If the probes are embedded in non-sensitive areas, a trained officer may remove them.
10. Removing the air cartridge to deploy an ECD in the drive-stun mode is not authorized as a primary ECD deployment technique.

## BATON USE

1. A baton may be used 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 that have successfully completed training in their use. Deployment of impact projectiles will be in accordance with MPD training.
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 dictate otherwise, an officer should not arm him or herself 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 arming him or herself with an impact projectile weapon to ensure that the weapon is loaded with impact projectiles each time the weapon is deployed.
4. Like any use of force, deployment of impact projectiles must be evaluated using the criteria in this. Deployment of impact projectiles at non-vital areas 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; if 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 suspect/subject.

The intentional deployment of impact projectiles at the face, head or neck is considered deadly force.
5. All persons taken into custody who have been struck with an impact projectile will be conveyed to an emergency room for medical clearance.
6. The investigative requirements of the Use of Deadly Force SOP will be followed only if deployment of an impact projectile results in death or great bodily harm.
7. Absent an imminent risk of harm to officers or citizens, impact projectiles will not be used in crowd control situations. Impact projectiles will not be used to move or disperse crowds.
8. 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.

## 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 a 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 the 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 that 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 not readily available, officers may utilize other breathable items, such as pillowcases, surgical masks, etc.

3. Officers shall apply the spit hood in accordance with MPD training.
4. Persons wearing the spit hood must be closely monitored and shall not be left unattended.
5. 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 Training.

### **USE OF FORCE REPORTING REQUIRED**

Any officer who uses physical force, or any of the following enumerated weapons, items or devices against another person, shall complete an original or supplementary report on the incident involved:

1. Firearms.
2. Baton.
3. Chemical Agents.
4. Handcuffs or Other Restraining Devices.
5. Physical Force.

The report shall specifically note the totality of the circumstances necessitating force and the manner of force employed.

### **DUTY TO INTERCEDE**

Any officer present and observing another officer using excessive force, or engaged in unlawful conduct, or in violation of the Madison Police Department's Code of Conduct has an affirmative obligation to intercede and report.

### **AFTERCARE**

Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention.

### **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. Anytime 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 Non-Deadly Force SOP.

If necessary, as part of the District's or PSIA's internal investigation, members from the Personnel and 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.

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(Revised: 05/26/2016, 07/10/2017)  
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