

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

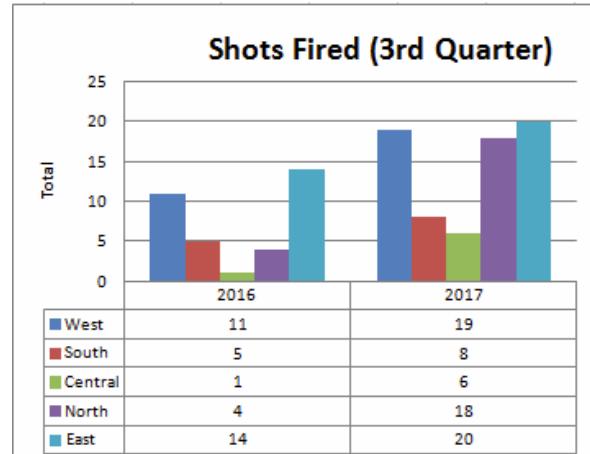
**DATE:** October 12, 2017

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

This document provides an update on selected MPD topics for the third quarter (July, August, September) of 2017. Please consider the data included in this update as preliminary, subject to modification.

### **Significant Incident Types**

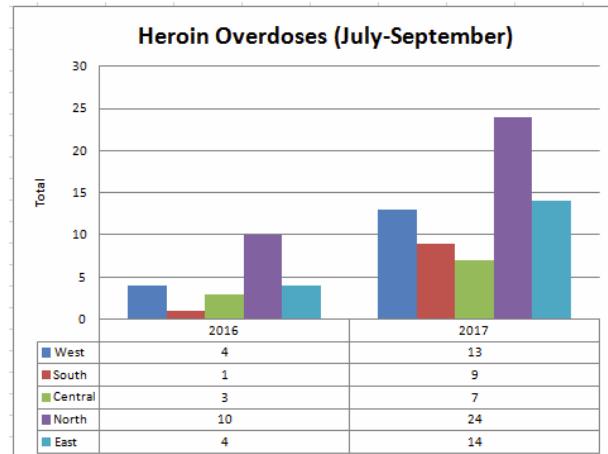
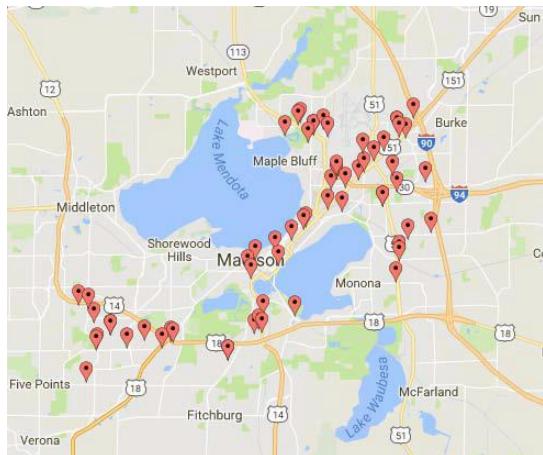
*Shots Fired* – there were seventy-one (71) shots fired incidents in the City from July 1<sup>st</sup> through September 30<sup>th</sup>. This is a **103%** increase over the third quarter of 2016. Thirty-eight (38) shots fired incidents were reported during the 4pm – midnight period; twenty-eight (28) were reported during the midnight – 8am time period; and five (5) were reported during the 8am – 4pm time period.



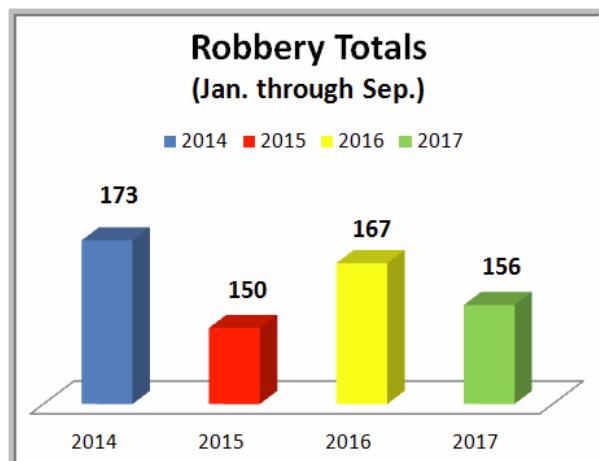
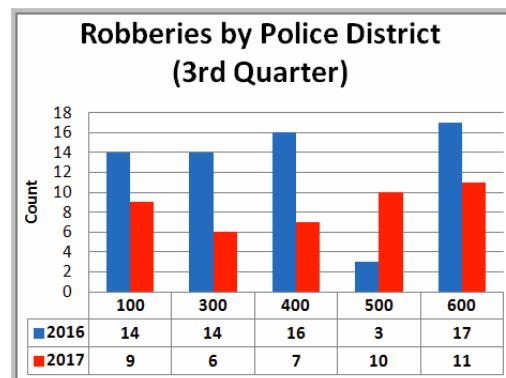
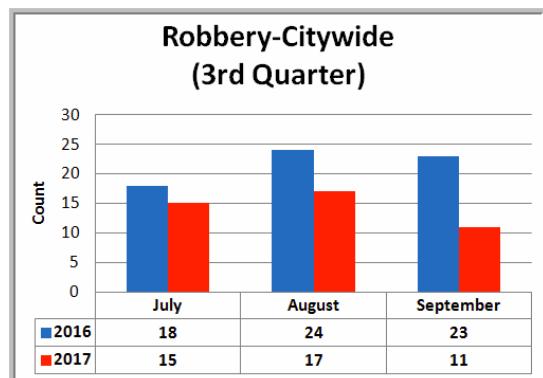
There have been **168** shots fired incidents in 2017 through September 30<sup>th</sup>. This is a **90%** increase over 2016.

*Heroin Overdoses* – MPD responded to sixty-seven (67) known heroin overdoses during the second quarter. This is an increase of **205%** 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. MPD officers administered Naloxone nineteen (19) times during the third quarter.

There have been sixteen (16) known fatalities from heroin overdoses so far in 2017. This is a significant increase over the same time period in 2016 (when only four had occurred). The increased purity of heroin and the combination of Fentanyl and heroin are contributing factors to this increase.

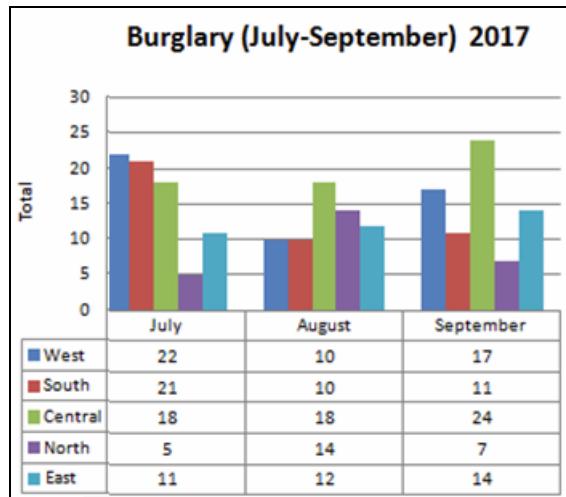


*Robberies* – forty-three (43) robberies occurred in the City during the third quarter. This is a 33% decrease from the second quarter of 2016.



*Burglaries* – MPD responded to 214 burglaries during the third quarter. This is a 27% decrease from the second quarter in 2016. There have been 669 burglaries in 2017 (through September 30).

Of the burglaries occurring during the third quarter, at least thirty-eight (38) burglaries occurred when a resident was at home and/or asleep, and at least sixty-eight (68) burglaries occurred with the help of an unlocked door or an open garage.



## Arrest Data

Third quarter arrest data:

Race	Q1	Q2	Q3	Q4	Total
Asian	48	41	25		114
African-American	834	947	973		2754
Native American	9	10	13		32
Other	22	23	14		59
Caucasian	997	1219	1101		3317
<b>Total</b>	<b>1910</b>	<b>2240</b>	<b>2126</b>		<b>6276</b>
Hispanic*	132	140	126		398

\*“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.

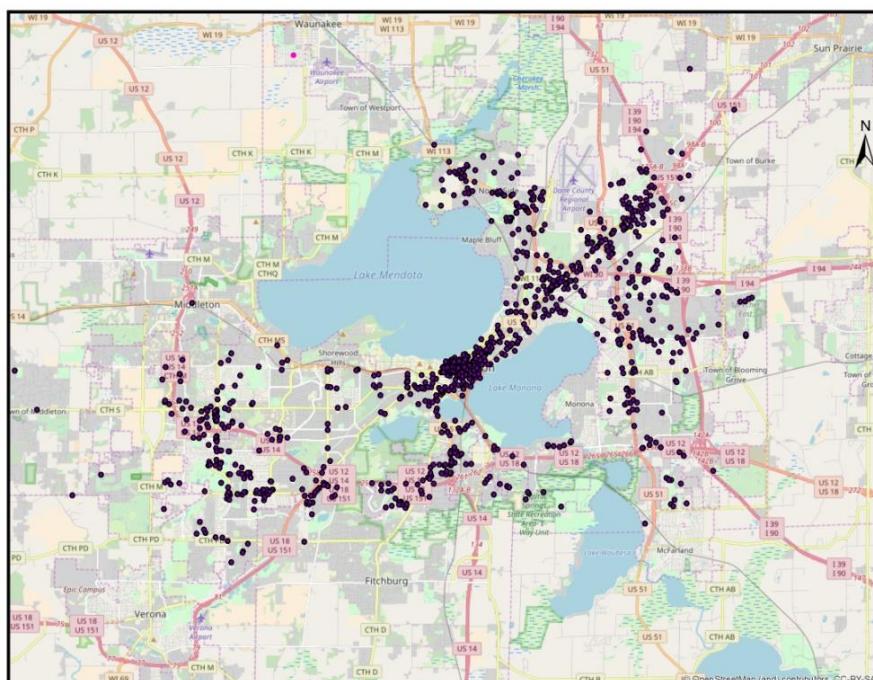
Sex	Q1	Q2	Q3	Q4	Total
Male	1299	1584	1497		4380
Female	611	656	628		1895
Unknown	0	0	1		1
<b>Total</b>	<b>1910</b>	<b>2240</b>	<b>2126</b>		<b>6276</b>

Charges *	Q1	Q2	Q3	Q4	Total
Aggravated Assault	109	98	115		322
Forcible Rape	7	5	8		20
Murder	2	5	4		11
Negligent Manslaughter	1	0	2		3
Other Assaults	197	200	224		621
Sex Offenses	6	16	10		32
Burglary	19	19	17		55
Embezzlement	9	15	4		28
Forgery	12	5	5		22
Fraud	37	19	23		79
Motor Vehicle Theft	12	11	14		37
Robbery	20	23	20		63
Theft	448	363	289		1100
Vandalism	87	109	130		326
Curfew and Loitering	6	3	10		19
Disorderly Conduct	448	561	592		1601
Driving While Intoxicated	100	97	102		299
Drug Violations	193	200	260		653
Family Offenses	18	26	15		59
Liquor Laws	114	242	186		542
Prostitution	1	0	0		1
Weapons	43	41	34		118
All Other Offenses	910	1151	1110		3171
<b>Total</b>	<b>2799</b>	<b>3209</b>	<b>3174</b>		<b>9182</b>

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

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.

Third quarter arrests reflected geographically:



Comparison of 2016 to 2017 arrest data:

Race	2016 (Q1 – Q3)	2017 (Q1 – Q3)
Asian	92	114
African-American	2653	2754
Native American	41	32
Other	114	59
Caucasian	3649	3317
Total	6549	6276
Hispanic*	386	398

\*“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.

Sex	2016 (Q1 – Q3)	2017 (Q1 – Q3)
Male	4591	4380
Female	1954	1895
Unknown	4	1
Total	6549	6276

### Use of Force Overview

From July 1<sup>st</sup> through September 30<sup>th</sup> of 2017, Madison Police Officers responded to 39,130 incidents. In that time, there were 53 citizen contacts in which officers used some kind of force during their encounter. This means that in the 3<sup>rd</sup> quarter, MPD officers used force 0.14% 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	39130		107407	
Citizen Contacts Where Force Was Used	42	64	53		159	
% of CFS Where Force Was Used	0.13%	0.18%	0.14%		0.15%	
Force	Q1	Q2	Q3	Q4	Total	%
Decentralization/Takedown	32	52	41		125	55.8%
Active Counter Measures	23	14	12		49	21.9%
Taser Deployment	5	5	2		12	5.4%
Hobble Restraints	4	10	10		24	10.7%
OC (i.e. Pepper) Spray Deployment	1	2	8		11	4.9%
Baton Strike	1	0	0		1	0.4%
K9 Bite	0	0	0		0	0.0%
Firearm Discharged Toward Suspect	0	0	0		0	0.0%
Impact Munition	0	0	2		2	0.9%
<b>Total</b>	<b>66</b>	<b>83</b>	<b>75</b>		<b>224</b>	<b>100.0%</b>
Firearm Discharged to Put Down a Sick or Suffering Animal	18	30	5		53	23.7%

MPD's current process to collect use-of-force data is relatively new, making historical data comparison difficult. However, 2017 data can be compared with 2016 data:

Force	2016 (Q1 – Q3)	2017 (Q1 – Q3)
Decentralization/Takedown	130	125
Active Counter Measures	69	49
Taser Deployment	23	12
Hobble Restraints	30	24
OC (i.e. Pepper) Spray Deployment	13	11
Baton Strike	1	1
K9 Bite	0	0
Firearm Discharged Toward Suspect	2	0
Impact Munition	2	2
<b>Total</b>	<b>270</b>	<b>224</b>

Quarter 3 (2017) use of force by incident type:

Decentralized/Takedown	Active Counter Measures	Hobble Restraints
Disturbance	13	Adult Arrested Person 3
Check Person	9	Check Property 2
Adult Arrested Person	4	Conveyance Mental Health 2
Stolen Auto	3	Attempt to Locate Person 1
Attempt to Locate Person	2	Check Person 1
Battery	2	Accident Hit and Run 1
Fight Call	2	Domestic Disturbance 1
Domestic Disturbance	1	EMS Assist 1
EMS Assist	1	
Foot Patrol	1	<b>OC Spray Deployed</b>
Intoxicated Person	1	Disturbance 4
Juvenile Complaint	1	Check Property 3
Traffic Stop	1	Traffic Stop 1
		<b>Taser Deployment</b>
		Adult Arrested Person 1
		Disturbance 1
		<b>Impact Munition</b>
		Adult Arrested Person 2

Please note that incident type generally reflects the manner in which a call for service is categorized at the time it is received. The actual call type may end up being different.

### Mental Health Related Workload

There was a request for MPD to provide an estimate of time/resources exerted in dealing with the mentally ill. This is a challenging request to fulfill, but MPD has implemented some modified data collection practices in an attempt to provide an estimate. During the 3<sup>rd</sup> quarter MPD personnel spent over **4,500** hours of work on cases/incidents involving the mentally ill. This is almost **49** hours per day. The bulk of this workload (87%) was handled by patrol officers.

This work includes thirty-eight (38) emergency detentions with transport to Winnebago. It took an average of just over **17** officer hours for each of these cases.

## Training

Training updates from the third quarter:

- A class of thirty-two new MPD officers was sworn in on September 11.
- All MPD sworn personnel went through a handgun qualification.

*Resiliency Training* – For the past couple of years MPD has partnered with the Center for Healthy Minds (CHM) to examine the use of Mindfulness Based Resilience Training (MBRT) for police officers. The CHM has run a number of officers through the eight-week sessions. The response from involved personnel has been very positive, with other officers expressing a desire to participate in the programming.

A small group of MPD personnel who have been trained in meditation practices participated in the discussions and planning. The training came from MBRT delivered by CHM or UW-Health Mindfulness Based Stress Reduction (MBSR) training sources, or they have practiced meditation learned from alternate sources. This provided a broader perspective and views for the discussion.

MBSR has been used successfully in health care for decades to improve pain management, decrease stress and anxiety and help patients cope more effectively with an array of conditions and symptoms of disease. There is solid research to support the use of MBSR practices to maintain a balanced healthy lifestyle, and improve patient outcomes in the health care setting. MBRT is a practice adapted from MBSR with the focus on resiliency and stress reduction, which is particularly well suited for law enforcement officers to deal with the stresses that are a natural part of law enforcement today.

This programming differs from other MPD officer mental wellness, specifically Resiliency Advantage from HeartMath. The two practices can be considered complimentary, and not mutually exclusive of each other. Similar to other types of physical training officers may have a preference for one practice over the other, for dealing with job related stressors.

*Proposed Plan* – MPD would offer a session to all employees of approximately two hours to introduce the concepts of mindfulness, and let staff know what is available for the training. Participation in the full program would be voluntary, and delivered on paid time.

During the initial stages MPD would continue partnering with the CHM and host two to three groups per year. The CHM is uniquely positioned as they have the credentials to teach mindfulness, with the benefit of working with law enforcement officers in groups. The groups would be led by a CHM instructor and co-instructed by a MPD instructor in training. This exposure to teaching is a prerequisite to participation in further teacher training in mindfulness. UW-Health recently began a teacher training program in mindfulness. The demand is greater than availability, and there are several pre-requisites to be considered for the program. It will take time and commitment to develop internal training staff in this area, but should be considered as a long term institutionalization of the programming. As the program develops MPD would gradually take on more responsibility to provide qualified trainers/teachers for delivery of the material to all MPD staff.

In an effort to support the continuing practice of trained staff, and those who have an interest but are not yet able to attend we are exploring ways to offer a drop-in session format. This would be scheduled at various times and available to whoever attended. There would be no expectation of paid time for these sessions, although there could be discussion on on-duty attendance with supervisory approval. The sessions would be staffed by an MPD teacher in training, and be relatively informal in nature. Eventually this programming should also be extended to noncommissioned MPD employees.

*Cost Summary* – We have an initial verbal cost quote from CHM, with a rate of \$500-\$550 per student. This would place costs for each group of 15 officers at \$7,500-\$8,250. Under this model we would only be able to train 45 people per year, with a total cost of approximately \$24,750 per year. MPD does not have funding within the existing budget to absorb this cost.

*Future Plans and Summary* – The underlying principals of mindfulness programming are well established. The current limiting factors include qualified instructors/teachers and costs. As the CHM continues to develop programming and services offered, they may at some point be positioned to provide teacher training to work specifically with first responders/law enforcement, which would allow for exponential growth of the programming, and the ability of MPD to have a cadre of qualified/trained MBRT teachers.

### **SOP Updates**

A number of MPD SOP's were updated during the third quarter. Copies showing the changes are attached to this memo as an appendix.

New SOP's on Back-up and Response to Persons with Altered State of Mind were also created and enacted, consistent with the President's Work Group on Police and Community Relations final report. The SOP's were drafted by small work groups formed of MPD subject matter experts/trainers, with the assistance of MPD's in-house civilian mental health worker.

### **New Initiatives**

*Violence Reduction Initiative* - In response to a significant increase in weapons offenses this year (homicides, attempted homicides and shots fired incidents), MPD implemented a Violence Reduction initiative in early August. The initiative was an attempt to reduce violence throughout Madison neighborhoods while engaging residents in a positive manner. All of MPD's districts participated in the initiative, as did MPD's Violent Crime Unit, Gang Unit and the Dane County Narcotics Task Force. Efforts included hot spot response, targeting violent/wanted offenders, drug interdiction and high-touch community policing.

To date this initiative has resulted in more than 50 arrests for a variety of charges including attempted homicide, recklessly endangering safety, weapons offenses, armed robbery, drug offenses, probation violations, bail jumping, OMVWI and domestic abuse. In addition, 39 citations and 88 warnings were issued to individuals throughout the city. Four firearms were recovered as well. More importantly, the efforts of the men and women involved in carrying out these plans have resulted in over 1,900 positive contacts with citizens. During these contacts, over 900 violence reduction postcards were distributed and hundreds of conversations took place on how the police and community can work together to reduce violence in our neighborhoods to create a safe environment for all citizens.

The initiative appears to have been effective in reducing weapons offenses and violent behavior in the short term. However, it does not represent a long-term, sustainable solution. Much of the initiative work has been performed on overtime, and the overtime demands on MPD personnel (special events, Central District peak staffing, special duty, etc.) have already exceeded the department's capacity.

*Community Crime Map* – for a number of years, MPD incident data has been viewable in a map format through crimereports.com. MPD is now transitioning away from crimereports.com and moving to an improved service, Community Crime Map (from Lexis Nexis). The Community Crime Map will provide a familiar mapping interface, but with some improved features for the public.

*Promotions:*

A number of promotional designations were made:

- Lieutenant Paige Valenta to Captain
- Sergeant Jason Ostrenga to Lieutenant
- Detective Sergeant Greg Esser to Lieutenant
- Detective Sergeant Mindy Winter to Lieutenant
- Sergeant Jamar Gary to Lieutenant
- Officer Theresa Magyera to Sergeant
- Officer Dan Hamilton to Detective
- Officer Matt Wentzel to Detective

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

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

**See new and updated SOPs below.**

## ***Updated/New SOPs for MPD: July-September 2017***

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PSIA Discipline Matrix – 07/06/2017

Non-Deadly Force – Use of - 07/10/2017

Deadly Force – Use of - 07/10/2017

Mental Health – 07/19/2017

CFS Dispatch Guidelines – 08/18/2017

Emergency Vehicle Operation Guidelines – 08/18/2017

Restricted Duty – 09/06/2017

Tuition Reimbursement and Educational Incentive (MPPOA) – 09/08/2017

Major Case Investigations – 09/15/2017

Mendota Mental Health Institute Response – New – 09/15/2017

Back-Up – New – 09/15/2017

Response to Persons with Altered State of Mind – New – 09/15/2017



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Professional Standards and Internal Affairs Discipline Matrix

Eff. Date 06/15/2017 - 07/06/2017

### 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
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: <ul style="list-style-type: none"><li>• Verbal Counseling</li><li>• Mediation</li><li>• Documented Counseling</li></ul> A single sanction or a combination of the above listed sanctions may be deemed appropriate. <b>Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.	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 thereof: <ul style="list-style-type: none"><li>• Verbal Counseling</li><li>• Mediation</li><li>• Documented Counseling</li><li>• Letter of Reprimand (First Level of Discipline)</li></ul> A single sanction or a combination of the above listed sanctions may be deemed appropriate. <b>Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.	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: <ul style="list-style-type: none"><li>• Letter of Reprimand</li><li>• Suspension without pay for one to five days</li></ul> <b>A single sanction or a combination of the above listed sanctions may be deemed appropriate. Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.	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: <ul style="list-style-type: none"><li>• Suspension without pay for five to fifteen days</li></ul> <b>Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.	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: <ul style="list-style-type: none"><li>• Suspension without pay for fifteen days or more</li><li>• Reduction in rank</li><li>• Separation from service</li></ul> <b>Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.

## 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
<b>2.</b>	<b>Truthfulness</b>					X
	Failure to be truthful.					X
	Employees shall not make false reports or knowingly enter false information into any record.					X
<b>3.</b>	<b>Performance of Duties</b>					
	Failure to respond to dispatch.		X			
	Failure to properly perform duties assigned.		X			
	Failure to respond to subpoena or scheduled training.	X				
	Failure to comply with SOPs (excludes property handling code of conduct).	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 backup officers.			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		
<b>4.</b>	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
<b>Absence from Duty</b>	Employees shall not be late or absent from duty without prior permission from a supervisor or the Officer in Charge (OIC).		X			

<b>Corresponding Code of Conduct Manual Listing Categories skipped have not had recent previous discipline associated.</b>		<b>Category</b>				
		A	B	C	D	E
<b>5.</b>	<b>Unlawful Conduct</b>				X	
	Employees shall not engage in conduct that constitutes a violation of criminal law, or ordinance corresponding to a state statute that constitutes a crime.					
	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			
<b>6.</b>	<b>Notification Required of Law Enforcement Contact</b>		X			
	Failure to notify of contact by any law enforcement agency regarding their involvement as a suspect, witness, victim or contact in criminal conduct, 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.					
<b>7.</b>	<b>Equal Protection</b>		X			
	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			
<b>9.</b>	<b>Harassment</b>		X			
	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		
<b>10.</b>	<b>Courtesy, Respect and Professional Conduct</b>		X			
	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, radio only for official police business and shall exhibit courtesy during the transmission of all messages.		X			
<b>11.</b>	<b>Public Criticism</b>		X			
	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		
<b>12.</b>	<b>Use of Force</b>					X
	<b>9A</b> Employees shall not use deadly force when a lesser degree of force was reasonable.					X
	<b>9B</b> Employees shall not use excessive force when a lesser degree of force was objectively reasonable.				X	
<b>13.</b>	<b>Vehicle Operation</b>				X	
	Employees shall operate city vehicles with due regard for safety.			X		

<b>Corresponding Code of Conduct Manual Listing Categories skipped have not had recent previous discipline associated.</b>		<b>Category</b>				
		A	B	C	D	E
14.	<b>Insubordination</b> 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.			X		
16.	<b>Criminal Association</b> 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.			X		
20.	<b>Cooperation with Investigations Required</b> 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.					X
21.	<b>Access to Police Records</b> Employees shall not access MPD official records for any reason inconsistent with their professional duties. Employees shall not release official records of the MPD for reasons inconsistent with their professional duties. Employees shall not tamper with any MPD records system.		X			

**STANDARD OPERATING PROCEDURES**

SOP	<b>Transportation and Treatment of Prisoners</b> Failure to take all reasonable precautions necessary to secure and safely transport prisoners in accordance with SOP.		X			
SOP	<b>Status Changes</b> 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.	X				
SOP	<b>Search and Seizure</b> 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.		X			
SOP	<b>Police Weaponry</b> Failure to adhere to the specifics of this procedure as described in the SOP.		X			
SOP	<b>Firearms Safety</b> 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. Unintentional discharge on the range line (no injury or horseplay). Failure to ensure the security and safe storage of MPD approved weapons. This applies both on and off duty.		X			

<b>Corresponding Code of Conduct Manual Listing Categories skipped have not had recent previous discipline associated.</b>		<b>Category</b>				
		A	B	C	D	E
<b>SOP</b>	<b>Use and Care of City-Owned Property</b>		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 (documented counseling).	X				
	Failure to drive city owned vehicles with due regard for safety at all times.			X		
<b>SOP</b>	Employees shall not use any MPD property for private purposes unless permission is first obtained from the Chief of Police.		X			
	<b>Property Handling</b>		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		
<b>SOP</b>	Failure to adhere to the specifics listed in detail in this SOP.		X			
	<b>Personal Appearance</b>					
<b>SOP</b>	Failure to adhere to personal appearance code of conduct described in the SOP.	X				
	<b>Identification of Employees</b>			X		
<b>SOP</b>	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			
	<b>Reporting</b>		X			
<b>SOP</b>	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			
<b>SOP</b>	<b>TIME System Access</b>		X			
	TIME system access will be in strict compliance with their procedures and information gleaned shall be disseminated in accordance with the SOP.		X			
<b>SOP</b>	<b>Stop and Frisk</b>		X			
	Failure to adhere to the specifics listed in this SOP.	X				
<b>SOP</b>	<b>Searches</b>		X			
	Failure to adhere to the specifics listed in this SOP.		X			
<b>SOP</b>	<b>Handling of Evidence, Contraband, Found or Lost Property</b>		X			
	Failure to adhere to the specifics listed in this SOP.	X				
<b>SOP</b>	<b>Use of Mobile Data Computers</b>		X			
	Failure to adhere to the specifics listed in this SOP.		X			
<b>SOP</b>	<b>Off-Duty Officer Responsibilities</b>		X			
	Failure to adhere to the specifics found in the SOP.		X			
<b>SOP</b>	<b>Traffic/Parking Enforcement and Crash Investigation</b>		X			
	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			
<b>SOP</b>	<b>Outside Employment</b>		X			
	Failure to adhere to the specifics as described in the SOP.	X				
<b>SOP</b>	<b>In-Car Video System</b>		X			
	Failure to log into squad video system		X			
	Failure to sync in-car video microphone		X			
	Failure to wear microphone		X			

<b>Corresponding Code of Conduct Manual Listing</b> <i>Categories skipped have not had recent previous discipline associated.</i>		<b>Category</b>				
SOP		A	B	C	D	E
SOP	<b>Social Media – Off Duty</b>  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	<b>Emergency Vehicle Operation</b>  Unauthorized Pursuit. Improper Use of Warning Devices and Other Safety Equipment. Failure to Operate With Due Regard.		X			
SOP	<b>Police Vehicle Parking</b>  Failure to adhere to the specifics listed in this SOP.		X			
SOP	<b>Domestic Abuse</b>  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.

For code of conduct violations not listed in the matrix, sanction levels will be determined by the Chief of Police.

## 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.

## 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 for 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, 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)



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### Non-Deadly Force – Use of

Eff. Date 05/26/2016-07/10/2017

#### 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.

~~Recognizing our legal and moral obligation to use force wisely and judiciously, officers may use only the amount of non-deadly force that is reasonably necessary to secure control or to gain compliance and is consistent with Department Training.~~

~~It is the procedure of the Madison Police Department (MPD) that officers, while in the performance of legal duties, shall always employ force in a manner that is objectively reasonable based on the totality of the circumstances, *Graham v. Connor*, 490 U.S. 386 (1989). The reasonableness test is an objective one and must be judged from the perspective of a reasonable officer at the scene. Members of the MPD shall act at all times within the standards for use of force established in the Use of Force procedures.~~

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 reasonably 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.

<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.

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.

## **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. ~~Unless circumstances dictate otherwise, 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.~~ 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.

Original SOP: 03/23/2015  
(Revised: 05/26/2016, **07/10/2017**)  
(Reviewed Only: 12/22/2016)



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### Deadly Force – Use of

Eff. Date: 05/26/2016 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.

~~Consistent with our Mission Statement, the Madison Police Department believes in the dignity of all people and recognizes the value of human life. Since we have a legal and moral obligation to use force wisely and judiciously, it is the procedure of this Department that deadly force will not be resorted to unless an officer reasonably believes that a lesser degree of force would be insufficient.~~

~~It is the procedure of the Madison Police Department (MPD) that officers, while in the performance of legal duties, shall always employ force in a manner that is objectively reasonable based on the totality of the circumstances, *Graham v. Connor*, 490 U.S. 386 (1989). The reasonableness test is an objective one and must be judged from the perspective of a reasonable officer at the scene. Members of the MPD shall act at all times within the standards for use of force established in the Use of Force procedures. At all times, members of the MPD shall act within the standards for use of force established in the Use of Force procedures and consistent with Department 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. ~~The purpose of deadly force is to stop the threat. It is the responsibility of involved officers to render aid when feasible.~~

#### 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, 07/10/2017)  
(Reviewed Only: 12/22/2016)



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### Mental Health Incidents/Crises

Eff. Date **12/22/2016-07/19/2017**

#### Purpose

The Madison Police Department (MPD) recognizes that police are not qualified to solve the underlying problems of people who exhibit abnormal behavior due to a mental illness, however, officers can learn to recognize when mental illness may be a contributing factor. The officer's course of action at this first encounter can both calm the existing situation and increase the chance that if subsequent treatment is needed for the individual, it will be more effective. Responses to situations which involve abnormal behavior should reflect sensitivity to the needs of the people involved, concern for officer safety and safety of others at the scene and concern for alleviating the situation in a reasonable manner. The goal in all crises stemming from mental illness is to utilize the least restrictive measures to secure the welfare of all those concerned, connect individuals with mental illness to needed services and divert them from the criminal justice system whenever possible.

#### Procedure

All officers are trained to recognize behavior that may be attributable to mental illness and to respond to mental health related incidents in such a manner as to de-escalate crisis situations whenever possible. Situations involving individuals believed to be affected by mental illness or in crisis are often unpredictable and volatile. As such, these incidents require officers to make difficult judgments about the mental state and intent of the individual, and necessitate an understanding of the unique circumstances and approach required to resolve these crises safely.

Mental health providers have the primary responsibility to diagnose and treat individuals with mental illness. Due to limited services and the nature of mental illness, officers are increasingly required to respond to situations and crises stemming from mental illness. As a result, the MPD is committed to partnering with mental health providers, community service providers, and those in the justice system, to develop more compassionate and cost-effective approaches that emphasize providing community-based treatment instead of arrest and incarceration of individuals affected by a mental illness.

#### MENTAL HEALTH LIAISON/OFFICER PROGRAM

The MPD has a longstanding commitment to partnering with mental health providers in order to improve services to those with mental illness. The Mental Health Liaison/Officer Program serves to further supplement our overall response with a specialized approach and provides added support to first-responding officers before, during, and after any mental health crisis occurs.

#### Mental Health Officer (MHO)

In order to more consistently and comprehensively address mental health issues in our community and mitigate the increasing demands on patrol resources to provide services to people with mental illness, the MHOs will work with the formal and informal supports, Mental Health Liaison Officers, and the individuals affected by mental illness. MHOs will work to address both district-specific and city-wide systems issues related to mental health and individuals within their district areas of responsibility who are generating or are likely to generate police calls for service. While not call-driven or expected to field any and all mental health related calls, when possible the MHOs will respond into the field to address mental health related calls, particularly Emergency Detentions.

## **Mental Health Liaison Officer (MHLO)**

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Above and beyond their regular patrol responsibilities, MHLOs work collaboratively with mental health providers, advocates, consumers, and the MHOs to provide individual response plans and follow-up, address system issues/concerns, share information internally and externally as appropriate, and if possible respond to mental health calls for service when they arise.

## **RESPONSE GUIDELINES**

### **When Mental Health Issues are Suspected**

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- Observe signs of abnormal behavior and circumstances under which observed (e.g., mental illness, alcohol).
- Attempt to obtain information regarding mental illness diagnosis, medical history, and medications.
- If danger to self or others, assess for Emergency Detention.
- Consult with Journey Mental Health (hereafter referred to as Crisis) for background information and general advice.
- Assess need for further police assistance.
- Route report to Mental Health Officer and Liaisons.

#### ***Disposition Options***

- Release with referral made to a mental health agency.
  - Place individual in the care of family or friends.
  - Convey voluntarily to Crisis or hospital for further evaluation.
  - **Emergency detention.**
  - Arrest for a statute or city ordinance violation.
  - Protective custody to Detox if applicable.
- 
- If the subject's behavior constitutes a criminal violation but criteria for an emergency detention is also present, officers should:
    - Consult with Journey Mental Health to determine the best short-term disposition/placement.
    - If the subject is placed under emergency detention, a probable cause affidavit should be completed for the appropriate criminal violations. Request that the destination facility where the subject is conveyed contact MPD when he/she is released to facilitate conveyance/booking.
    - 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).

### **If Harmful Acts are Committed or Threats Made (suicide attempts, overdose, cutting, other overt acts or threats)**

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- Ascertain whether the subject has consumed alcohol and/or drugs. If alcohol is on board and the subject is medically cleared, or where medical clearance is unnecessary, transport to Detox under protective custody.
  - For suicidal subjects – make sure to request that Crisis is notified, both verbally and in writing, on the Detox admission form and request a copy for your report. Detox staff will coordinate risk assessment by Crisis as needed for suicidal subject when detoxification is completed.
- If transported to hospital by EMS, consult with ER staff regarding medical admission.
  - If admitted medically, release to hospital and get doctor information for report.

- If medically cleared or not transported to hospital by EMS, assess for Emergency Detention.

### **Assessing for Emergency Detention**

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- Consult with Crisis or other mental health practitioners as applicable. (If person is insured, Crisis will generally refer to provider, however, Crisis should still be involved.)
- Gather information regarding person's mental health history and/or support systems utilized in the past.
- When interviewing the subject don't hesitate to ask specific questions about their intent to harm himself or herself (i.e., "Do you want to hurt yourself?" "Did you really want to end your life?")
- If you have any concerns regarding the subject's welfare and they refuse to accept police assistance, you may place them under protective custody and convey them to Crisis or hospital for evaluation.

### **Emergency Detention (ED)**

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S.S.51.15(1) – Basis For Detention: A law enforcement officer is authorized to take into custody a subject whom the officer has **cause to believe** is mentally ill, or drug dependent, or developmentally disabled, **and** that person evidences any of the following:

- A substantial probability of physical harm to self or others as manifested by evidence of recent threats of or attempts at suicide or serious bodily harm.
- A substantial probability of physical impairment or injury to self or others due to impaired judgment as manifested by evidence of a recent act or omission.
- SS 51.15(1)(4) and 51.15 (1)(5) discuss lack of self-care issues and refusal to take medication as possible criteria as well.

### **Final Dispositions**

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Voluntary admission is generally the preferred option for individuals who are cooperative and need further mental health treatment.

#### ***Voluntary Admission – Where ED Criteria is NOT Present***

This option is best used when the subject is cooperative and would benefit from further mental health treatment, yet any threats to their welfare do not rise to the level of an ED. In these situations, officers conveying individual to ER may detach from the call once the subject is in the care of hospital ER staff, even if not yet fully admitted. If the individual is brought to ER by someone else (EMS, family member) then officers do not need to accompany them to ER.

#### ***Voluntary Admission – Where ED Criteria is Present***

Oftentimes, even when the criteria for an ED are clearly present, a voluntary admission is still the preferred outcome because it is the least restrictive, and therefore, most likely to result in productive treatment. In these situations, it is recommended that the officer stay with the subject until they are assured that the subject will follow through with an admission (e.g., signed papers, escorted through the doors of the psychiatric unit, or medical personnel has assumed responsibility for the person and their continued safety.) Officers should request that hospital personnel re-contact their agency should the subject attempt to leave prior to being fully admitted so that an ED can be completed.

### ***Emergency Detention***

When the basis for detention exists do the following:

- Contact Crisis on **all** emergency detentions.
- Crisis must approve all placements for Emergency Detention.

- Receive medical clearance prior to conveyance to authorized facility.
- Complete ED form and/or review form if filled out by mental health professional. The form MUST articulate dangerousness, threats, history, behavior, etc. and list names of witnesses.
- Forms: 4 copies of ED form. 1 – Subject, 1 – Law Enforcement Agency, 1 – Crisis, 1 – Detention Facility. Original to probate court – Courthouse Rm 1005, fax 283-4915.
- Complete report as a priority and route it to Mental Health Officer and Liaisons.

## Reminders

- It is best to make phone contact with Crisis at the time of the incident, as well as route the report to the MHLOs for your agency.
- Officers may base an emergency detention on statements made by any reliable source, i.e., any mental health professional, or any direct witnesses to the subject's behavior such as family, friends, etc. **Officers do not have to witness dangerous behavior themselves and may rely solely on the opinion of mental health professionals recommending an ED.**
- If you are experiencing problems or have concerns while at the ER, contact the "point person" there who should be up to date on cases and able to communicate with involved parties. These "point persons" are: The Care Team Leader at UW, and the Charge Nurse at St. Mary's or Meriter.
- If other questions or concerns arise, contact your supervisor.
- **Officers are not liable for any actions taken in good faith. The good faith of the actor shall be presumed in any civil action.**

## Helpful Mental Health Definitions

### SETTLEMENT AGREEMENT

- A negotiated contract for treatment signed by the individual, his/her attorney, and the County Corporation Counsel, and approved by the court.
- Waives the court hearings for a specified period of time, up to 90 days.
- Cannot be extended at end of time period, if individual is compliant with treatment.
- Can be rescinded by County Corporation Counsel if the individual fails to comply with the treatment conditions.

### ORDER TO TREAT

- The court may order that medication may be administered to an individual regardless of his/her consent (involuntarily and/or forcibly).
- This can be, but is not always, a part of a Chapter 51 commitment.

### THIRD PARTY PETITION

- Three adults sign a sworn petition that is drafted by the County Corporation Counsel.
- At least one of the 3 petitioners (signers) must have personal knowledge of the individual's dangerous behavior. Petitioners who have not directly observed the individual's dangerous behavior must provide a basis for their belief that the allegations are true.
- Petition must allege that the individual is mentally ill, developmentally disabled, or drug dependent, and dangerous to self or others, and a proper subject for treatment.
- The County Corporation Counsel files the petition with the court. After review, the judge may order detention of the individual by law enforcement to a mental health detention facility, or may just set the case for a probable cause hearing without ordering detention.
- This process may take several days or more, so it should not be used for emergency situations.

**DIRECTOR'S HOLD**

- The Treatment Director of a mental health facility/unit may file a statement of ED and detain a patient who has already been admitted to the psychiatric facility/unit.
- A Treatment Director ED usually occurs when an individual is voluntarily admitted to a facility/unit, and later refuses treatment and/or requests discharge.

**DEALING WITH DEMENTIA PATIENTS (DP) AT ASSISTED LIVING FACILITIES (ALF)**

Madison Police Department (MPD) recognizes that combative behavior may be a symptom of dementia for some patients and that this behavior is difficult to manage.

MPD will assist with stabilizing a dangerous scene if a DP is combative and is not calming down with staff intervention.

- It is not recommended to transport DP in the back of a squad car. If the DP cannot be calmed, call MFD to transport them to the hospital.
- Once the DP is calmed down, if ALF staff believes the person needs to be evaluated at a hospital, they should arrange a private ambulance.

Once the scene is stabilized, officers are advised to talk with staff about the care plan in place for when this person is combative.

- Does the DP give any signs prior to becoming combative so staff can divert them?
- What calms the DP down?
- Can the DP be safely removed from other patients during the outburst?
- Regarding medications, what is the policy for the DP refusing medications?
- What is the DP's legal status (guardian or activated Power of Attorney for Health?)
- Is this still an appropriate placement for this person?

Criminal charges or citations are not appropriate for combative DP as they are unable to learn/remember to act differently. Instead the facility needs to manage their behavior and work with MPD to keep them and everyone else safe.

WI Department of Human Services, ADRC, and WI Alzheimer's and Dementia Alliance can all be resources for ALFs and families of DPs.

Original SOP: 05/29/2015  
(Reviewed Only: 02/15/2016)  
(Revised: 12/22/2016, 07/19/2017)



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### CFS Dispatch Guidelines

Eff. Date **05/12/2017** - **08/18/2017**

#### Purpose

This procedure outlines guidelines and expectations for Madison Police Department response to calls for service. Any questions about response to a particular call/incident should be directed to the 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 from, 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 between 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 he/she 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 O.I.C. 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 citizen is reporting an incident that happened at another location in the City, an officer responsible for the sector where the complainant is reporting the incident from should be dispatched and shall investigate the incident. This includes incidents reported at the CCB or 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 citizens 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 citizen's reporting location should generally be dispatched, unless the citizen's reporting location is more than a reasonable driving distance from the City limits (generally, more than 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. Fifth detail officers may be required to assist as backup in the last hour of the shift.
- **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 O.I.C. Approval should be requested via MDC or telephone, rather than through dispatch. Officers are reminded that MPPOA contract provides for eight minutes prior to the end of the tour to file reports, and 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. Guidelines to be used by O.I.C.s or field commanders when determining whether to modify MPD response include: call volume, significant incidents/crimes, staffing levels, tactical situations, special events, extreme weather conditions, or other unusual situations requiring significant MPD resources.

MPD will have three 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 page one of this document. The O.I.C. or a field commander can set this response level city-wide, or limit it to a specific district. Patrol officers should refrain from pro-active activity to be available for calls. The O.I.C. should assess the need for MPD personnel and the available staffing to determine whether additional resources are needed (mutual aid; shift holdover; use of non-patrol personnel; personnel call-in; SET or SWAT activation; etc.). Priority Call Response includes Limited Crash Response.

**Limited Crash Response:** MPD response to non-accident related calls for service will continue as normal. Officers will not respond to motor vehicle accidents on private property (unless an injury is involved), or to other motor vehicle accidents that do not involve injury or public road blockage (except for accidents involving City owned vehicles or off-duty MPD commissioned personnel). The O.I.C. should be consulted for accidents involving other government owned (non-City) vehicles. If the 911 Center cannot determine whether the accident involves injury or public road blockage, an officer should be dispatched. Limited Crash Response may be activated without Priority Call Response.

## 911 CENTER EXPECTATIONS

### **Limited Crash Response**

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During periods when MPD is in limited crash response mode, if the crash is of a nature that MPD will not respond to, the caller should be advised that no MPD response will occur. The caller should be provided information on how to report the crash themselves.

If, at the time MPD transitions to limited crash response mode, there are non-injury/blockage crashes in queue, officers should not be dispatched to those crashes. The 911 Center should – if possible – call the complainants back, advise them that no MPD response will occur and the citizens should be referred to complete a State of Wisconsin Accident Report Form (MV4002), available at any Department of Transportation office, MPD district station, or on the Department of Transportation website.

The call should be canceled from the pending queue and cleared with a disposition code of D. Calls may be dropped even if a particular complainant cannot be re-contacted.

### **Priority Call Response**

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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 into the CAD as an incident. If the call is of a nature that MPD will not respond to 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 O.I.C. (or a field supervisor if the O.I.C. is unavailable).

If, at the time MPD transitions to priority call response mode, there are calls in queue of a nature that 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. Citizens with concerns about MPD's response should be referred to the O.I.C.

When an O.I.C. or field commander determines that MPD response will be temporarily modified to priority call response or limited crash response (or removing the temporary modifications), the O.I.C. should immediately notify the 911 Supervisor by telephone (608) 267-3913 (supervisor phone), or via the direct OIC/911 line if the supervisor line is unavailable. The 911 Supervisor will immediately inform the primary MPD dispatchers who will notify their respective MPD personnel via radio. The O.I.C. should inform the Assistant Chief of Operations by email, advising the times the modified status was in effect and the reason for the change. The 911 Supervisor and O.I.C are encouraged to work together to evaluate the need for priority call or limited crash response status as conditions warrant.

### **CFS AT THE PUBLIC SAFETY BUILDING**

MPD should not handle any calls for service occurring within the Public Safety Building. 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 the Dane County Sheriff's Office. 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.

**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 he/she is incapacitated by alcohol. If the subject is deemed to be incapacitated by alcohol he/she will be placed under protective custody and conveyed to Detox. This includes subjects conveyed to Madison emergency rooms by ambulance from other jurisdictions.

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, MPD officers should respond (if requested) to evaluate the subject, and determine if another law enforcement agency was part of the initial investigation associated with the mental health crisis. If another law enforcement agency responded to the mental health crisis during which dangerous behavior was reported or exhibited, it is the expectation of MPD that the originating agency would respond and complete the Emergency Detention process.

Deviations from these procedures must be approved by a supervisor.

## Detox

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- 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

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- MPD will respond to 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 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 and burglary alarms from government buildings.
- MPD officers will continue to be dispatched to citizen-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.
- 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 citizen 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 113C1) 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.

## 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 envelope 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.

These guidelines may be deviated from with a supervisor's approval.

## OUTSIDE AGENCY TRANSLATION REQUESTS

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

## 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 employee.

## TRAFFIC CRASHES (INCLUDING HIT AND RUNS)

Officers should be dispatched to **ALL** crashes (on either private or public property) except as follows:

- All of the vehicles/pedestrians involved in the accident 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.)
- During all weather-related emergencies when Limited Crash Response rules are in effect (unless crash involves injuries, blockage, MPD officer on or off duty, or any on-duty City employee)

**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 Accident 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 in the area of Drugs, Traffic, Community Policing initiatives and other District-related issues. They 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 (O.I.C.) 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:

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

MPD K9 teams are assigned to patrol or to a Community Policing Team (CPT).

**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.

**CPT K9 teams:** are generally available for response to citywide K9 requests. They should not be dispatched to other calls except as indicated above (under dispatch protocols for CPT's).

Outside agency requests for an MPD K9 team should be approved by the O.I.C. 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 number assigned. Officers who are unaware of their assigned radio number, or were not assigned one, should contact the 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 he/she will 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. 911 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 (or 129B3)
Community Policing (meetings, etc.)	L87C	Assist/Comm Policing
Language Translation	L87T	Assist/Translate
Follow up investigations	L88F	Assist/Follow Up
On-Duty Court	L89C	Assist/Court
On Duty Training (MATC 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 Self-Reporting System. The 911 Center, using these guidelines, should determine whether a particular incident should be routed to the Self-Reporting System or dispatched to a patrol officer. The O.I.C. 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, TDD, etc.) should not be referred to the Self-Reporting System; an officer should be dispatched to assist.

### Video Evidence

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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\*):

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*\*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. The occurrence does not involve multiple offenses by the same suspect or at the same location;
5. 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, in a door, etc.).

Officers should be dispatched to all graffiti complaints.

### Theft of Electronic Devices

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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.

### Retail Theft

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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 is less than \$50, even with video evidence
3. No suspect information that readily identifies the suspect (name, license plate, video evidence)
4. Not multiple offenses
5. Does not involve theft of a firearm
6. Does not involve the use of force or the threat of force

**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.

**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#'S 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, we are requesting the 911 Center staff to 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 PSC staff: place the unit on duty, assign them, clear them, 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, he/she 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**

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The following CAD/LERMS disposition codes should be used as indicated:

- A** – Accident report (the officer completes an accident report, including MV4000 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 that officers do not respond to during limited crash response periods, noise complaints that officers are unable to respond to within one hour, or any other incident that officers are unable to respond to 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**

The following guidelines are to help assist Dane County 911 Dispatch when dispatching Parking Enforcement Officers (PEO) 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 citizen contesting a citation. All questions should be forwarded to the Traffic Bureau 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**

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The Madison Police Department utilizes PEO's to respond to parking complaints. Please use the following guidelines when dispatching PEO's to parking complaints. Please include the location and type of call over the air when dispatching a PEO for all complaint types.

### ***Private Property Complaints***

In order for the PEOs to be efficient in their jobs and 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.

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 in call:

- First and last name of complainant
- Include contact number with area code
- Exact address that 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 (apartment complex, private lot, 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.

If YES:

- Inform complainant to standby to sign report.

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. US Postal Service does not have the authorization to have vehicles cited.

### ***Street Storage Complaints***

All complaints regarding abandoned vehicles are to be forwarded to the Abandoned Vehicle line at 266-4624.

### ***Temporary Posting***

All temporary postings must be checked 48 hrs 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 266-4622.

If the signs have already been checked and confirmed by contacting the Traffic Office, dispatch the PEO to the call. The complainant must meet the PEO onsite and will be required to sign the report and identify the offending vehicles.

### ***School Zone Enforcement***

Currently there are two PEOs assigned to enforce school zones violations in the morning and afternoon. When enforcing at the schools they will change over to TEST channel B10.

### ***Alternate Side Parking***

The Alternate Side PEO's are hired as hourly employees during the winter months (November 15– March 15). These PEO's are scheduled to work between the hours of 1a-7a. There are eleven 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.

All alternate side parking complaints should be forwarded to the Traffic Office at 266-4622. If the citizen wishes to pursue the matter further, feel free to transfer them to the Parking Supervisor at 266-4623. Questions regarding Alternate Side Parking or Snow Emergency can be directed to the Winter Parking Hotline – 261-9111 or at [www.cityofmadison.com/winter](http://www.cityofmadison.com/winter).

Original SOP: 03/01/2014

(Revised: 10/03/2016, 11/16/2016, 05/12/2017, 08/18/2017)



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### **Emergency Vehicle Operation Guidelines**

Eff. Date **01/19/2017**-**08/18/2017**

#### **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.

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 pursuit assistance coming into the City. For MPD officers to participate in an outside agency pursuit, the pursuit must meet the criteria outlined within the SOP.

##### **DEFINITIONS**

**Authorized Emergency Vehicle:** A fully marked and 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.

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

**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, or marked police vehicle, shall knowingly flee or attempt to elude any traffic officer by willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, or the traffic officer or 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. (felony)

**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. (misdemeanor)

**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 officers visual or audible signal to stop his or her vehicle, increasing the speed of the vehicle or extinguishing the lights of the vehicle.

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

**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 a 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 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).

### **ASSESSMENT OF UNREASONABLE DANGER**

The decision to pursue, and while in pursuit, officers and supervisors must continually evaluate information to determine whether the pursuit presents an unreasonable danger of death or great bodily harm which outweighs the public interest involved in apprehension.

Examples include:

1. Make/model, actions and speed of the vehicle being pursued.
2. Geographic area of pursuit and its population density.
3. Time of day/day of week.
4. Vehicular and pedestrian traffic present in area.
5. Road and weather conditions.
6. Officer's familiarity with the area of pursuit.
7. Severity of crime.
8. Necessity of pursuit.
9. Type of squad being operated.
10. City events where large groups are likely to be gathered (i.e.) farmers market, races, protests, etc.

### **AUTHORIZED PURSUIT**

For all pursuits, **Due Regard** must be followed at all times. The pursuit of vehicles is authorized in accordance with the following guidelines:

1. Officers should attempt to stop as expeditiously and safely as possible, any person in a vehicle who the officer has probable cause to believe:
  - a. Has committed (or attempted to commit) a felony involving the use (or threatened) use of force and a high probability exists that the suspect, if not immediately apprehended, may cause death or great bodily harm to another. Officers may terminate and discontinue pursuit when the act of pursuit, in and of itself, creates an unreasonable danger of death or great bodily harm to the public, officers or the suspect. Or,
  - b. Has committed any acts or threats of violence but shall terminate and discontinue pursuit when the act of pursuit, in and of itself, creates an unreasonable danger of death or great bodily harm to the public, officers, or suspect.
2. A "refusal (slow) to stop pursuit" may be initiated and maintained for any offense. However, once the officer becomes aware it is an "eluding/fleeing" pursuit, justification for the pursuit must meet at least one of the criteria above under Authorized Pursuit, or the pursuit shall be terminated immediately
3. Officers shall not enter into an "eluding/fleeing" pursuit solely for non-violent criminal violations, traffic and ordinance violations.

### **TERMINATION OF PURSUIT**

A. Any officer shall terminate a pursuit if the pursuit violates the SOP guidelines or creates an unreasonable danger to the public, officer, or suspect. The following shall be accomplished as part of termination procedure:

- Notify dispatch and secondary units of termination location and last known direction of travel for suspect vehicle.
- Bring your vehicle to a complete stop or divert direction of travel away from suspect vehicle.
- Deactivate visual and audible signals.

B. If specific location of the suspect becomes unknown the pursuit shall be immediately terminated.

C. 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 OFFICER** shall adhere to the following procedures.
  - 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:
    1. If your vehicle is unmarked.
    2. Location and direction of pursuit.
    3. Description of suspect vehicle, license plate, number & description of occupants.
    4. Reason for pursuit.
    5. Estimated speed of suspect vehicle.
    6. Driver and occupant behaviors.
  - d. Continually update Dispatch with:
    1. Changes of direction.
    2. Speed of vehicles involved.
    3. 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 precedes 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:
    1. Notify Dispatch of location and any additional resources needed.
    2. Coordinate the high risk stop.

2. **SUPERVISOR**

Commissioned supervisors have the following responsibilities in all pursuit situations:

- a. A supervisor that 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.
- e-f. After reviewing the circumstances of the pursuit, the monitoring supervisor shall document evaluate whether the actions of the officers involved in the pursuit were in accordance with MPD procedures. This review will also extend to officers indirectly involved in the pursuit (i.e., responding officers, officers deploying tire deflation devices, etc.)
  1. The supervisor shall complete a Blue Team entry and attach a memo detailing their review investigation of the pursuit. The review will be forwarded to the lead EVOC Master

- Instructor Trainer as designated by the Captain of Personnel and Training. The EVOCS MIT group, PSIA, and the involved officers' Unit/District Commander shall be carbon copied on the Blue Team entry. ~~district commander and the involved employee's commanding officer. If appropriate, the commanding officer will assign further investigation of the incident.~~
2. The lead EVOCS MIT review will then forward their review ~~be forwarded to the Unit/District Commander. The Commander will review the incident and make a recommendation as to whether the pursuit is within or outside of MPD Policy. Professional Standards and Internal Affairs (PSIA) for review. PSIA will forward to the appropriate Assistant Chief for final review. The pursuit entry and any associated documents will be housed in Blue Team.~~
  3. The Unit/District Commander will then forward the review to PISA for additional policy compliance investigation if necessary. ~~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.~~
  4. 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. ROADBLOCKS

#### a. Emergency stationary roadblocks with escape route

1. Emergency stationary roadblocks are those which, 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.
2. Whenever possible, an emergency roadblock with escape route should be set in a well-lit area, using all emergency visual aid equipment to further light up the roadblock such as:
  - a. Emergency lights activated.
  - b. Headlights and spotlights aimed away from the path of the suspect vehicle.
  - c. Takedown and alley lights (aimed away from path of the suspect vehicle.)
  - d. Flares (aimed away from path of the suspect vehicle.)
3. An emergency stationary roadblock with escape route should never be set up in a dark or blind area, such as just over hills, or around curves, etc. The roadblock must offer an alternative path (other than certain crash) for the pursued vehicle.

#### b. Emergency stationary roadblocks with no escape route.

1. This option is considered deadly force and shall only be used under deadly force circumstances.
2. In a roadblock with no escape route, the roadway is completely blocked, and no alternate route is provided. If the suspect does not voluntarily stop, he or she will crash, with great

potential for injury to the suspect and others in the area. For that reason, these guidelines must be applied:

- a. Other traffic must be diverted or stopped before reaching the roadblock area.
  - b. The roadblock must be identified with emergency lighting to give warning.
  - c. The suspect must have adequate sight distance and time to stop if he or she chooses to do so.
  - d. Officers must communicate to ensure that their actions are coordinated and risk to officers is minimized.
3. An emergency roadblock with no escape route should be set in a well-lit area, using all emergency visual aid equipment to further light up the roadblock such as:
    - a. Emergency lights activated.
    - b. Headlights and spotlights aimed away from the path of the suspect vehicle.
    - c. Takedown and alley lights (aimed away from path of the suspect vehicle.)
    - d. Flares (aimed away from path of the suspect vehicle.)
    - e. All officers shall position themselves outside of their vehicles and at a safe distance. This does not apply to a squad positioned in a safe and strategic location ready to assist if the pursuit continues.
    - f. Officers shall attempt to remove and/or isolate all non-involved persons from the danger area of the roadblock.
  4. An emergency stationary roadblock with no escape route should never be set up in a dark or blind area, such as just over hills, or around curves, etc.

**c. 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, may cause death, great bodily harm, or an unreasonable risk of harm to uninvolved citizens.

**2. PURSUIT INTERVENTION TECHNIQUE (PIT) AND RAMMING TECHNIQUES**

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

**3. USE OF TIRE DEFLATION DEVICES**

- a. Prior to beginning each tour of duty, officers will determine if their squad is equipped with a tire deflation device and verify that it is in proper working order.
- b. Tire deflation devices will only be deployed by officers trained in their use and in accordance with MPD training.
- c. The use of tire deflation devices in accordance with this procedure and MPD training does not constitute deadly force unless used to stop motorcycles, mopeds or other two or three-wheeled vehicles when the use of deadly force is justified.
- d. Tire deflation devices may be deployed during active pursuits.
- e. Officers deploying tire deflation devices will complete a supplemental report including all pertinent facts surrounding their use.

**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**

1. MPD will not become actively involved in another jurisdiction's pursuit unless mutual aid is specifically requested by the agency involved. Upon receiving a request of this nature, Dispatch will obtain and relay information to the officers and a supervisor regarding the request. 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 involved in the pursuit itself.

**2. Allowable Exceptions**

- a. If the circumstances of another jurisdiction's pursuit dictate that a 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.
- b. Tire deflation device in support of another Jurisdiction
  - i. Officers may deploy tire deflation devices in accordance with this SOP.
  - ii. MPD officers may deploy tire deflation devices to stop vehicles fleeing from another agency that have entered the City of Madison without a specific mutual aid request. Deployment in these instances will only be done with a supervisor's approval, unless it is impractical to obtain such approval. Outside agency officers involved in the pursuit will be notified prior to deployment if possible.

**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)



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

### **Restricted Duty (Temporary Transitional Assignments)**



Eff. Date **01/13/2017** - **09/06/2017**

#### **Purpose**

The purpose of this Standard Operating Procedure (SOP) is to clarify expectations related to temporary transitional assignments, also referred to as “restricted/light-duty status.” This SOP applies to both commissioned and civilian personnel. The City and the Madison Police Department (MPD) recognize that this process affords mutual benefit to both the organization and affected employees. However, it is expected that the MPD properly manage this process. Therefore, the MPD has established the following restricted/“light-duty” procedure.

Restricted duty is intended to provide a temporary assignment to an employee who is unable to perform their essential job tasks due to a temporary injury, illness or other condition. Frequent reoccurrence of the same medical condition is not considered “temporary.”

Providing a temporary restricted duty assignment to an employee is contingent upon the ability of the employee to perform meaningful work for the Department within their medical restrictions. Nothing in this SOP imposes a duty on the Department to provide a temporary restricted duty assignment for any employee.

The City of Madison also offers relief for ill or injured employees beyond the restricted duty process (APM 2-7). In addition to protections under Federal and State law related to the Family Medical Leave Act (FMLA), the City also offers support through temporary (APM 2-31) and extended medical leave provisions (APM 2-45), employee donated leave (APM 2-30) and wage insurance (Hartford Insurance Company).

#### **Procedure**

##### **NOTIFICATION/DOCUMENTATION**

**All commissioned and civilian personnel, regardless of rank or position, are subject to this process.** All personnel are required to notify a supervisor, commander, civilian manager or MPD's Officer in Charge immediately, if injured while on duty. The Lieutenant of Personnel shall be notified as soon as practical. The employee and their supervisor must complete a Worker's Compensation Accident Report form and forward same to [PD Medical](#) immediately. Worker's Compensation Accident Report forms are available at:

- [www.cityofmadison.com/finance/documents/WC-1page1.pdf](http://www.cityofmadison.com/finance/documents/WC-1page1.pdf)
- [www.cityofmadison.com/finance/documents/WC-1page2.pdf](http://www.cityofmadison.com/finance/documents/WC-1page2.pdf)

Employees should provide the **Department MPD** with as much advance notice as possible when they are undergoing a planned medical procedure. Although an employee is not required to identify the nature of a non work-related medical condition or illness, if restricted/light-duty status is either anticipated or requested, the employee shall notify the Lieutenant of Personnel of this need as soon as practical. This is required as the Lieutenant of Personnel is tasked to review, approve and manage all light-duty requests (work and non work-related), as well as notify the Captain of Centralized Patrol Services of potential patrol staffing impacts. In the absence of the Lieutenant of Personnel, the Captain of Centralized Patrol Services serves as an alternate contact and resource for restricted/light-duty matters. **All restricted or full duty status requests must be pre-approved by the Lieutenant of Personnel or the Captain of Centralized Patrol Services before the employee can return to work in a restricted or full duty capacity.**

Before any restricted/light-duty request can be considered, proper documentation must be submitted to [PD Medical](#) which will include some or all of the following:

- Worker's Compensation Accident Report form (**if applicable**)
- Medical Status Report form (<http://www.cityofmadison.com/finance/documents/WC-MedStat.pdf>) completed by the employee's medical provider, to include:

- The nature of any physical/medical restrictions (e.g., can't bend, lift, push/pull, stand, or work full shifts, etc.).
- The approximate length of time that the employee may require restricted/light-duty status.
- When appropriate, a date on which an employee may return to their regular, unrestricted duties.

**A Medical Status Report form must be completed by a medical provider for every work-related injury requiring a medical appointment.** Medical documentation for non work-related conditions or illnesses is required when there is a change in the employee's work restrictions as they relate to the employee's work status. To remain on restricted duty status, the employee's medical documentation must have dates that reflect the specific timeframes that restricted duty status is requested for. **Please note that specific medical/physical restrictions are required by City APM 2-7.** Failure to have proper documentation may result in the employee's restricted duty status request either being denied or revoked.

Medical Status Report forms are also required for non-duty related requests.

Both work and non-work related medical documentation is to be forwarded to [PD Medical](#) by either e-mail or via a secure fax line at (608) 261-9963. **It is preferred that medical documentation is sent electronically. Employees may take a photo of the medical document and e-mail it directly to PD Medical.** Medical documentation should never be sent to, or copied by, the employee's supervisor, commander or manager.

## REVIEW PROCESS

Once received, the Lieutenant of Personnel will review the medical/physical restrictions identified in the medical provider documentation, and will determine if the employee will be approved for restricted/light-duty status. The Lieutenant of Personnel will then notify the affected employee by phone or e-mail as to the status of their restricted/light-duty request. The employee's supervisor, commander or manager will also be notified. **All employees shall adhere to the medical restrictions that are identified by their medical provider.** Employees may be allowed to operate an unmarked City vehicle for work-related purposes only, provided their doctor has not restricted the employee's ability to drive. Employees are not allowed to come to work if using prescription narcotics that cause impairment or if using medication that causes impairment. **Commissioned employees will not be allowed to carry a firearm on duty while on restricted/light-duty status unless pre-approved by the Lieutenant of Personnel or the Captain of Centralized Patrol Services.** Such approvals may be made when there are threats made to the officer or in circumstances where there is a heightened risk of threat to law enforcement. However, exceptions cannot be approved when the officer has an injury that inhibits the safe use of a firearm. If approved, officers cannot be identifiable as police personnel; firearms are to be concealed at all times.

**Please note that an employee will not be allowed to return to work in with a restricted/light-duty status or allowed to return to work in with a full duty or unrestricted status until appropriate medical documentation is received, reviewed and approved by the Lieutenant of Personnel or the Captain of Centralized Patrol Services.** Employees must return to their normal work assignments timely, consistent with their physician's or treatment provider's recommendation and/or certification once reviewed by the Lieutenant of Personnel or the Captain of Centralized Patrol Services.

## ASSIGNMENT/SCHEDULE

The Lieutenant of Personnel shall be responsible for determining the employee's initial work assignment, schedule and shift. **Priority will first be given to organizational need(s). If no larger organizational need exists, then consideration will be given to assigning the employee to their district or work unit. The Lieutenant of Personnel will determine if it is necessary to re-assign commissioned light-duty employees should a greater organizational need develop.**

Commissioned employees re-assigned to restricted/light-duty status may not start earlier than 6:00 a.m. and no later than 3:00 p.m. Commissioned employees must attend a shift within this timeframe that offers a Patrol

or Detective Briefing. This guideline may be modified by a commander based on operational need and/or the employee's normal work assignment. **If a commissioned employee's work shift is changed by a commander, it is the responsibility of the commander or employee to make timely notification to PD Payroll of the change as shift differential pay may be a consideration.** Civilian employees will be afforded work assignments consistent with City APM 2-7 and the Employee Benefits Handbook for General Municipal and Non-Represented Employees, subject to their specific medical work restrictions and current practice. All training/special assignments must be reviewed for approval by the Lieutenant of Personnel to assure that employees do not perform work that exceeds their medical/physical restrictions.

Any changes in work hours must be pre-approved by a commander or civilian manager. The following also applies to commissioned employees:

- While on duty, commissioned employees may not take police action or otherwise engage in any action that places the employee at undue risk, wear military-style uniforms, display badges, carry firearms, or operate marked police vehicles without authorization by the Lieutenant of Personnel or in his/her absence, the Captain of Centralized Patrol Services.
- If a firearms qualification or any mandatory training is missed by a commissioned employee while on light duty, the employee is required to arrange a mutually agreeable time with a member of the Training Team in order to successfully complete the qualification course or the required training before returning to full duty. Exceptions can be considered by the Captain of Training or his/her designee.

## ADDITIONAL REQUIREMENTS

- Employees who will likely request restricted/light duty status for more than two weeks may be required to submit FMLA paperwork. In addition, employees that are or will be approved for non-duty related restricted/light duty status for two months or more, may be subject to a Work Hardening Plan process that is managed by the City of Madison's Human Resources Department. This specific process requires that an employee's medical provider submit a medical plan that outlines how the employee will progress towards full or unrestricted duty status.
- Employees who will likely request restricted/light duty status for more than two weeks may be required to submit FMLA paperwork. In addition, employees that are or will be approved for non-duty related restricted/light duty status for two months or more, will be required to have their medical provider submit a medical progress report to the Lieutenant of Personnel. An updated medical/healing progress report must be submitted every two months that the employee remains in a temporary restricted duty assignment. Medical progress reports are not required for employees in a temporary restricted duty assignment due to pregnancy.
- Temporary restricted duty assignments are limited to eight (8) months (35 weeks total). On a case by case basis the Chief may approve an extension not to exceed twelve (12) total months (52 weeks).
- Temporary restricted duty assignments are only available if it appears the employee will be able to return to his/her original position (with an ability to perform the essential job tasks of the position). If the employee's medical provider determines that the employee is no longer making progress towards unrestricted duty status, the temporary restricted duty assignment will be discontinued and the employee will be placed on appropriate leave status.
- If the department does not receive the required two-month progress reports in a reasonable timeframe the temporary restricted duty assignment will be discontinued and the employee will be placed on appropriate leave status.
- The length of an employee's restricted duty status will be measured by allotment, to include the time period where any extensions to the initial allotment are granted. This means that once an employee is approved for restricted duty status, their allotment will commence, to include re-occurrences of the same illness/injury, or any additional injuries/illnesses that may occur within the same timeframe. This provision will not interfere with or supersede any requirements mandated in APM 2-45. Any

leave taken during the period that the employee is in restricted duty status will not extend the employee's restricted duty allotment.

**Assignments filled by restricted/light duty personnel are to be temporary, and will not become, permanent positions.**

## TELESTAFF

There are additional administrative guidelines that need to be followed daily while an employee is on restricted/light-duty status:

- It is important that the affected employee's Telestaff calendar reflects the actual time worked by using either the appropriate "**Light Duty: Non-Duty Related**" or the "**Light Duty: Workers Comp**" work code. Never add an Adjust Work Hours work code.
- Employees are required to also use Telestaff to document the work they perform. To accomplish this, employees will have to "edit" their Light Duty Work Codes while on restricted/light duty status. Employees are required to fill-in the Detail Code with their assignment location. In the Note Field, employees are to type in a brief reference to the work they did that day.

## AUDIT/COMPLIANCE VERIFICATION

- Once approved for restricted/light duty status, employees may be required to have an initial meeting with the Lieutenant of Personnel. For extended light duty requests, monthly meetings will occur. **This is mandatory.** The purpose of these meetings is to relay expectations and assure compliance with this SOP and intended purpose of City **APM 2-7**. It is also an opportunity to discuss the ongoing needs of the employee where FMLA and other City APM's may afford the employee additional benefits and assistance.
- Supervisors/commanders of the work units where employees are physically assigned are responsible for auditing the work that their restricted duty employees are performing to assure that meaningful work is being accomplished, consistent with City **APM 2-7**. This audit process includes verifying that the employee's daily Telestaff record is accurate.
- When a work unit does not have meaningful work, the Lieutenant of Personnel is to be contacted. The Lieutenant of Personnel will determine whether there is meaningful work in a different unit and will reassign the employee as appropriate.
- Should an employee be approved for an extended period in a restricted/light duty status, the employee may be moved from their current work unit and reassigned. The purpose of this reassignment is to avoid creating a permanent restricted/light duty position.

Original SOP: 04/17/2015

(Revised: 10/22/2015, 03/04/2016, 01/13/2017, **09/06/2017**)



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### Tuition Reimbursement and Educational Incentive (MPPOA)

Eff. Date 05/23/2017 - 09/08/2017

#### Purpose

The Madison Police Department (MPD) has implemented various procedures to provide appropriate reimbursements per the MPPOA contract. This SOP is to explain the procedures an employee will need to follow in order to access the provisions in the MPPOA contract related to educational incentive pay and tuition reimbursements.

#### Procedure

##### EDUCATIONAL INCENTIVE

- When an officer applies for employment, part of the application process is to submit transcripts. These transcripts are verified by the Lieutenant of Training. Verification will include ensuring that college level courses are from an institution listed by name in the MPPOA contract, or from an institution accredited by an organization approved by the US Dept. of Education and the MPD Police Chief. Any credits from a foreign institution or from an unaccredited US institution must be converted to US accredited equivalencies. Applicants who are providing this information as part of our hiring process and current employees who are seeking an educational benefit are subject to this requirement and are responsible for all costs related to this process. Once hired, this information is provided to the MPD Finance Unit by the Training Program Assistant, in order to track eligibility for educational incentive. The educational incentive is added to the officer's first full paycheck after completing 42 months of continuous employment as a commissioned member of the MPD. Current employees will be provided their educational incentive once a degree is earned and is determined eligible, pursuant to the accreditation requirement cited above.
- When the officer completes the 42 months of service, the MPD Account Tech will calculate the appropriate educational incentive from the hiring transcripts and years of service. If an officer completes any coursework between the date of hire and the completion of their probation, it is their responsibility to ensure that the appropriate transcripts and/or other paperwork is submitted to the MPD Finance Unit in order to update their beginning educational incentive amount.
- Prior to the start of an officer's educational incentive, MPD Finance staff will email each officer the educational incentive percentage for which they are eligible based on the initial documents. The officer should review this information and notify MPD Finance immediately if there are any issues or concerns with the percentage level calculated. **Any concerns must be communicated within 30 days.**
- If an employee has **less than** a bachelor's degree, a file will be maintained in the Finance Unit to track ongoing awards of training points and/or credits. Per the current MPPOA contract the following information is used to determine the number of points and credits each employee has earned:
  - All credits from an approved educational institution will be counted as credits except for the following:
    - Transfer credits are included if they are listed individually and the transcript clearly demonstrates that there is no duplication. If the transcript doesn't include the detailed information, the Finance Unit will require the officer to submit a transcript from the awarding institution in order to verify that the credits are for added coursework, not duplicates.
    - Testing credits are included if they are for regular courses (e.g., math, English, etc.) that are counted by the educational institution towards a degree program.
    - Neither Transfer nor Testing credits will be counted as credits if they are for "life experience," for police work or for the police academy. Non-degree testing credits are also not counted.
    - Once an employee earns a degree from an approved/accredited institution, they are entitled to the full educational incentive for that degree, regardless of whether some of the credits were testing or transfer credits.
  - If an associate's degree has been awarded with less than 70 credits, additional points will be awarded to total 70 points. Coursework at any technical college will not add to credits above 70. Once 70 credits have been earned at a two year school, any additional credits will count only as points.

- If an officer transfers credits from one school to another, they can only count one time. (For example: if an officer takes 10 credits at one college and they transfer to a second college and an associate's degree is received, those 10 credits become part of the 70 points awarded for an associate's degree. They cannot count twice. If only 6 credits transfer, then 6 will be included in the 70 and 4 will be added to the 70 **IF** they were taken at a four year college. If they were taken at a two year college, they do not increase the credits achieved.)
- Since the MPPOA contract awards educational incentive at a different rate for points vs. credits, these will be tracked separately. (For example, in the current MPPOA contract: A 15% educational incentive is either 130 points **OR** 96 college credits.)
- As Tuition Reimbursements are paid, those additional credits will also be added to the Education Incentive file to help track the officer's progress. **Submission of transcripts with a request for reimbursement will be considered proper notification to your departmental PD Purchasing under Article VIII, i.e., for additional incentive points – unless there is a discrepancy between the grade report and previously received transcripts.**
  - If a discrepancy is noted between the transcripts and the grade report, the officer will be notified that they should submit a current and complete transcript to ensure that the points/credits are up-to-date. There will be no update in the educational incentive until the discrepancy is resolved.
- Accredited vocational school courses with non-transferable as well as transferable credits will receive full credit. Non-accredited vocational and military courses will count as 1/48 point. Appropriate documentation of hours attended at either vocational or military courses will be required in order to receive points.
- Re the current MPPOA contract (For the period January 1, 2016-December 31, 2017): Appendix 'A' item C7, 1/16 of a point is awarded for each class hour at approved seminars, short courses, etc., conducted by state, federal or other training agencies, outside the in-service or other MPD training provided by the department.
  - The documentation needed for this is proof that an officer attended and, if applicable, passed the course. This would be in the form of a diploma/certificate. Documentation must be provided by the employee to the MPD Finance Unit within six months of completion of the course. Providing documentation to MPD Training personnel will not be considered as fulfilling the requirement to provide this documentation to the Finance Unit. Documentation must include the date of the course, total number of hours attended, location of the course and information regarding who provided the training.
  - Training completed pre-employment, will not be given points.
  - Training that is provided by MPD personnel is not eligible for training points.
  - Training hosted by the MPD (usually at the Training Center) may be eligible for training points provided that the course is taught by non-MPD personnel, and is not counted toward the required in-service or employee development needed to maintain state certification.
- One point is added for each full year of service in the department, to be given on each officer's anniversary date.
  - Every year the Account Tech will update the year on each officer's sheet to increase the points by one. The Account Tech will then evaluate if a step increase is warranted.
- If a new incentive level is reached, the Account Tech will submit the appropriate paperwork to payroll.
  - Educational Incentives start at the beginning of the next pay period **AFTER** the employee submits the documentation. **Educational Incentive is never backdated.**
- The Account Tech will then email the employee of the change in education incentive pay with a reminder that the employee should verify the incentive level. **It is ultimately the officers' responsibility to verify all points are correct and the correct incentive level is given.**

*Please refer to the MPPOA contract for the outline of educational incentive percentages for each level of points/credits.*

## TUITION REIMBURSEMENT

Tuition Reimbursement is for members of MPPOA once they successfully complete all parts of the pre-service academy and all field training phases. Any officer that leaves the department with less than five years of

service, following receipt of tuition reimbursement, will need to repay 100% of those funds received in those five years unless they are eligible for WRF, SS, or other public employment fund annuities.

**This procedure is for those officers seeking their FIRST bachelor's degree only.** (Once a bachelor's degree is attained, no additional bachelor's level courses are authorized for tuition reimbursement.)

- In Mid-October, the Chief will send out a memo outlining the process for those who will be seeking tuition reimbursement for the subsequent year.
- Officers must fill out the Tuition Request Reimbursement Form, which is emailed along with the Chief's memo, and submit it to the Chief by November 1<sup>st</sup> of the year preceding the year in which they are seeking reimbursement.
  - The form should provide the name of the college that the officer will be enrolled in, the classes that the officer plans to take and the cost of each course.
  - If the officer does not know exactly which classes they will take, they should list the number of classes and the cost per class or cost per credit. If the initial application is approved, prior to enrolling in the classes, the officer will contact the Account Tech with a list of classes and the costs. The Account Tech will submit the list to the Chief of Police for approval. Classes which are not approved will not be eligible for reimbursement.
  - Undergraduate internships may be allowable, but the officer is required to submit for review papers required in conjunction with the internships for which college credits are awarded.
  - In general, coursework should be taken at an institution listed as approved in the MPPOA contract, or at an institution that is US accredited by an organization approved by the US Dept. of Education. Any exceptions will need to be approved in advance by the Chief of Police.
- The Chief will review all requests and inform the applicants by December 31st of their status.
- The Account Tech will notify each applicant of their approval and remind them of the process to follow once they have successfully completed the course.
- Once the undergrad applications are approved, the Chief will make a decision if funds will be made available to officer's seeking a master's degree. This procedure will be determined by the Chief.
- **Within 30 days of completion** of an approved course, the officer will need to fill out the Reimbursement Request form located under Forms on the Police Intranet. **They will submit this form by email, along with the grade report and a paid invoice, to the MPD Finance Unit at [PDFinance@cityofmadison.com](mailto:PDFinance@cityofmadison.com).**
  - Only amounts that are paid by the officer will be reimbursed. Tuition paid for by grants or scholarships will not also be reimbursed by the City.
  - Fees, books, interest or service charges or other miscellaneous costs are the responsibility of the employee and will not be reimbursed by the City.
- **Courses must be completed in the calendar year they are approved.** If an officer is unable to complete a course within the calendar year, they need to notify the Account Tech. If a course starts in one year, and ends in the next year, the tuition reimbursement process for the year in which an officer receives the reimbursement will need to be followed. (For example: if a course starts in November 2014 and ends in January 2015, the grade report will not be received until February 2015 so the reimbursement request will be made in 2015. The officer in this scenario would follow the tuition reimbursement process that starts in November of 2014 for the 2015 calendar year.)
- **Tuition reimbursement funds do NOT carry forward from one year to another. If you do not take the courses in the year for which they were approved, you will need to reapply for funding for the year in which you will take them.**
- As soon as an officer becomes aware that they will not be completing all the approved courses, they should email the Account Tech so that the funds can be released to other officers who were not granted the full amounts of their requests.

### Procedures for Master Level Tuition Reimbursement

If additional funds are available after the undergrad monies are awarded **AND** the Chief so decides, this process may be opened up to officer's seeking a master's degree.

- After the funding for bachelor's level tuition has been awarded, the Chief will have a memo sent out announcing the opportunity to submit requests for master's degree reimbursement. All courses need to be in a related field.
- Only graduate level courses are acceptable, unless the under grad course is a prerequisite for acceptance into an approved master's degree program. Internships and other alternate courses are currently not allowed.
- In general, coursework should be taken at an institution listed as approved in the MPPOA contract, or at an institution that is US accredited by an organization approved by the US Dept. of Education. Any exceptions will need to be approved in advance by the Chief of Police.
- The officer will need to compose a memo indicating why their courses will benefit the MPD and how it relates to their current duties.
- Only applications received by the due date will be considered.
- Once the Chief reviews them and makes his decision, a memo outlining the officer's award will be sent out.
- The process for receiving reimbursement for a master's program is the same as outlined above for a bachelor's program.

Original SOP: 04/01/2014

(Revised: 02/24/2016, 02/08/2017, 05/23/2017, 09/08/2017)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Major Case Investigations

Eff. Date 04/23/2015 09/15/2017

### VCU Major Cases

#### INITIAL CONTACT/ASSIGNMENTS

When a major case, typically a homicide (or attempted homicide that might require a Command Post) has occurred, the OIC or field supervisor should:

- If normal VCU working hours, contact the VCU Detective Sergeant directly.
- If outside normal VCU working hours, the on-call Detective Lieutenant should be called per current practice.

If the on-call Detective Lieutenant determines the case will likely fall within the scope of VCU responsibility venue, the VCU Detective Sergeants should be contacted. If outside normal VCU working hours, the Investigative Services Lieutenant should be contacted. If he/she is unavailable, one of the off-duty VCU Detective Sergeants should be contacted. If the Investigative Services Lieutenant or Sergeants are unavailable, the Investigative Services Captain should be contacted. If it is unclear whether the incident should be investigated by VCU or by the District where the incident occurred, the Investigative Services Captain and District Captain should be contacted to discuss the circumstances and determine the appropriate assignment. If he/she is unavailable, the Investigative Lieutenant should be contacted. If the Detective Sergeant is contacted, he/she will then notify the Investigative Lieutenant, who will in turn notify the Investigative Captain.

The Investigative Services Captain will ensure the notifications are made to the following per current protocol:

- Madison Police Department (MPD) Chiefs
- Assistant Chiefs
- District Command staff

If the determination is made that the incident is a major case requiring a command post, the VCU will have overall responsibility for managing the incident and the command post. Generally, a command post should be established—and an incident considered a major case—if it is a serious offense requiring significant coordination of investigative resources. The District Captain, Assistant Chief of Investigative and Specialized Services, and Assistant Chief of Operations should be contacted as soon as reasonable.

The need for a Command Post in other types of crimes where the VCU is the primary investigating unit is possible, and that decision can be made on a case specific basis by unit supervisors.

The decision to establish a Command Post should be made after consulting with the Detective Sergeant of the Violent Crime Unit, or the Investigative Services Lieutenant. If neither of these are available, the Investigative Services Captain should be contacted.

The Investigative Services Lieutenant is responsible for determining what resources are needed and ensuring that those resources they are contacted. The Investigative Services Lieutenant and VCU Detective Sergeant will be responsible for designating a lead detective. The Investigative Lieutenant should consider utilizing detectives from the BCU BPCU and SIU, as well as detectives from the affected district, to supplement VCU detectives. (One district detective needs to be assigned as the primary district detective who will be imbedded in the VCU until its it is mutually agreed upon for him/her to return to their district).

#### COMMAND POST

A command post will be set up to direct the overall operation of the investigation. The Investigative Services Lieutenant will select the location of the command post based on the needs of the case (typically the appropriate district station). The Command Post will be run out of this district, ideally for the first 24-48 hours

(as the investigation dictates); then, if it's necessary for the CP to continue operations after this time, the CP will be transferred to the Central District Incident Command Room.

While the needs of cases vary, it is recommended that the command post be staffed as follows (in an effort to maintain consistency within Command Posts):

- Investigative Lieutenant (overall incident commander); if the Investigative Services Lieutenant is unavailable, this position should be filled by another Commander (generally a district Detective Lieutenant)
- VCU Detective Sergeant
- CIS Personnel (One Supervisor and one Officer)
- Logistic Officer, if needed
- Command Post Assistant or Investigative Support Officer (if needed)

Back up to the following personnel should be as follows:

- Investigative Lieutenant should be relieved by the District Detective Lieutenant.
- VCU Detective Sergeant should be relieved by the other VCU Detective Sergeant or the BCU BPCU Detective Sergeant
- If the other VCU Detective Sergeant or the BCU BPCU Detective Sergeant is not available, this role can be filled by the District Detective Lieutenant if it's determined necessary.

## RESPONSIBILITIES

### **Investigative Captain**

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- Make appropriate notifications, as needed:
  - Chiefs
  - District Command
  - DA's office (if appropriate and in all homicide cases)
- Ensure Investigative Lieutenant has necessary resources
- Keep Chief and Assistant Chiefs apprised of investigation
- Communicate with budget office staff for AMPS overtime implications case number cost accounting

### **Investigative Lieutenant and Detective Sergeant**

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- Overall management of the case
- Identify Lead and Scene Detectives
- Make investigative assignments:
  - Designate lead detective
  - Designate lieutenant and detective to oversee each scene
  - Coordinate investigative response to hospitals (if appropriate)
  - Designate detective to serve as liaison to victim families
  - Coordinate MPD detectives presence at autopsy (if appropriate)
  - Work with District Det. Lieutenant to designate primary district detective assigned to VCU
  - Identify and coordinate other investigative tasks, as needed
- Communicate and coordinate efforts with the Scene Lieutenant
- Communicate and coordinate efforts with CIS Supervisor
- Communicate and coordinate efforts with Case Lead Detective
- Communicate with the OIC
- Communicate with Command Staff
- Designate case as "Extraordinary" for TeleStaff/payroll purposes, if appropriate
- Communicate with budget office staff for case number cost accounting
- Facilitate the release of information to MPD personnel through briefing and other police agencies
- Collaborate with the PIO, case detective, Investigative Captain, and District Captain on case press releases

- Communicate with District Attorney staff and with case detective.
- Review reports for investigative leads.
- Management of Violent Crimes Unit personnel (assignments, monitoring hours worked, etc.).
- Managing overtime and arranging relief for Investigative personnel.
- Critical incident debriefing needs.
- Evaluate need for support staff.
- Notify Property Room staff and evaluate needs, if applicable.
- Create and prioritize a task list of work to be done.
- Organize and lead briefings and debriefings of case investigators.
- Organize and coordinate case information.
- Ensure phone calls made to the command post are answered and information recorded.
- Evaluate need for a detective to be assigned to family members (victim, suspect, witness, etc.).
- Arrange for special equipment or needs of the investigation.
- Ensure that a timeline is started and kept up to date.
- Oversee report completion and process (see below).
- Brief incoming commander when being relieved.
- Make sure log is maintained.
- Manage the “to do list.”

### **Lead Detective**

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- Provide input to case lieutenant on investigation, assignments, etc.
- The lead detective should shall have an opportunity early in the investigation to view the crime scene.
- The lead detective should have an opportunity to view critical evidence prior to it being secured/packaged.
- Participate and provide direction during evidence processing discussions between command post CP, Lab, and on- scene forensic and investigative personnel.
- Coordinate needs with Property Room staff, if applicable.
- Generally, remain in command post to maintain overall perspective on case and investigation.
- Lead detective may assist in significant investigative tasks (suspect interview), if appropriate.
- Co-lead or backup lead should generally assist with investigation and not remain in command post, unless relieving lead detective.
- Review all incoming information by participating in briefings and de-briefings of investigative staff.
- Review incoming reports for investigative leads.
- Monitor Task lists/tips and prioritize for assignment.
- Coordinate questions used in canvassing.
- Monitor and provide input on information released to the media/public.
- Assist case lieutenant in briefing the District Attorney.
- Work closely with assigned Assistant District Attorney.

### **District Command Staff**

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- Provide assistance to Investigative Detective Lieutenant, as needed.
- Work with Investigative Captain to make necessary notifications.
- Maintain familiarity with case and investigation.
- Assist with notifications (Management Team, Alders, etc.), if needed.
- Assist in the press releases.
- Ensure that MPD Peer Support has been notified of the incident
- Plan any necessary patrol debriefings.
- Coordinate with VCU on the sharing of information internally.

## CIS Personnel

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Upon request from the Violent Crimes Unit, CIS will respond directly to the Command Post as soon as possible. CIS will immediately provide one CIS Supervisor (if needed) and one CIS Officer in the Command Post for the first 72 hours. If special circumstances are present, VCU Commanders can extend CIS assignment beyond the 72 hours.

The CIS Supervisor and/or Officer will:

- Communicate with and assist the Investigative Lieutenant.
- Evaluate and ensure that adequate CIS resources are called-in. – i.e. additional CIS Officers/Gang Unit CPGU/CAU/Crime Stoppers/SIU/Investigative Support Officer.
- Ensure that the Electronic Log Sheet is set-up for assigned staff to make log entries.
- Establish and post the, “CIS Requests To Do List,” to best determine CIS request priorities. This list will be maintained by CIS and displayed in the CP in order for CP Commander, Lead Detective, and CIS Sgt./Officer to best determine the CIS request priorities.

## Non-VCU Major Cases

### INITIAL CONTACT/ASSIGNMENTS

When a major case has occurred, and it has been determined the Violent Crimes Unit will not be primary investigating unit, the OIC or field supervisor should initially make contact with the Detective Lieutenant from the district in which the incident occurred, if the incident occurs during normal working hours. During off-hours, the on-call Detective Lieutenant should be contacted. If the determination is made that the incident is a major case requiring a command post, the Detective Lieutenant from the district in which the incident occurred should be contacted; he or she will have overall responsibility for managing the incident. Generally, a command post should be established – and an incident considered a major case – if it is a serious offense requiring significant coordination of investigative resources. The District Captain and Assistant Chief of Operations should be contact as soon as reasonable. Factors to be considered when determining whether an incident should be considered a major case and whether a command post should be established include:

- Is the offense a homicide, attempted homicide, in-custody death, Officer-Involved shooting, serious serial crime, or any other serious crime when needed?
- Did the incident result in a severe level of injury (death, great bodily harm, hospitalization)?
- Is there a danger to the community?
- Are there a large number of suspects/contacts involved?
- Does the incident/investigation involve multiple jurisdictions?
- Are there multiple tasks to be prioritized and immediately assigned that, if not addressed quickly, would harm the investigation or result in danger to individuals or the community?
- Are there a significant number of investigative personnel involved in the investigation requiring immediate briefing and assignment?
- Is there a Commander, Supervisor-available involved to run the Command Post?

The absence of some or all of these factors does not negate the need for a Command Post in other circumstances, but commanders will want to consider which additional resources would be needed for less serious cases.

If the Detective Lieutenant from the district in which the incident occurred is not available, a Detective Lieutenant from another district should be contacted as indicated (if no Detective Lieutenants are available, other command staff should be contacted):

- South backs up West
- West backs up South
- North backs up East
- East backs up Central
- Central backs up North

The Detective Lieutenant is responsible for determining what resources are needed and ensuring that those resources they are contacted; and for designating a lead detective. Generally, detectives should be contacted/assigned in this order:

- District detective from appropriate assigned specialty
- District detective with appropriate skills/experience
- Out-of-district detective from appropriate assigned specialty
- Out-of-district detective with appropriate skills/experience

These should be viewed as guidelines; they may be deviated from if circumstances warrant, but the tasks still need to be completed.

## COMMAND POST

A command post will be set up to direct the overall operation of the investigation. The case Lieutenant will select the location of the command post based on the needs of the case (typically the appropriate district station).

The case Lieutenant will generally be the Detective Lieutenant assigned to the district where the crime occurs, or, in his/her absence, the back-up Detective Lieutenant. While the needs of cases vary, it is recommended that the command post be staffed as follows:

- Case Detective Lieutenant (overall incident commander)
- Case Lead Detective
- CIS Personnel (one supervisor and one officer) Logistic Officer, if needed
- Logistic Officer (if needed)
- Command Post Assistant or Investigative Support Officer (if needed)

## RESPONSIBILITIES

### **Case Detective Lieutenant or Case Commander**

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- Overall management of the case;
- Identify Case and Scene Detectives;
- Make investigative assignments:
  - Designate lead detective and co-lead (if appropriate);
  - Designate lieutenant and detective to oversee each scene;
  - Coordinate investigative response to hospitals (if appropriate);
  - Designate detective to serve as liaison to victim families;
  - Coordinate MPD detectives presence at autopsy (if appropriate);
  - Identify and coordinate other investigative tasks, as needed;
- Communicate and coordinate efforts with the Scene Lieutenant;
- Communicate and coordinate efforts with CIS Supervisor;
- Communicate and coordinate efforts with Case Lead Detective;
- Communicate with the OIC;
- Communicate with Command Staff;
- Make appropriate notifications, as needed:
  - Chiefs
  - District Command
  - DA's office (if appropriate and in all homicide cases)
- Communicate with budget office staff for case number cost accounting;
- Designate case as "Extraordinary" for TeleStaff/payroll purposes, if appropriate;
- Facilitate the release of information to MPD personnel through briefing and other police agencies;
- Collaborate with the PIO, case detective and District Captain on case press releases;
- Communicate with District Attorney staff with case detective;
- Review reports for investigative leads;

- Management of personnel (assignments, monitoring hours worked, etc.).
- Managing overtime and arranging relief for staff.
- Critical incident debriefing needs.
- Evaluate need for support staff.
- Notify Property Room staff and evaluate needs, if applicable.
- Create and prioritize a task list of work to be done.
- Organize and lead briefings and debriefings of case investigators.
- Organize and coordinate case information.
- Ensure phone calls made to the command post are answered and information recorded.
- Evaluate need for a detective to be assigned to family members (victim, suspect, witness, etc.).
- Arrange for special equipment or needs of the investigation.
- Ensure that a timeline is started and kept up to date.
- Oversee report completion and process (see below).
- Brief incoming commander when being relieved.
- Keep Chief and Assistant Chiefs apprised of investigation.
- Make sure log is maintained.
- Manage the "to do list."

### **Lead Detective**

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- Provide input to case lieutenant on investigation, assignments, etc.
- The lead detective ~~should~~ shall have an opportunity early in the investigation to view the crime scene.
- The lead detective should have an opportunity to view critical evidence prior to it being secured/packaged.
- Participate and provide direction during evidence processing discussions between CP, Lab, and on-scene forensic and investigative personnel.
- Coordinate needs with Property Room staff, if applicable.
- Generally, remain in command post to maintain overall perspective on case and investigation.
- Lead detective may assist in significant investigative tasks (suspect interview), if appropriate.
- Co-lead or backup lead should generally assist with investigation and not remain in command post, unless relieving lead detective.
- Review all incoming information by participating in briefings and de-briefings of investigative staff.
- Review incoming reports for investigative leads.
- Monitor Task lists, tips and prioritize for assignment.
- Coordinate questions used in canvassing.
- Monitor and provide input on information released to the media/public.
- Assist case lieutenant in briefing the District Attorney.
- Work closely with assigned Assistant District Attorney.

### **District Command Staff**

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- Provide assistance to Case Detective Lieutenant, as needed.
- Maintain familiarity with case and investigation.
- Assist with notifications (Management Team, Alders, etc.), if needed.
- Assist with coordination of internal information sharing.
- Ensure that MPD Peer Support has been notified of the incident
- Notify Finance Section of Major Case.
- Assist in the press releases.

### **CIS Personnel**

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Upon request from the District, CIS will respond directly to the Command Post as soon as possible. CIS will immediately provide one CIS Supervisor (~~if needed~~) and one CIS Officer in the Command Post for the first 72

hours. If special circumstances are present, District Commanders can request to extend CIS assignment beyond the 72 hours through the Investigative Support Captain or Lieutenant.

The CIS Supervisor and/or Officer will:

- Communicate with and assist the Case Detective Lieutenant.
- Evaluate and ensure that adequate CIS resources are called in (e.g., additional CIS Officers/**Gang Unit/CPGU, CAU, Crime Stoppers/SIU/Investigative Support Officer**).
- Ensure that the Electronic Log Sheet is set up for assigned staff to make log entries.
- Establish and post the, "CIS Requests To Do List," to best determine CIS request priorities. This list will be maintained by CIS and displayed in the CP in order for CP Commander, Lead Detective, and CIS Sgt./Officer to best determine the CIS request priorities.
- Generate and Search Available Intelligence venues.
- Create a timeline, link chart or perform other analysis, as needed.
- Communicate and obtain information from outside resources.

### **Logistics Officer**

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Coordinate and process requests for additional resources, support, materials for the incident. Review the incident action plan, and estimate needs for the next operational period.

### **Command Post Assistant**

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While it is recognized that this position is not required in all cases, the workload of some cases is so significant that additional help may be needed in the command post. This position is staffed at the discretion of the case Detective Lieutenant. If staffed, this position will be expected to assist and support the needs of the case Detective Lieutenant and the CIS Supervisor as requested. This position could be staffed by investigative support personnel, CIS personnel, or another commander.

### **Crime Scene**

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Once a crime scene has been identified and secured, it must be protected from contamination; therefore, the number of personnel allowed in the crime scene must be limited and strictly controlled. Access to the crime scene is limited to personnel needed to effectively process the scene, as determined by the Crime Scene Lieutenant. In most instances this includes only FSU personnel, scene and/or lead detective, and those directly assisting them.

**Note: Coordination with the FSU Lieutenant and Investigators should be done prior to entering scene as videotaping of the crime scene should be done prior to anyone entering.**

### **Crime Scene Lieutenant**

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- Typically the Crime Scene Lieutenant role is filled by the district operations Lieutenant
- Overall responsibility for the management, security and processing of the crime scene.
  - Respond directly to scene.
  - Relieve patrol sergeant of overall scene responsibility.
- Assignment of perimeter security positions.
  - Maintain inner and outer perimeter.
  - Ensure that scene is properly secured.
  - Ensure that officer is assigned to maintain log of who enters scene.
- Coordinate assignment of detectives at scene with case detective lieutenant.
- If necessary, request mobile command post response (CV-1).
- Verify that legal authority exists to perform complete search/processing of scene.
- Work with the FSU Lieutenant to coordinate the investigative efforts of Detectives and Investigators.
- Control access to the scene to reduce contamination.

- Management of personnel (assignments, monitoring hours worked, etc.).
- Managing overtime and arranging relief for staff.
- Evaluate resource needs:
  - Additional personnel
  - Special equipment
- Coordinate area canvass.
- Establish staging area for media:
  - In absence of PIO, serve as point of contact for media.
  - Coordinate any media releases with command post.
- Ensure **crime scene log** is maintained.
- Coordinate responsibility of scene with FSU Lieutenant or other supervisor.
- After scene stabilizes and assignments are given, respond to the Command Post.
- Assist the Case Lieutenant, as needed.

### **FSU Lieutenant**

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- Overall responsibility for directing the collection and processing of evidence.
- Communicate and work with **Crime Scene crime scene** Lieutenant to coordinate the efforts of Investigators and Detectives.
- Work with **Crime Scene crime scene** Lieutenant to determine which evidence Investigators will collect and which evidence Detectives will collect.
- Determine the need for outside agency assistance with processing scene/evidence.
- FSU Lieutenant may request the County Crime Scene Vehicle through the DCSO OIC, if needed.
- Ensure Lead Investigator has been selected as the representative for the FSU.
- Make sure Lead Investigator briefs CP staff at completion of scene processing.
- As conclusion of incident, a formal After Incident Review will take place incorporating the FSU personnel and the Detective Team of the affected district.

### **Crime Scene Detective**

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- Respond directly to scene.
- Conduct work as assigned by the crime scene Lieutenant.
- Works with investigators, as assigned, identify evidence at the scene.
- Search the scene for evidence in accordance with proper authority and procedure.
- Search for clues and evidence to establish the elements of a crime and identification of suspects.
- Report to and discuss findings with the Crime Scene Lieutenant and Command Post.
- Relay case information to Investigators.

### **Investigators**

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- Lead Investigator will make contact with the **Scene Detective scene detective** to start information flow to the CP.
- Lead Investigator will coordinate processing efforts for multiple scenes utilizing Investigator pool on hand.
- Lead Investigator will gather information from all other active scenes and communicate those efforts to the CP.
- Process the scene and collect evidence under direction of the FSU Lieutenant or **Crime Scene crime scene** Lieutenant.
- The body bag seal will be photographed when it is placed on the bag at the scene.
- Video, photograph and create a crime scene diagram.
- Work with **Crime Scene crime scene** Detectives to identify evidence and process the scene.
- At conclusion of processing, Lead Investigator will go to CP and give final scene de-briefing on FSU collection efforts and to coordinate future operations.

## Canvass Personnel

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- Conduct canvass as directed by Scene Lieutenant scene lieutenant to locate witnesses or evidence.
- Utilize MPD Neighborhood Canvass form and questions as guideline for canvass.
- Screen contacts for persons requiring more detailed interviews.
- Document vehicle plates and descriptions from area (department's plate reader vehicle).
- Names on mailboxes.
- Share basic information about incident with residents (as approved by Scene Lieutenant) to calm fears and solicit information.
- Share canvass results with scene lieutenant and Command Post and complete report.

## Other Scene Personnel

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- Perform tasks as assigned by Scene Lieutenant scene lieutenant.
- Complete report documenting actions.

## Use of CV-1

- The Scene Lieutenant scene lieutenant is in charge of CV-1.
- CV-1 is a resource for personnel at the scene; it is not a substitute for the main command post.
- Entry to CV-1 is limited to those who have a specific need for access.
- Make request through the 911 Center for delivery to scene. Request MPD designee (Lt. Peregey, Sgt. Moore or Lt. Krueger Favour and lastly Capt. Gledde) to operate at scene and return after use.

## Hospital Assignment

- Supervisor should respond if possible.
- Detective or officer must stay with victim until released by the Command Post-command post (includes going into surgery, wearing proper hospital attire).
- Limit number of people in exam room or with victim.
- Obtain names of MFD personnel treating/transporting victim.
- Obtain names of ER personnel treating victim.
- If possible, an Investigator who has not been to crime scene shall assist in processing victim, clothing, and evidence. Swabs, photographs, and evidence collection shall be coordinated through the Investigator assigned to the hospital.
- Collect evidence (bedding, clothing, etc.), as needed.
- Obtain consent for release of medical information from victim, if possible.
- Check in with command post prior to leaving hospital.
- Hospital Investigator will link up with Dane County Medical Examiner personnel to ensure body recovery goes to protocol, and an autopsy time has been identified. This information will be passed on to the Lead Investigator and CP by the Hospital Investigator.

## TeleStaff/Payroll/Personnel Management

- Incidents that should be considered a TeleStaff Extraordinary Event:
  - All homicides
  - All officer involved shootings
  - All fatality or critical injury traffic crashes
  - All full-team SWAT activations
  - Other events likely to generate 30 or more hours of total overtime (including follow-up)

- If incident qualifies, notify MPD Payroll payroll. Notification must include date of incident, time of incident, location of incident, case number and brief explanation of incident (e.g. shots fired, attempted homicide, house explosion, etc.) Payroll notification should occur as soon as possible (preferably the date of the incident), but must take place prior to the close of payroll for the incident.
- All employees working the event need to be notified that overtime entries should be OT Extraordinary:
  - Manage overtime.
  - After an employee(s) has worked 10 continuous hours a supervisor should start to work on a transition plan for that employee(s), so the employee(s) does not work more than 12 continuous hours. If a supervisor deems it necessary to hold an employee(s) in excess of 12 continuous hours, the supervisor should evaluate:
    - How vital a role in the investigation does the employee have?
    - Is there a compelling reason the employee needs to work extended hours?
    - Does the employee show signs of fatigue?
    - Can the employee reasonably be relieved without adversely impacting the investigation?
    - Relieve the employee(s) as soon as possible.

## Autopsy Protocol

The Medical Examiner's Office will schedule an autopsy for all homicides, questionable deaths and unexplained deaths, unless the District Attorney's office has been consulted and agrees an autopsy is not necessary.

The scheduling and coordination of autopsies is the responsibility of the Medical Examiner's Office, giving due consideration to availability of the Medical Examiner, the ME's office resources, as well as the resources of the Madison Police Department (MPD).

When the body is removed from the scene, the Medical Examiner will place the body on a clean sheet. In criminal cases, the sheet will be collected as evidence at the conclusion of the autopsy.

At the autopsy, the seal shall be photographed before and after being cut and the Detective/Investigator detective/investigator will document the time/date of this process in his/her report. The body bag seal does not have to be collected and stored as evidence after being removed. The body bag shall be examined for trace evidence during the autopsy and will not be destroyed without consulting with the District Attorney's office.

The following will usually be collected:

- Fingerprints (MPD Investigator)
- Fingernail scrapings (occasionally)
- Fingernail clippings or swabs of fingernails, if nails are too short
- Blood (even if transfused) needed for DNA testing and toxicology
- DNA stain cards
- Clothing and personal effects of the deceased
- Photographs (MPD Investigator)
  - Photograph entire body with injuries prior to removing clothes and/or washing
  - Photograph entire body with injuries after body washing
  - Photographic after removing clothing
  - Photographs of case appropriate internal evidence
  - Photos of the body and autopsy should be reviewed by case detective prior to body being released

The following items should be considered for collection if case appropriate:

- Head hair, facial hair, body hair, pubic hair
- Skeletal X-rays (generally taken with infants if there is suggestion of abuse, occasionally taken with children)
- Body swabs

- Nasal swabs
- Sexual Assault kit

Detectives should consult with Investigator on special procedures or techniques and make arrangements for appropriate equipment. Coordination with the ME's office should take place prior to the autopsy.

Sexual Assault SANE exams are conducted by the Medical Examiner medical examiner. Sexual Assault exams SANE Exams should generally be requested in domestic homicides or in cases believed to involve sexual assaults.

Determining what should be collected during the autopsy is a collaborative effort between the Medical Examiner, Investigator, and Detective. medical examiner, investigator, and detective. The Medical Examiner medical examiner will usually collect:

- Blood, Urine, Vitreous: all necessary for toxicology
- Liver, Kidney, Bile, Spleen: toxicology in special circumstances
- Stomach contents: toxicology, pill fragments, investigative needs, timing information
- Lung, Liver, Fat: inhalation deaths
- Brain toxicology
- Other samples, as needed

The primary responsibility of the Dane County Morgue is for storage of samples obtained from an autopsy.

Evidence will be shipped to AIT by the Medical Examiner medical examiner. All refrigerated and freezer evidence resulting from an autopsy will be stored at the Dane County Morgue unless specifically signed out to MPD for testing by the Crime Lab at the request of the District Attorney.

The role of the Investigator is to assist in collecting evidence at the autopsy. Immediately after the autopsy, the Investigator will secure evidence collected. If there is need for further analysis by the Forensic Services Unit, FSU will take responsibility for that item. For autopsies on homicide victims, two Investigators will attend and collect/secure evidence, as needed.

The Detective present at the autopsy is responsible for documenting the preliminary findings regarding cause of death, as reported by the Medical Examiner medical examiner. This documentation should be succinct and within the ability of the Detective. The Detective shall consult with the ME for appropriate details.

A search warrant can be based on the preliminary findings of the autopsy. However, Detectives should be mindful of the need to carefully document and clarify the Medical Examiner's medical examiner's findings to prevent a misunderstanding or misinterpretation of a ME's his/her (ME's) statement.

When the cause of death is pending toxicology, AIT will initially test specimen samples as requested by the Medical Examiner medical examiner. The District Attorney may request secondary tests conducted by the Crime Lab. The samples will be obtained from the Medical Examiner's medical examiner's office and transported to the Crime Lab by the case Detective. Those requests may be appropriate when investigating an unexplained death, gunshot wounds, or drug overdoses. When submitting requests, the case Detective will need to specify the reasons and tests needed. The results will be provided to the specific Detective who submitted the request and to the Medical Examiner's Office.

The Medical Examiner's Office collects blood to send to AIT on most deaths. The Medical Examiner's Office may request a presumptive test as well if the death is a suspected drug overdose.

In all drug overdose or suspected drug overdose cases, the Medical Examiner will collect blood to be analyzed by AIT. If there is a probability that criminal charges will be filed or there is a questionable death, the Detective, at the request of the District Attorney, will transport the specimen to the Crime Lab as soon as possible. If there are no criminal charges or suspect identified, then the Detective can wait until the results of the Medical Examiner's medical examiner's test is made available.

If death occurs at a hospital or medical facility, the District Attorney's Office can obtain a subpoena for the facility's medical information and documentation of the deceased, if necessary.

Release of information regarding cause and manner of death in homicides, questionable and unexplained deaths, shall be made by the Medical Examiner's Office after consulting with the District Attorney and case detective. Media requests to MPD for that information should be referred to the Medical Examiner's Office.

Organ Donation – The investigating law enforcement agency and the District Attorney must be consulted before authorizing the harvest of organs. Bone and tissue harvesting will only be done after the autopsy. Organs will be harvested in a hospital operating room.

The **M**edical **E**xaminer will not release the body of the deceased before consulting with the case **D**etective and District Attorney's Office.

Most autopsies should have no more than one **D**etective and one **I**nvestigator (homicides shall have two investigators present). The only exception is for newly promoted **D**etectives or Investigators to attend for training purposes. The Medical Examiner's Office should be notified **of additional attendees** prior to the autopsy.

Detective reports documenting an autopsy should be written so non-medical personnel can understand the terms used and include:

- A list of all evidence taken by the detective
- Preliminary information from the medical examiner on the cause **and manner** of death
- Who was present during the autopsy
- Identification of the body
- Information pertinent to the investigation
- MPD autopsy checklist (optional)
- Anatomical diagrams, if needed
- Brief documentation of injuries, but should not conflict with the **Medical Examiner medical examiner** (limited detail, non- technical)

Investigator reports documenting an autopsy should include:

- Time autopsy started and ended
- Body Bag seal number and time it was cut
- Who was present
- Items collected and who it was received from
- A list of all evidence taken

## Information Sharing

Effective and timely information sharing is a critical component to the management of any major case.

### EXTERNAL

- In most instances, the PIO should be called in and should serve as the media's contact for information.
- If the PIO is not available, one person should be responsible for all media releases and contact to ensure that consistent and accurate information is released.
- All information releases must be coordinated through and approved by the **Command Post Lieutenant command post lieutenant**.
- A media staging area should be established, typically somewhere in the vicinity of the crime scene.
- District command staff should coordinate door-to-door information sharing with residents when appropriate.
- Long-term external information sharing should be coordinated between the PIO and **District Command Staff district command staff**.

## INTERNAL

- A commander should be designated to oversee information sharing internally and with other law enforcement agencies. If no other commanders are available, this responsibility initially rests with the **Command Post Lieutenant**. Once the **Scene Lieutenant** clears the scene and responds to the **Command Post**, responsibility passes to him/her.
- An evaluation of internal information sharing should be ongoing during the investigation; information appropriate for release should be shared through briefings, email, etc.
- Information should be shared with other law enforcement agencies, as needed, to support the investigation or for safety reasons. CIS personnel should generally be responsible for sharing information as approved by the **Cease Lieutenant**.
- The Lead Investigator or an FSU representative with full knowledge of the active case will maintain contact with the **Cease Detective** throughout the duration of the open case. This will include through a potential trial.
- The Lead Investigator will ensure that the **Cease Detective** receives a full work up matrix of all items collected for the case. The matrix will break down priority levels for evidence submission to the **WSCL-Madison** office.
- The Lead Investigator will be present and assist the **Cease Detective** in submitting evidence to the **WSCL-Madison** office.
- The Lead Investigator will work with the **Cease Detective** ensuring all materials will be present upon a jury trial.

## Lead/Tip Management

It is important that any large volume of citizen lead or 'tip' information is managed properly from the onset of an investigation. Equally important is the simplicity of the system utilized to collect and store that information.

- The **Cease Lieutenant** should assign someone in the **Command Post** to take responsibility for collecting and logging incoming tips/leads. This will typically be a CIS officer initially. Once CIS support is no longer available, the lieutenant should designate a detective to assume this responsibility.
- All incoming tips should pass through the person designated to manage tips/leads. Tips/leads should be maintained in a log-book or electronic database, which should include the date the information is received, the caller's name, their telephone number, and the content of the tip.
- Each lead should be reduced to a common form for data entry and uniformity, however the 'original' format (e-mail, telephone message, officer's report) should be retained and attached to the common form. The information should be cataloged under the major case number associated with the event.
- Each tip should be assigned for follow up/review, and the actions taken should be documented in a report as well as in the log-book/database.

## Reporting Procedures

- Major case is designated by OIC. Patrol PRT locks the case in LERMS. Reports will be added to LERMS as they come in with security as to who has access. The decision to lock cases in LERMS will be made by the District or Unit Commander with notification to the Captain (though the OIC may initially designate that a major case be temporarily locked pending this decision). The following should be notified that a case should be locked:
  - Police Report Supervisor
  - Records Manager if Police Report Supervisor is unavailable
  - Records Supervisor if Police Report Supervisor is unavailable

Reports will be added to LERMS as they come in with security as to who has access. Default access for locked cases includes Chiefs, Captains and Lieutenants. Others may be specified as appropriate by a Commander (case Detectives, etc.). Access maybe limited further if needed (sensitive cases, etc.)

- Cases appropriate for consideration to be locked:
  - Homicides
  - Cases involving Officers or other high-profile individuals as suspects
  - Other high-profile cases (Officer involved shootings, etc.)
- OIC, Lead Detective Lieutenant, and PRT Supervisor decide if PRTs need to be called in. The PRT Supervisor will decide who and when if PRT support is needed.
- Command Staff in the Investigative CP will be responsible for notifying on-scene patrol personnel to respond to the Investigative CP upon clearing the scene. Once at the CP, field personnel will be asked to brief the CP or designated Team Leader on actions taken at the scene (verbal summary of action and information about the case). Field personnel will be asked to dictate their reports immediately and, depending on case priorities, may be asked to remain available to review their reports upon completion. Departures from this procedure must be approved by the case Detective Lieutenant or VCU supervisor.
- Patrol personnel should plan on reviewing their major case reports when they next return to duty unless ordered otherwise by case supervisors. Officers needing to review a typed report should contact a PRT to obtain a copy for review, and work with a PRT to make corrections/changes. Once satisfied, necessary corrections are made and the report is complete and accurate, the author shall notify the PRT to mark the report as reviewed in LERMS. Reviewed reports will include an "(R)" in the LERMS title indicating the author has reviewed the report. Detective and Investigator reports should include the "(R)" designation as they are imported as an author review is part of the Detective and Investigator reporting processes.
- The case Detective Lieutenant or VCU supervisor will review all reports in a Major Case in LERMS.
- The case Detective Lieutenant, the lead Detective, and the District Attorney assigned (if applicable) may have the option to receive a draft version of hard copies of the numbered reports as they are updated.
- Detectives and Investigators should follow their normal protocol in reviewing and correcting reports for uploading to LERMS, and major case reports should be a priority.
- All major case documents should be scanned into LERMS.
- Any investigative work created by specialized software (timelines, phone analysis, etc.) should be scanned into LERMS (if possible). The officer/detective creating the work should complete a supplemental report outlining the process and software utilized. The original electronic file containing the investigative work should also be saved in LERMS if possible.
- Supporting documents (timelines, bulletins, etc.) should also be saved in LERMS under "Case Activity".
- Lead Detective and PRT is designated as in charge of the reports and begin to number reports and attachments in LERMS. The primary PRT will be assigned to the case in LERMS, so others know who to direct questions/reports to.
- Numbered reports can be referred to the DA's office whenever possible depending on the size of the case. If too large, the case can be put on a CD and brought over to Intake staff at the DA's office. Reports need to be in PROTECT and not just given directly to the assigned ADA. Property and contact information can be extracted directly from LERMS as a tool to be given to the DA's office as well. Hard copies of reports will be considered draft or working copies, and original reports will be housed in LERMS.

## Long-Term Case Management

If a detective changes assignment (e.g., changes districts, goes to Task Force, or another detective assigned position) and still has an assigned caseload, the general rule is the caseload will follow that detective to their new assignment. Detectives should work with their current supervisors prior to changing assignments on what cases are still active and will need additional follow-up. Other inactive cases should be closed out appropriately. If a case lieutenant changes assignment, the general rule is that supervisory responsibility for a major case will remain in the district where it occurred. Detectives should still touch base with their previous supervisor on additional work done on those caseloads for recording-keeping purposes.

If a situation arises where the detective is unable to continue with their caseload in their new assignment, or there are other extraordinary circumstances, those instances will be reviewed on a case-by-case basis with discussions to occur between the newly assigned supervisor and the supervisor assigned to the district where the case originated.

Locked cases should be part of regular case review with Detectives/Lieutenants. Duration of time a case is locked is case specific, but should be limited when appropriate. Homicide cases should generally not remain locked beyond discovery when the reports have been turned over to the defense. Cases locked due to officer or high-profile subject involvement may remain locked longer or permanently. Locked cases should be reviewed quarterly to see if they can be unlocked.

## **Deviation from this SOP**

It is understood that every major case is different and that some of the items/positions/actions will not be needed for every case. If the commander does not see a need for CV-1, they do not have to use it. A commander may decide not to canvass the area, but will still be responsible for contacting residents in another way. Deviating from this SOP does not relieve one of the responsibilities outlined by the SOP.

Original SOP: 02/01/2015  
(Revised: 04/23/2015, 09/15/2017)  
(Reviewed Only: 02/25/2016, 01/09/2017)



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



**Mendota Mental Health Institute Response (MMHI)**

Eff. Date 09/15/2017

## **I. GENERAL**

- A. Mendota Mental Health Institute (MMHI) Overview. MMHI consists of two separate institutions managed by one administration: MMHI and Mendota Juvenile Treatment Center (MJTC).

### **1. MMHI**

- a) 293 inpatient bed State psychiatric hospital. With the exception of the coed geriatric civil unit in Stovall Hall, all patient beds are for adult male patients.
- b) Patients are placed at MMHI through the State's mental health laws:
  - i. Chapter 51 or Chapter 55 through the "civil commitment" process
  - ii. Chapter 971, the forensic commitment" process (the majority of MMHI patients are forensic patients)

### **2. MJTC**

- a) 29 bed juvenile treatment center
- b) Houses male residents who have been adjudicated delinquent under Chapter 938
- c) Residents have both behavioral and mental health concerns and are transferred from Lincoln Hills

### **B. Patient Buildings**

1. Goodland Hall: Houses 5 maximum security units (93 male patient beds) and 3 medium security units (63 male patient beds). Visitors are all metal detected and packages searched.
2. Lorenz Hall: Houses 2 medium security units (42 total male patient beds).
3. Lorenz Hall Annex: Houses 1 MJTC unit (29 male juvenile beds) and 1 maximum security forensic unit (14 beds).
4. Stovall Hall: Houses 1 civil unit (16 coed geriatric patient beds); one medium/minimum (25 male patient beds) and one minimum security forensic unit (25 male patient beds).
5. Building 10: Houses 1 minimum security unit (15 male patient beds) designed to help transition patients to community placement.

**NOTE:** Hope Haven, an adult residential substance abuse treatment program, located on the southwest corner of Memorial Drive on MMHI grounds, is managed by Catholic Charities rather than by MMHI. If issues arise regarding Hope Haven or its clientele, please contact their on-site staff at (608) 441-0204.

### **C. Weapons Policy**

1. Officers are permitted to carry weapons anywhere on the grounds. However, unless called to an on-going, major disturbance involving multiple patients, weapons (firearms, ammo, knives,

ECD, baton, OC spray, etc.) may **not** be brought into a building where patients may be present (including all buildings listed above and Food Service).

2. Officers entering patient care buildings have two options regarding their weapons:
  - a) In the trunk of their squad
  - b) In a designated gun lock box available in Goodland Hall, Lorenz Hall and Stovall Hall
3. If police are called to a major incident at the request of Security involving multiple patients in an on-going, major disturbance (e.g., a hostage or active shooter situation), police would be allowed to take any weapons and gear any place on the grounds, including patient buildings.

## **II. MMHI DISTURBANCE PLAN**

- A. MPD will be the initial law enforcement agency contacted in the event of a disturbance, escape, hostage taking, etc.
- B. MPD will advise the Director/Designee of MMHI on all law enforcement/public safety concerns.
- C. MPD will provide an appropriate number of officers to respond to the situation.
- D. MPD will provide appropriate specialized law enforcement capabilities (such as S.W.A.T. or hostage negotiating expertise).
- E. MPD will be the lead coordinating agency for all law enforcement agencies that may respond.

## **III. REQUESTS FOR CRIMINAL INVESTIGATION**

- A. MPD will be the point of contact in the event of a potential criminal action by a patient (whether it is a patient-to-patient event or a patient-to-staff event).
- B. Self Reports. For less significant events (e.g., those that do not involve injury or there is question regarding whether or not an incident occurred), MMHI provides patients or staff with Self Reports they can complete and send to MPD.
- C. When an incident meets certain criteria, MPD may be contacted for a criminal complaint investigation. At times, a patient or a patient's family member will call MPD directly requesting an investigation. MPD is encouraged to contact Security prior to arrival so that MMHI Security can facilitate the investigation including gathering documentation.
- D. Interviewing Patients
  - i. When an officer is called to investigate an incident involving a patient, staff will make the patient available for an interview.
  - ii. Because MMHI patients are generally deemed to be "in custody," any suspect patient interviews should be preceded by a Miranda warning.
  - iii. Recordings must be taken for any juvenile suspect interviews and for adult suspect interviews that involve possible felony offenses unless good cause is shown for not making an audio or audio and visual recording of the interrogation. MMHI/MJTC does not provide recording equipment.

- iv. Mental Capacity: Issues about competency and mental responsibility will often be raised with respect to criminal offenses occurring at MMHI. Accordingly, evidence of the offender's mental status at and around the time of the offense is important. The interview should include questions regarding whether the offender understood his conduct was wrong and whether the offender was capable of conforming his/her conduct to the rules/laws. To the extent possible, evidence should include observations by staff, statements made by suspect, prior relationship between suspect and victim and motive.
- v. MMHI Patient Documentation will be gathered by MMHI Security and provided to MPD. The documentation packet will include the following:
  - a) Request for Criminal Investigation Review
  - b) Patient Statements
  - c) Patient Facesheet
  - d) Legal Charges/Commitment Status
  - e) Social History
  - f) Progress Notes/Documentation of Incident
  - g) Photos of any injuries
  - h) Possible DVD of Incident
- vi. MJTC Youth Documentation will be gathered by MJTC staff and provided to MPD. The MJTC documentation packet will include the following:
  - a) Face Sheet (DOC-1701)
  - b) Detainer
  - c) Extension/Dispositional Order
  - d) Waiver (Staff and Resident Battery)
  - e) Inter-Institution Transfer Summary (DOC-1980)
  - f) Conduct Report and Placement (DOC-1843/1843A & DOC-1842)
  - g) Progress Notes (DCTF-457H)
  - h) Commitment Information
  - i) Progress Summary (DOC-1941)
  - j) Admission Psychiatric Evaluation
  - k) A & E Report (DOC-1933)
  - l) List of Medications (DCTF-1833 & DCTF-1834)
  - m) Annual Medical Review
- vii. Police Report and Staff Information. If the police report includes an interview with staff, please do **not** include staff personal contact information (home address or personal phone number) in the police report. Instead, please include the MMHI address (301 Troy Drive, Madison, WI 53704) and the MMHI Number switchboard number, (608) 301-1000.
- viii. Arrest/Custody. Given that MMHI patients are already considered to be "in custody," as a general rule, patients will rarely be subjected to physical arrest. In extremely rare cases, a physical arrest could be made. If that situation were to arise, consult with the Officer in Charge (OIC).
- ix. Referral to the District Attorney (DA). In most situations where Probable Cause (PC) exists, the case will be referred to the DA's Office. This is in the interest of MMHI and MPD. The North District Detective Lieutenant will route incident reports to the Criminal Intake Unit for referral to the DA's Office.

#### IV. SPECIAL POLICE RESPONSE

- A. There are a varying number of MMHI patients specifically designated as High Risk/Security housed in Goodland Hall Maximum Security. Due to the serious escape risk, the following

procedure has been developed if a need arises to convey a high risk/security patient to a local hospital for an emergency visit.

1. All conveyances will be made by Madison Fire Rescue. The patient will be placed in full restraints before leaving the institution and will remain in restraints unless a medical emergency dictates otherwise as determined by the physician.
2. Under emergency circumstances, MMHI staff will call "911" and request "an ambulance and two Madison Police Officers to assist in transferring the patient to UW Hospital." MMHI staff will remind the dispatchers that the request is in regard to a "High Risk/Security" patient and will request the officers and ambulance respond to Goodland Hall.
3. Upon arrival, the EMS unit, in consultation with emergency room personnel, will assess the patient and determine whether transport to UW Hospital is necessary. If transport is needed, the EMS unit will not leave for the hospital prior to the arrival of the escorting MPD squads. However, should medical considerations dictate an immediate departure, EMS will communicate with MPD via "911" and arrange to meet or communicate their location and direction of travel. Two unarmed, MMHI personnel will ride in the ambulance with the patient and remain with the patient at the hospital.
4. When departing from MMHI, two MPD officers will escort the ambulance to the hospital. Officers should be mindful that the escape risk may involve the patient acting alone as well as the possible use of accomplices to assist them or provide them with contraband. While en route to the hospital, officers shall communicate their ETA to UW Hospital to alert them of their arrival and to prepare security procedures.
5. Upon arrival, officers will be relieved of security responsibilities by UW Police who will assume this task while the patient is in the hospital. However, MPD officers will not leave the hospital until UW Police are present and the official transfer of security has been clearly established.
6. Should a need arise to transfer the patient back to Mendota from the hospital, MMHI security will again contact the "911" Center and request a two officer escort back to the institution. Two MPD officers will be dispatched to UW Hospital who will again follow the same security precautions in escorting an MMHI security vehicle with the patient back to MMHI.
7. In the event of a preplanned medical appointment, MMHI staff will utilize the Special Duty Police Work process.



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### Back-Up

Eff. Date: 09/15/2017

#### **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 which accounts for the totality of the circumstances.

#### **Procedure**

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 also committed to resolving conflicts through the use of communication skills, crisis intervention and de-escalation tactics when 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 force during an incident and 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
- Incidents involving violence or the threat of violence
- Incidents involving firearms or other weapons (use, display or threat)

Instances where it is not feasible to await back-up may include, but are not limited to, circumstances with an imminent risk of bodily harm (officer or citizen), flight, 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, etc.).



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### **Response to Persons with Altered State of Mind**

Eff. Date: 09/15/2017

#### **Purpose**

To provide guidance for Madison Police Department (MPD) personnel when responding to or encountering situations involving persons displaying behaviors consistent with an altered state of mind, that may be caused by mental illness, emotional crisis, or the influence of drugs and/or alcohol. We recognize that most persons in an altered state of mind are not dangerous and may only present dangerous behavior in certain circumstances or conditions.

#### **Definitions**

*Altered state of mind:* "An altered state is any mental state(s), induced by various physiological, psychological, or pharmacological maneuvers or agents which can be recognized subjectively by the individual himself (or by an objective observer of the individual) as representing a sufficient deviation in subjective experience of psychological functioning from certain general norms for that individual during alert, waking consciousness" [The Wiley-Blackwell Handbook of Transpersonal Psychology].

#### **Procedure**

Responding to situations involving individuals who officers reasonably believe to be in an altered state of mind carries the potential for violence; requires officers to make difficult judgments about the mental state and intent of the individual; and necessitates the use of police skills, techniques and abilities to effectively and appropriately resolve the situation. The goal shall be to resolve the situation as safely as possible for all individuals involved.

Only a trained mental health professional can diagnose mental illness. Officers are not expected to diagnose mental or emotional conditions, but rather to recognize behaviors that are indicative of persons affected by mental illness or crisis, with special emphasis on those that suggest potential violence and/or danger. Officers are trained to respond to mental health related incidents in such a manner so as to de-escalate crisis situations whenever possible.

The following are generalized signs and symptoms of behavior that may suggest that a person is currently in an altered state of mind – whether due to mental illness, acute emotional crisis, or reactions to alcohol, psychoactive drugs or medical conditions:

- Persistent fear of persons, places or things
- Frustration and/or anxiety in new or unforeseen circumstances
- Abnormal memory loss related to basic information (e.g. name, home address, recent events)
- Delusions – fixed false beliefs
- Hallucinations – the experience of sights, sounds, or other perceptions in the absence of external stimuli not under the subject's voluntary control
- Agitation
- Confusion or disorientation

While the above signs/symptoms may inform the ultimate resolution of the situation, officers should assess the danger a person presents to self or others as soon as is feasible. Factors that should be considered as part of any threat assessment may include:

- Availability of any weapons
- Statements by the person that suggest he/she is prepared to commit a violent act

- A personal history of violence known to officers
- Physical control (or lack) of emotions of rage, anger, fright or agitation
- Other special circumstances consistent with DAAT and Departmental training

If feasible, under the totality of the circumstances, officers should attempt to slow down or stabilize the situation so that more time, options and resources are available for the best possible resolution. Examples of de-escalation with a person in an altered state of mind may include, but are not limited to:

- Effective use of back-up
  - Have only one officer communicate with the person at a time
  - Request additional personnel if indicated (e.g. MHO, CNT, etc.)
- Effective use of distance and time, when feasible
  - More distance generally creates more time to react, which allows more options to be considered (e.g. less lethal munitions, tactical shield)
  - When feasible, use additional time to increase the likelihood of a positive resolution
- Effective use of cover/concealment
  - Placing barriers between the person and officers
- Effective communication from a safe position
  - Take steps to calm the person
  - Explain the person's options
  - Orient the person to reality
  - Attempt to be truthful, when possible
  - If feasible, gather additional information about the person
- Any other tactics and approaches that attempt to achieve law enforcement objectives

Once the subject and scene have been stabilized, officers should work to resolve the situation using the least restrictive measures to secure the welfare of all those concerned, connect individuals with mental illness or AODA issues/dependency to needed services and divert them from the criminal justice system whenever possible. See also: Mental Health Incidents/Crises and Intoxicated and Incapacitated Persons Standard Operating Procedures.