



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Agenda - Approved PUBLIC SAFETY REVIEW COMMITTEE

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

Wednesday, April 13, 2022

5:00 PM

Virtual, Zoom Meeting

The City of Madison is holding the Public Safety Review Committee meeting virtually to help protect our community from the Coronavirus (COVID-19) pandemic.

1. **Written Comments:** You can send comments on agenda items to PDPSRC@cityofmadison.com

2. **Register for Public Comment:**

- Register to speak at the meeting.
- Register to answer questions.
- Register in support or opposition of an agenda item (without speaking).

If you want to speak at this meeting you must register. You can register at <https://www.cityofmadison.com/MeetingRegistration>. When you register to speak, you will be sent an email with the information you will need to join the virtual meeting.

3. **Watch the Meeting:** If you would like to join the meeting as an observer, please visit <https://www.cityofmadison.com/watchmeetings>.

4. **Listen by Phone:**

(877) 853-5257 (Toll Free)

Webinar ID: 834 9910 6174

If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please call the phone number below at least three business days prior to the meeting.

Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a continuación tres días hábiles como mínimo antes de la reunión.

Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg pab hnuv ua hauj lwm ua ntej yuav tuaj sib tham.

For accommodations, contact: Emily Hardiman at Ehardiman@cityofmadison.com

CALL TO ORDER / ROLL CALL

APPROVAL OF MINUTES

March 9, 2022 <http://madison.legistar.com/Calendar.aspx>

DISCLOSURES AND RECUSALS

Members of the body should make any required disclosures or recusals under the City's Ethics Code.

1. [70787](#) Early Public Comment

REPORTS

2. [65747](#) For Information Only - Chief Barnes Quarterly Report
3. [70789](#) Report from the Madison Police Department including information on recent gun violence and an update on strategic planning
4. [70790](#) Report from the Madison Fire Department/CARE's unit update

NEW BUSINESS

5. [70795](#) Discussion on what the committee would like to see in the monthly police reports.

COMMITTEE REPORTS

6. [70796](#) Report from the Co-Chairs
7. [70797](#) Report from Alders
8. [70322](#) Report from Budget Subcommittee
9. [70793](#) Future Agenda Items

ADJOURNMENT



City of Madison

City of Madison
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Master

File Number: 70787

File ID: 70787

File Type: Discussion Item

Status: Held in Committee

Version: 1

Reference:

Controlling Body: PUBLIC SAFETY
REVIEW
COMMITTEE

File Created Date : 04/06/2022

File Name:

Final Action:

Title: Early Public Comment

Notes:

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: ehardiman@cityofmadison.com

Published Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 70787

Title
Early Public Comment



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 65747

File ID: 65747

File Type: Discussion Item

Status: Held in Committee

Version: 1

Reference:

Controlling Body: PUBLIC SAFETY
REVIEW
COMMITTEE

File Created Date : 06/01/2021

File Name:

Final Action:

Title: For Information Only - Chief Barnes Quarterly Report

Notes:

Sponsors:

Effective Date:

Attachments: chiefUpdate20211stQtr.pdf,
chiefUpdate20204thQtr.pdf, Quarterly Report 2021
2nd.pdf, Quarterly Report 2021 4th.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: ehardiman@cityofmadison.com

Published Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 65747

Title

For Information Only - Chief Barnes Quarterly Report

**CITY OF MADISON
INTRA-DEPARTMENTAL
CORRESPONDENCE**

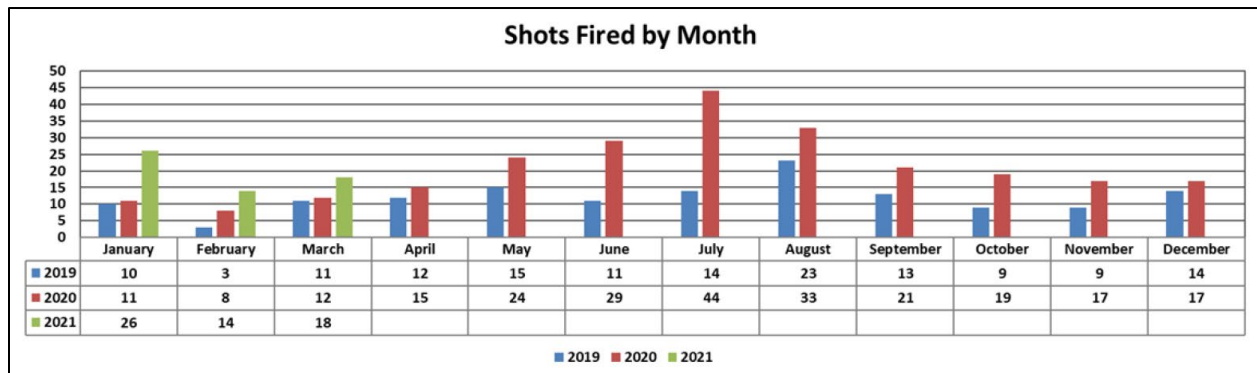
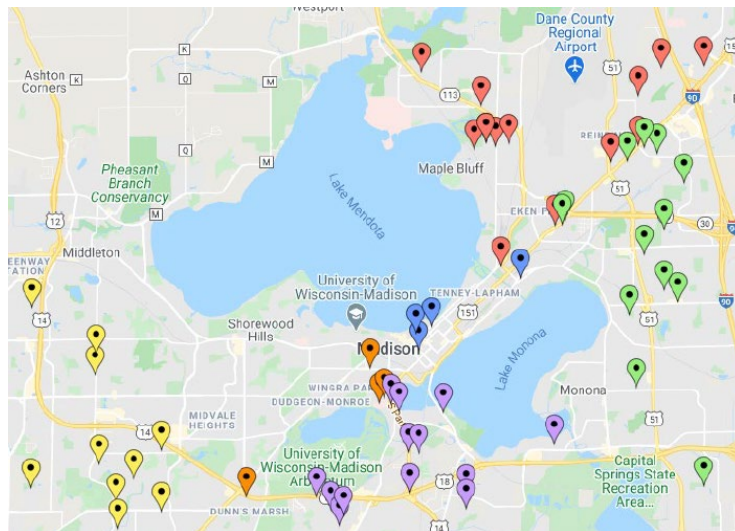
DATE: April 20, 2021

TO: All Alders
FROM: Shon F. Barnes, Chief of Police
SUBJECT: Quarterly Report

This document provides an update on selected MPD topics for the first quarter (January, February and March) of 2021. **Please consider the data included in this update as preliminary and subject to modification.**

Significant Incident Types

Shots Fired – there were fifty-eight (58) shots fired incidents in the City from January 1st through March 31st (2020). This is an **87%** increase from the first quarter of 2020. Twenty-eight (28) shots fired incidents were reported during the 4pm – midnight period; ten (10) were reported during the midnight – 8am time period; and twenty (20) were reported during the 8am – 4pm time period.

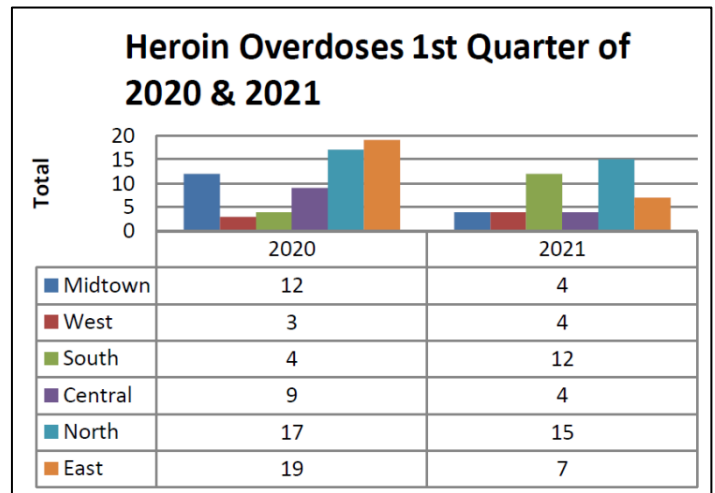
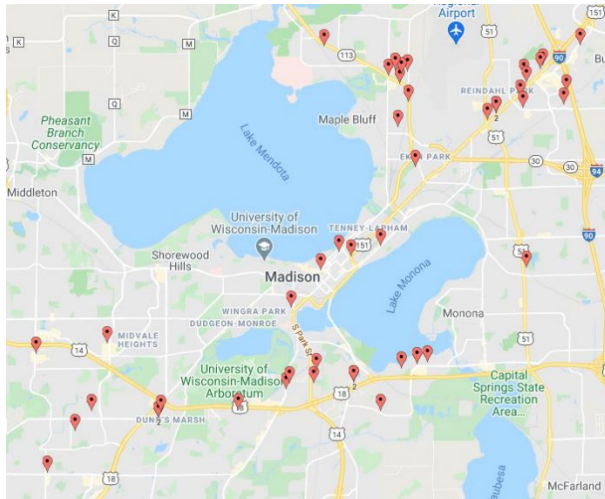


	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
Property Damage	15				15
Subjects Struck by Gunfire*	9				9
Accidental Discharge	0				0
Self-Inflicted (intentional)	4				4
Casings Recovered	124				124

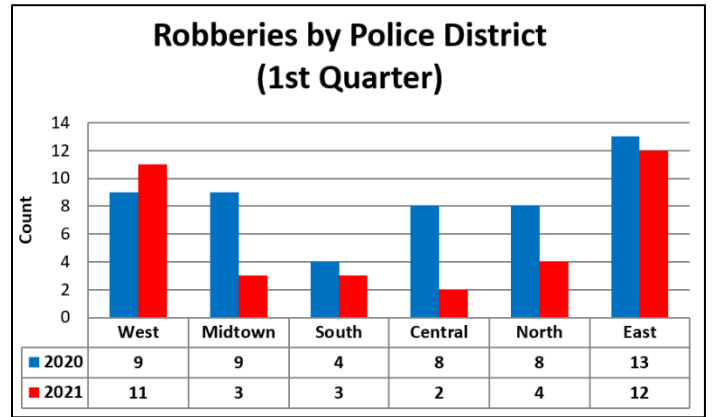
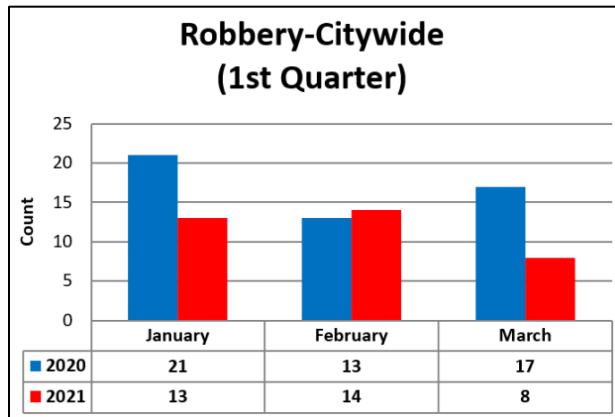
*Excludes accidental discharge & self-inflicted

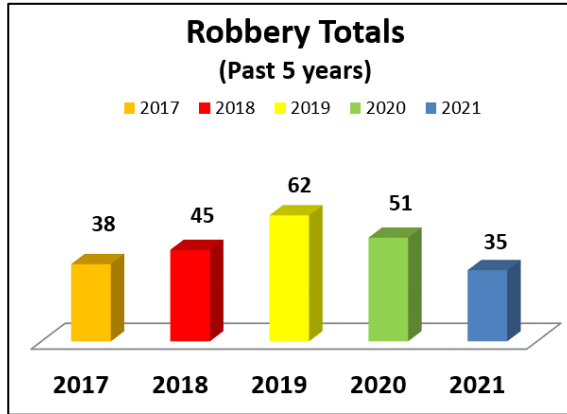
Heroin Overdoses – MPD responded to forty-six (46) known heroin overdoses during the first quarter of 2021. This is a 28% decrease from the first quarter of 2020. Note that these figures refer to known overdoses...it is likely that many overdoses are occurring without any report to MPD or MFD.

There were four (4) overdose deaths during the first quarter of 2021. This is a 60% decrease from the first quarter in 2020 [note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

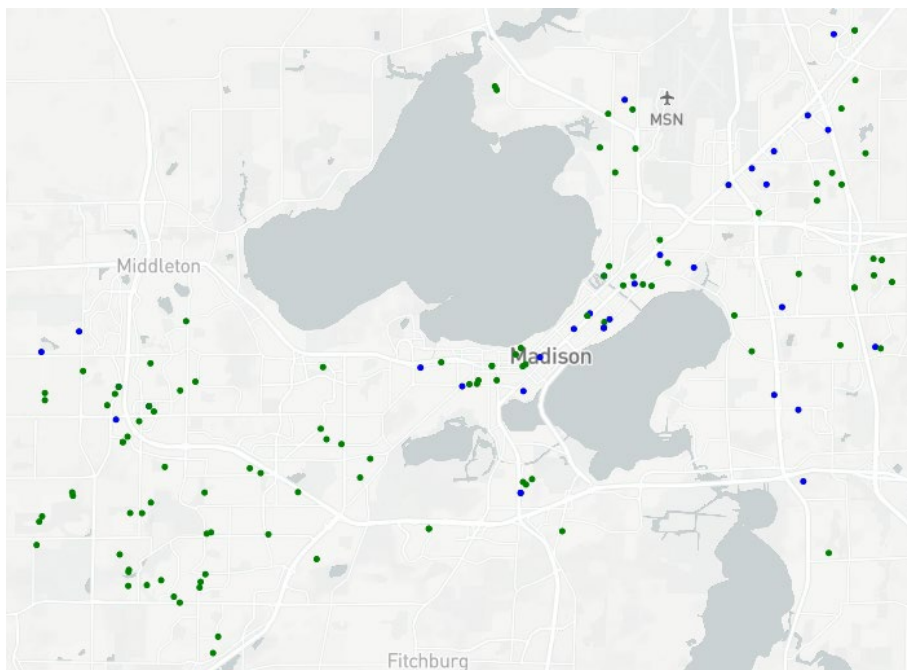
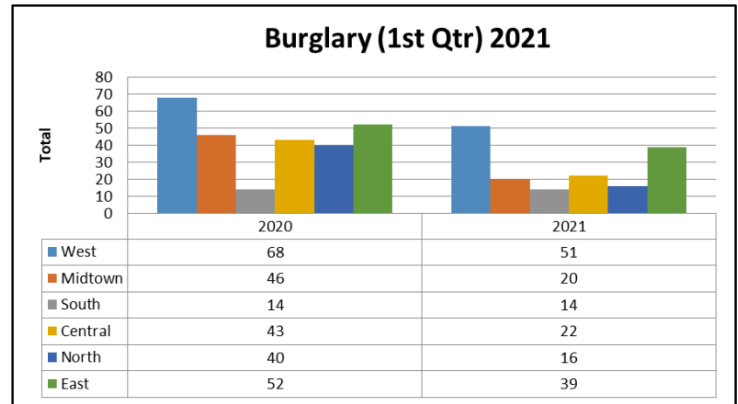
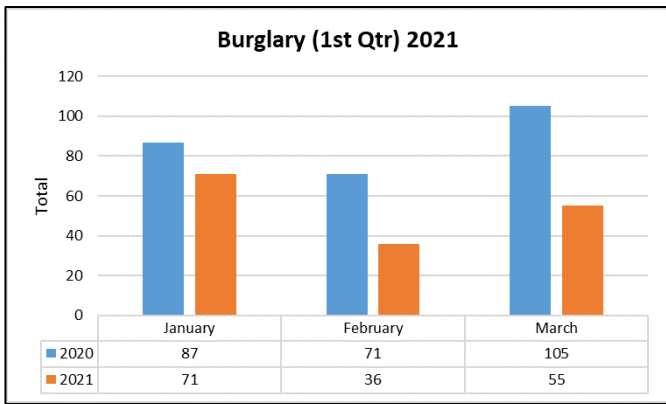


Robberies – Thirty-five (35) robberies occurred in the City during the first quarter of 2021. This is a 35% decrease from the first quarter of 2020.



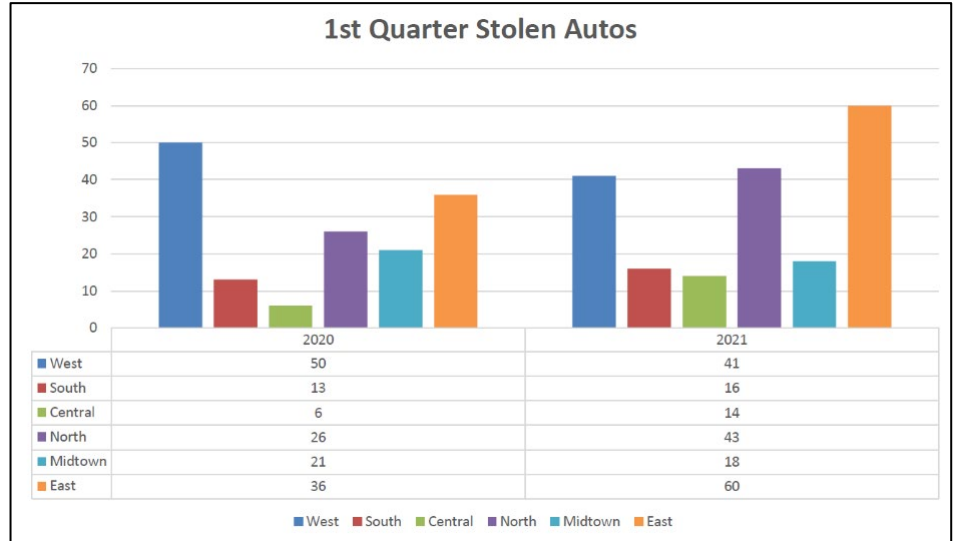


Burglaries – MPD responded to 162 burglaries during the first quarter of 2021. This is a 38% decrease from the first quarter in 2020.

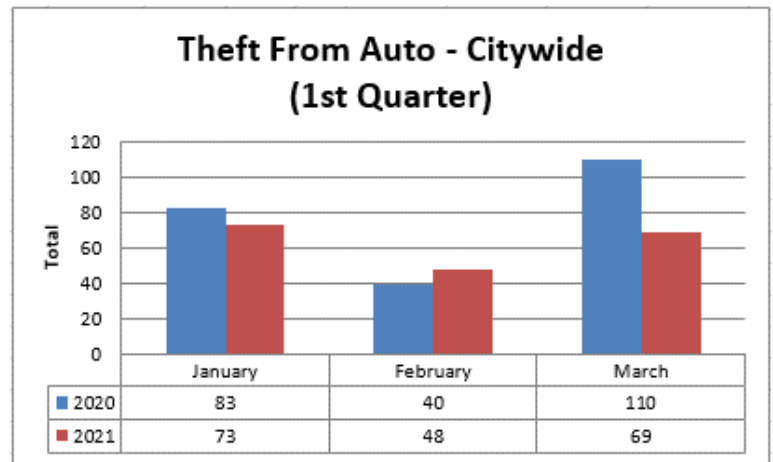


Blue: nonresidential burglary; green: residential burglary

Stolen Autos – MPD investigated 192 stolen autos during the first quarter of 2021. This is a 26% increase from the first quarter in 2020.



Thefts from Vehicles – MPD investigated 190 thefts from vehicles during the first quarter of 2021. This is an 18% decrease from the first quarter in 2020.



Arrest Data

First quarter arrest data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	980				980	76.0%
Female	310				310	24.0%
Unknown	0				0	0.0%
Total	1,290				1,290	100.0%

Race	Q1	Q2	Q3	Q4	Total	%
Asian	21				21	1.6%
African-American	683				683	52.9%
Native American	10				10	0.8%
Other	24				24	1.9%
Caucasian	552				552	42.8%
Total	1,290				1,290	100.0%
Hispanic*	90				90	7.0%

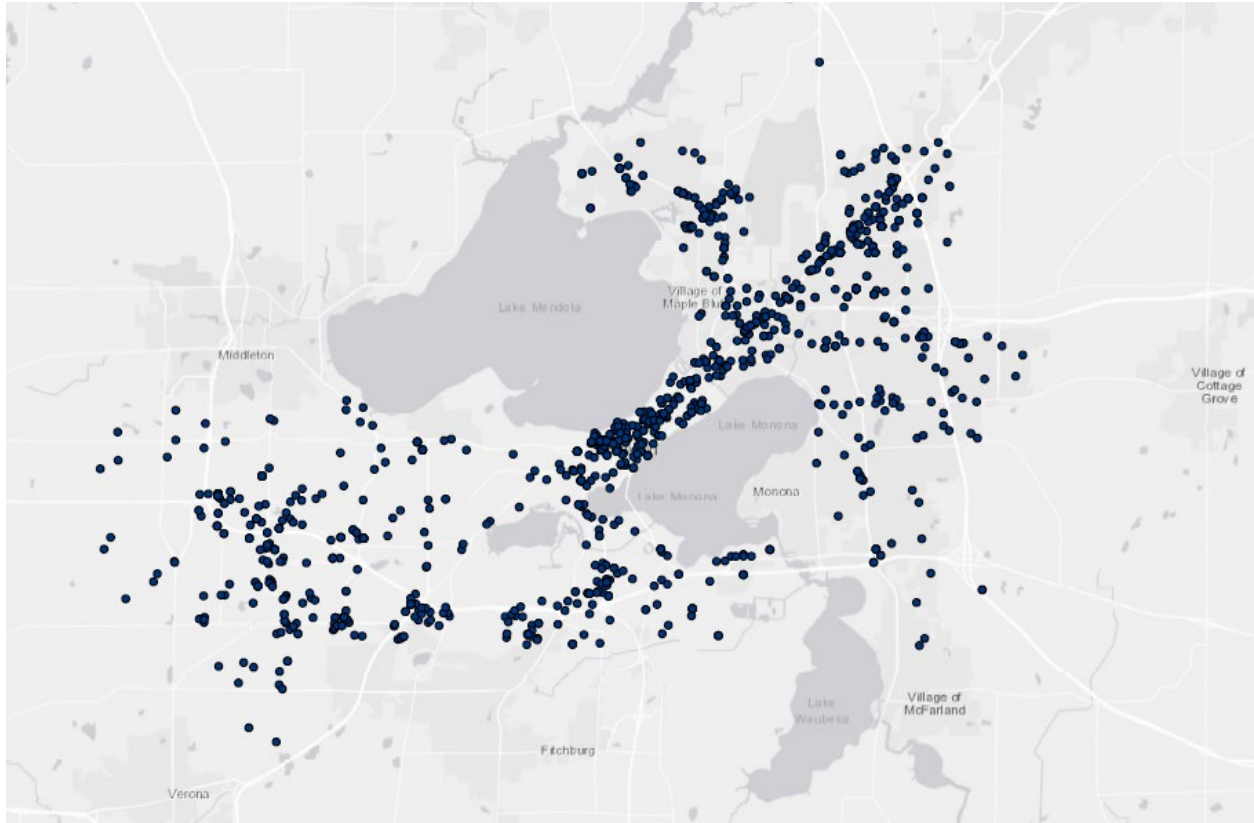
*“Hispanic” is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD’s records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD’s crime reporting.

IBR Arrest Charges						
Group A Offenses	Q1	Q2	Q3	Q4	Total	%
Animal Cruelty	1				1	0.0%
Arson	0				0	0.0%
Assault Offenses	262				262	11.6%
Bribery	0				0	0.0%
Burglary	14				14	0.6%
Counterfeiting/Forgery	6				6	0.3%
Damage to Property	79				79	3.5%
Drug/Narcotic Offenses	138				138	6.1%
Embezzlement	5				5	0.2%
Extortion	2				2	0.1%
Fraud Offenses	16				16	0.7%
Gambling Offenses	0				0	0.0%
Homicide Offenses	1				1	0.0%
Human Trafficking Offenses	0				0	0.0%
Kidnapping/Abduction	23				23	1.0%
Larceny/Theft Offenses	131				131	5.8%
Motor Vehicle Theft	41				41	1.8%
Pornography/Obscene Material	3				3	0.1%
Prostitution Offenses	0				0	0.0%
Robbery	18				18	0.8%
Sex Offenses, Forcible	15				15	0.7%
Sex Offenses, Non-Forcible	0				0	0.0%
Stolen Property Offenses	7				7	0.3%
Weapon Law Violations	33				33	1.5%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	0				0	0.0%
Curfew/Loitering/Vagrancy Violations	0				0	0.0%
Disorderly Conduct	462				462	20.4%
Driving Under the Influence	104				104	4.6%
Drunkenness	0				0	0.0%
Family Offenses, Nonviolent	15				15	0.7%
Liquor Law Violations	11				11	0.5%
Peeping Tom	0				0	0.0%
Runaway	0				0	0.0%
Trespass of Real Property	111				111	4.9%
All Other Offenses	764				764	33.8%
Total	2,262	0	0	0	2,262	100.0%

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

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

First quarter arrests reflected geographically:



Comparison of 2020 to 2021 first quarter arrest data:

Sex	2020 (Q1)	2021 (Q1)
Male	1,261	980
Female	511	310
Unknown	1	0
Total	1,773	1,290

Race	2020 (Q1)	2021 (Q1)
Asian	38	21
African-American	780	683
Native American	7	10
Other	32	24
Caucasian	916	552
Total	1,773	1,290

Hispanic*	105	90
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*"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.

Use of Force Overview

During the first quarter of 2021, MPD officers responded to 28,637 incidents. In that time, there were fifty-five (55) citizen contacts in which officers used recordable force during the encounter. Each of these force incidents was reviewed for compliance with MPD standard operating procedures.

Description	Q1	Q2	Q3	Q4	Total
Calls for Service	28,637				28,637
Citizen Contacts Where Force Was Used	55				55
% of CFS Where Force Was Used	0.19%				0.19%
Force					
Decentralization/Takedown	49				49
Active Counter Measures	6				6
Taser Deployment	7				7
Hobble Restraints	4				4
OC (i.e. Pepper) Spray Deployment	0				0
Baton Strike	0				0
K9 Bite	1				1
Firearm Discharged Toward Suspect	1				1
Impact Munition	1				1
Specialty	0				0
Total	69				69
Firearm Discharged to Put Down a Sick or Suffering Animal	10				10

*Please refer to the MPD SOP on use of force data collection for the definition of recordable force and distinction between reportable and recordable use of force:

<http://www.cityofmadison.com/police/documents/sop/UseOfForceData.pdf>

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

District*	Q1	Q2	Q3	Q4	Total	%
West	6				6	10.9%
Midtown	6				6	10.9%
South	6				6	10.9%
Central	8				8	14.5%
North	12				12	21.8%
East	16				16	29.1%
Out of County	0				0	0.0%
Within County - Assist	1				1	1.8%
Total	55				55	100.0%

Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
1st Detail (7am – 3pm)	10				10	18.2%
3rd Detail (3pm – 11pm)	32				32	58.2%
5th Detail (11pm – 7am)	13				13	23.6%
Total	55				55	100.0%

Comparison of first quarter 2020 with first quarter 2021 use of force data:

Force	2020 (Q1)	2021 (Q1)
Decentralization/Takedown	44	49
Active Counter Measures	18	6
Taser Deployment	13	7
Hobble Restraints	13	4
OC (i.e. Pepper) Spray Deployment	2	0
Baton Strike	0	0
K9 Bite	1	1
Firearm Discharged Toward Suspect	0	1
Impact Munition	2	1
Specialty (SWAT/SET)	2	0
Total	95	69

MPD Response to COVID-19

During the first quarter, MPD was able to provide all employees with the opportunity to receive the COVID vaccination. Promega Corporation donated staff and space to provide the vaccinations, and most MPD staff (more than 80%) have received the vaccination.

The department is in the process of determining a timeline for returning to normal operations, consistent with other City agencies.

Training

Forty-nine new officers completed field training and began solo patrol during the first quarter. In addition, spring in-service started; all commissioned personnel will attend. One of the topics is the Police Executive Research Forum (PERF) ICAT (Integrating Communications, Assessment, and Tactics) training. This is a nationally recognized curriculum to improve officers' response to critical incidents. The training focuses on critical thinking, communications, and tactics to improve opportunities for positive outcomes in use-of-force encounters. ICAT is being introduced to all personnel during this training, and an additional session (focusing on scenario training) will follow later this year. Providing ICAT training to all MPD commissioned personnel was a recommendation from the Madison Police Department Policy & Procedure Review Ad Hoc Committee.

SOP Updates

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

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

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

MPD did not acquire any property through DLA/LESO during the first quarter of 2021.

Priority/emergency call response

During the first quarter, there were forty-two (42) instances where MPD's patrol response was limited to emergency and priority calls. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the City.

The sixty-nine instances occurred on thirty-two (32) dates (some days required limited call response multiple times); this means that at some point on **36%** of the days during the first quarter MPD patrol response was limited. The forty-two instances spanned about **83** total hours of limited call response, an average of 2 hours per instance. In terms of total hours during the first quarter, MPD patrol response was limited to emergency and priority calls about **4%** of the time.

Promotions

2021 – First Quarter Promotions

Detective Caleb Johnson to Detective Sergeant
Police Officer Matthew Magolan to Detective

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

<https://www.cityofmadison.com/police/documents/psiaRecognition2021JanMar.pdf>

<https://www.cityofmadison.com/police/documents/psiaSummary2021JanMar.pdf>

Updated/New SOPs for MPD: January-March, 2021

CFS Dispatch Guidelines: 02/25/2021

Digital Forensics: 01/19/2021

Domestic Abuse: 01/15/2021

News Media Relations: 01/04/2021

Notification of Commanding Officers: 01/15/2021

Searches: 01/04/2021

Update of Payroll Status for Promoted Employees: 02/01/2021



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Calls For Service (CFS) Dispatch Guidelines

Eff. Date ~~03/23/2020~~ 02/25/2021

Purpose

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

Procedure

CATEGORIES OF CALL TYPES

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

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

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

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

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

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

DISPATCHING OFFICERS

Calls for service should be dispatched to an officer having responsibility for the sector where the incident is being reported, if possible. If multiple officers share responsibility for the sector, an officer the dispatcher reasonably believes is closest should be dispatched whenever possible. However, calls for service and workload should be balanced 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 OIC or a field supervisor and should not question the dispatcher.

CALL REPORTING LOCATIONS

MPD response to incidents is related to the location of the complainant, not the location of the incident being reported. If a citizen is reporting an incident that happened at another location in the City of Madison, an officer responsible for the sector where the complainant is reporting the incident should be dispatched and shall investigate the incident. This includes incidents reported at the **City County Building (CCB)** or 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 of Madison limits (generally, more than five (5) minutes driving time). In those instances, an officer responsible for the location where the incident occurred should be assigned to contact the complainant by phone.

DISPATCH PROTOCOLS AT SHIFT CHANGE

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

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

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

OFFICERS IN THE LAST HOUR OF SHIFT

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

CFS RESPONSE LEVELS

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

MPD will have 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. Priority Call Response includes Limited Crash Response (**defined below**), but Limited Crash Response does not always include Priority Call Response.

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

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

- **Limited Crash Response:** MPD response to non-crash related calls for service will continue as normal; however, during Limited Crash Response, officers **Officers** will not respond to motor vehicle crashes on private property (unless an injury is involved), or to other motor vehicle crashes that do not involve injury or public road blockage (except for accidents involving City-owned vehicles or off-duty MPD commissioned personnel). The OIC should be consulted for crashes 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. The decision to go on Limited Crash Response is the responsibility of the OIC and should be evaluated as motor vehicle crash calls for service are generated by the 911 Center. Limited Crash Response is not intended to be a proactive, restrictive response to calls for service in anticipation of potential forecasted weather.

OIC EXPECTATIONS FOR PRIORITY CALL/LIMITED CRASH RESPONSE

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

The 911 Supervisor will create an "Information" incident and assign the **Priority Call for Service ("PRCFS")** unit. The OIC will notify the 911 Supervisor of the specific reason for the modified call response (resource-intensive call with case number, snowstorm, etc.) and any changes in modified call response (from a city-wide limit to specific radio channel response area only, etc.) and this information shall be documented in the incident notes. If an OIC wishes to have the ability to add call notes, the OIC will need to specifically request to **be have his or her unit number** added to the incident as an additional assigned unit. The OIC will notify the 911 Supervisor via telephone when MPD response will be returned to routine response and clear the Information incident on the CAD without a report.

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

911 CENTER EXPECTATIONS

Limited Crash Response

During periods when MPD is in limited crash response mode, if the crash is of a nature to which MPD will not respond, 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 refer the citizens to complete a State of Wisconsin Crash Report Form (DT4002), available 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

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

- The call taker should obtain full information from the caller (location of incident, identity of complainant, nature of complaint, etc.) and enter it into the CAD as an incident. If the call is of a nature to which MPD will not respond at that time (based on the criteria explained above), the complainant should be advised that MPD response will be delayed. The caller should be advised to call back if the incident escalates or circumstances change in a way that would make police response necessary.
- The dispatcher will, as resources permit, dispatch officers to priority calls in accordance with the criteria explained above. Calls that do not meet the criteria will remain in queue.

- When MPD's response level returns to normal, calls in queue should be dispatched as resources permit.
- If a caller re-contacts the 911 Center and indicates an unwillingness or inability to continue waiting for MPD response, they should be advised to call back at another time and the call should be cleared with a CAD disposition code of D.
- If the 911 Center has **ANY** questions about whether a particular call should be dispatched, they should consult with the OIC (or a field supervisor if the OIC is unavailable).

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

CFS AT THE PUBLIC SAFETY BUILDING

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

DANE COUNTY COURTHOUSE AND CITY-COUNTY BUILDING

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

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

DETOX CONVEYANCES FROM HOSPITAL EMERGENCY ROOMS

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

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

Subject Conveyed to Emergency Room by Other Means – If a subject was conveyed to a Madison emergency room from another jurisdiction by a non-law enforcement agency, MPD officers should respond (if requested) to evaluate the subject and determine whether the subject is incapacitated by alcohol. If the subject is deemed to be incapacitated by alcohol, the subject will be placed under protective custody and conveyed to Detox. This includes subjects conveyed to Madison emergency rooms by ambulance from other jurisdictions. If a subject from Madison was conveyed to an **Ee**mergency facility outside of MPD's jurisdiction without MPD, the jurisdiction where the **Ee**mergency facility is located

with the subject will respond and determine if the subject is incapacitated by alcohol. MPD will not make conveyances to Detox under these circumstances.

Deviations from these procedures must be approved by a supervisor.

EMERGENCY DETENTIONS FROM HOSPITAL EMERGENCY ROOMS

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

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

Deviations from these procedures must be approved by a supervisor.

Detox

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

JRC

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

ALARM RESPONSE

- MPD officers will continue to be dispatched to residential burglary alarms as well as burglary alarms from government buildings and religious facilities.
- MPD officers will continue to be dispatched to 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, including alarm activations where a person is on scene and is providing an incorrect passcode to disarm the alarm.
- MPD officers will continue to be dispatched to mechanically activated commercial burglar alarms received between the hours of 10pm and 6am.

- MPD will utilize a “broadcast and file” protocol for mechanically activated commercial burglar alarms received between the hours of 6am and 10pm. When calls of this type are received, the 911 Center should broadcast the information to officers working in the vicinity of the address where the alarm occurred. This is information for district officers, with no expectation that a police response will occur. Officers may elect to respond if they choose.
- MPD should only be dispatched to mechanically activated commercial alarms if verification that a problem may exist has been received. There is no expectation that a 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 L49) for one hour and the 911 Center has not received any additional calls on the incident, the call should be canceled from the pending queue and cleared with a disposition code of D. Noise complaints should not be dropped if multiple calls are received reporting the same problem, or if a complainant requests contact with an officer.

RETAIL THEFTS

Active Retail Thefts (Suspects on scene)

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

Cold Scene Retail Thefts (Suspects not on scene)

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

- ii. LPO is injured

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.

Deviations from these guidelines must be approved by a supervisor.

OUTSIDE AGENCY TRANSLATION REQUESTS

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

OUTSIDE AGENCY VEHICLE PURSUITS

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

CRASHES INVOLVING CITY EMPLOYEES

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

TRAFFIC CRASHES (INCLUDING HIT AND RUN CRASHES)

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

- All the vehicles/pedestrians involved in the crash have left the scene prior to contacting police, unless special circumstances prompted their leaving (following a hit and run suspect vehicle, seeking medical treatment, moving out of traffic, etc.)
- 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 Crash Report Form (DT4002) available on the Department of Transportation website.

DISPATCH PROTOCOL FOR COMMUNITY POLICING TEAMS

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

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

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

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

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

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

DISPATCH PROTOCOLS FOR K9 TEAMS

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

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

SPECIAL DUTY RADIO NUMBERS

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

If a call is received from a location where a special duty officer is working, the appropriate patrol officer(s) should be dispatched. The special duty officer should be notified of the call and 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. The 911 Center dispatchers will also create a single incident number (using incident type L60T) for pre-planned traffic initiatives and attach all involved officers to the incident on the CAD. Incident type 132B3 should continue to be utilized for all other traffic incidents.

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

Activity Type	Incident Type	
Traffic stop/enforcement	L60T	
Directed foot patrol	L66F	Check Area/Foot Patrol
Property Checks	L66P	Check Property
Community Policing (meetings, etc.)	L87C	Assist/Comm Policing
Language Translation	L87T	Assist/Translate
Follow up investigations	L88F	Assist/Follow Up
On-Duty Court	L89C	Assist/Court
On Duty Training (ODS shoots, etc.)	L88T	On Duty Training
Any other self initiated activity	***	Most applicable call type

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

CRITERIA FOR ROUTING TO THE SELF-REPORTING SYSTEM

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

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

Video Evidence

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

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

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

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

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

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

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

Officers should be dispatched to all graffiti complaints.

Theft of Electronic Devices

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

Retail Theft

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

1. Loss is less than \$50, even with video evidence or cooperative suspect on scene
2. Theft over \$50, but not in progress and no readily identifiable suspect information
3. Incident does not involve multiple offenses or multiple stores
4. Does not involve theft of a firearm
5. 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 NUMBERS TO SELF-REPORT CALLS FOR SERVICE

MPD staff may be generating case numbers for “self-report” calls (e.g., walk-in customers to the district stations). Therefore, should MPD support staff call the 911 Center and request a case number for a self-report, ~~we are requesting MPD staff will request that~~ 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 911 Center staff: place the unit on duty, assign them, clear them, and return the unit to off-duty status.

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

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

- A** – Crash report (the officer completes a crash report, including DT4002 and MPD4000).
- C** – Citation issued (the officer completes and issues at least one citation without completing a report)
- D** – Dropped incident number (used for traffic crashes to which officers do not respond during limited crash response periods, noise complaints to which officers are unable to respond within one hour, or any other incident to which officers are unable to respond due to limited resources, workload, etc. This includes calls cancelled by complainants, if the cancellation is due to lack of a timely MPD response).
- F** – Field Report (the officer completes a field report)
- N** – No report (the incident does not require a report)
- R** – Report (the officer completes a report, excluding accident reports and field reports)
- S** – Self report (the incident is referred to the self 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 personnel when dispatching Parking Enforcement Officers (PEOs) to parking related calls. It is important to understand that PEOs are not armed law enforcement officers and should not be dispatched to a call requiring a sworn officer. These three guidelines should be followed at all times:

1. **Contesting Citations** – A PEO should never be dispatched to respond to a citizen contesting a citation. All questions should be forwarded to the Traffic Office at 266-4622.
2. **Serious Police Incident** – Do not dispatch a PEO into an area of a serious police incident where the PEO’s safety might be at risk (weapons offenses, barricaded subjects, etc.).

3. **Police Officer Back up** – There are several addresses tagged in the CAD system that require a police officer back up when dispatching for a parking call; an officer should be sent to accompany a PEO who is dispatched to these locations. Officers should only be dispatched to private parking complaints if a PEO is not available or not on duty.
4. **Severe Weather** – In the event there is severe weather (i.e., tornado, severe thunderstorm, blizzard, etc.) that would put the officer's safety at risk, dispatch should notify the PEOs of this warning. All parking calls should be held until the warning or severe weather has passed.

Calls for Service

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

Private Property Complaints

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

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

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

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

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

If **NO**:

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

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

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

Fire Lane Violations

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

Disabled Parking Violations

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

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

Blocked Driveway

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

If YES:

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

If NO:

- PEO will issue citation only without complainant contact.

Less Than Four Feet of Mailbox

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

No Motor Vehicle Idling

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

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

Street Storage Complaints

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

Temporary Posting

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

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

School Zone Enforcement

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

Alternate Side Parking

The Alternate Side PEOs are hired as hourly employees during the winter months (November 15–March 15). These employees are scheduled to work between the hours of midnight-6a. There are a total of 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. They are not authorized to tow vehicles.

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

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

Original SOP: 03/01/2014

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



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Digital Forensics

Eff. Date ~~12/28/2020~~ 01/19/2021

Purpose

Enhance the capabilities of Madison Police Department (MPD) personnel in the investigation and prosecution of crimes that involve the use of computers, tablets, cellular phones or other data storage devices.

Goals

1. Properly investigate and assist in the prosecution of cases involving digital evidence.
2. Preserve the integrity of seized digital evidence.
3. Provide expert testimony in court.
4. Act as an educational and training resource for the MPD and the community.

Function

The function of digital forensics includes the investigation of crimes committed involving the use of computers, cellular phones and other data storage devices which may include:

1. Use of electronic devices to commit or facilitate a crime.
2. Any crime outlined in Wisconsin State Statute 943.70 or computer crimes defined by federal code.
3. Perform forensic analysis of digital evidence in felony cases where evidence or information pertinent to an investigation may be stored.
4. Provide technical assistance and guidance in the proper safeguarding and collection of evidence stored in electronic form.

Collection of Devices with Digital Evidence

DESKTOP COMPUTERS

If the computer is shut down, **do not** turn it on. If the computer is powered on, **do not** shut it down. Check the monitor to determine if there is any information that may require photographic documentation and request an investigator for photos if necessary. Unplug the power cable from the rear of the computer, **not from the wall outlet**. Collect the computer tower. There is no need to collect the power cable **unless** the computer is an Apple product. Please collect the power cable for all Apple computers.

LAPTOP COMPUTERS

If the laptop is shut down, **do not** turn it on. If the laptop is powered on, **do not** shut it down. Check the screen to determine if there is any information that may require photographic documentation and request an investigator for photos if necessary. Unplug the power cable from the rear of the computer, **not from the wall outlet**. If the laptop stays powered on after the cable is removed, remove the laptop battery, if possible. If not, close the laptop and leave it powered on. Collect the laptop computer and the power cable for all laptops.

CELL PHONES / TABLETS / MOBILE DEVICES

Once it is determined that the device will require examination, **do not** allow anyone other than L.E. personnel to handle or manipulate the device. If the device is shut down, **do not** turn it on. If the device is powered on, shut it down. Collect the device. If the device is going to be examined on consent, complete the "Consent to Search Cell Phone" form and have the cell phone owner sign the form. Do not forget to ask if the phone has a pass code security lock and indicate the pass code number or pattern on the consent form.

THE HANDLING OF DIGITAL DATA INVOLVING KNOWN OR SUSPECTED CHILD PORNOGRAPHY:

When MPD staff comes across evidence that includes known or suspected child pornography extreme measures must be taken to ensure that this evidence is safely maintained and stored so that it can never be viewed outside of the official scope of the investigation. MPD staff shall also follow federal legislation regarding child pornography prevention, (The Adam Walsh Child Protection and safety act, HR-4472) and Section 3509 of title 18, United States code:

“(m) PROHIBITION ON REPRODUCTION OF CHILD PORNOGRAPHY.—“(1) In any criminal proceeding, any property or material that constitutes child pornography (as defined by section 2256 of this title) shall remain in the care, custody, and control of either the Government or the court.”

“(2)(A) Notwithstanding Rule 16 of the Federal Rules of Criminal Procedure, a court shall deny, in any criminal proceeding, any request by the defendant to copy, photograph, duplicate, or otherwise reproduce any property or material that constitutes child pornography (as defined by section 2256 of this title), so long as the Government makes the property or material reasonably available to the defendant.”

MPD personnel shall adhere to the following operating procedures:

- 1) MPD personnel not assigned to the Digital Forensics Unit (DFU) or the Special Victims Unit (SVU) shall never copy or reproduce in any manner items that contain known or suspected child pornography. If MPD investigative personnel, prosecuting attorney’s staff or attorneys or subject matter experts for the defense need to view the material for investigative or trial preparation purposes, arrangements shall be made with the computer forensic investigators assigned to the DFU for viewing to take place in the DFU office with relevant parties present.
- 2) MPD personnel assigned to the DFU may copy or reproduce and distribute items that contain known or suspected child pornography only at the request of a government agency or for submission to a government agency such as the National Center for Missing and Exploited Children (NCMEC). In such situations the copied material must be delivered by MPD personnel directly to a government agent or delivered in the manner directed by the agency’s submission guidelines.
- 3) If MPD personnel not assigned to the DFU receive evidence of known or suspected child pornography during the course of an investigation that evidence should be clearly identified as child pornography when packaged and entered into the MPD property system. Digital files such as images and videos should be placed on digital media and labeled clearly on the digital media “CHILD PORNOGRAPHY DO NOT DUPLICATE.”

Investigation

During the course of their investigation, MPD personnel are strongly discouraged from interacting directly (or allowing victims or witnesses to do so) with computers or other electronic devices that will subsequently be seized as digital evidence, unless they have been specifically trained to do so or there are exigent circumstances requiring such interaction. All activities on a computer or cell phone may be reflected in a forensic examination, and interacting with the device may overwrite or alter digital evidence or otherwise complicate a forensic examination. If it is necessary to interact with the digital evidence, document the date, time and activity involved. All examination, retrieval and analysis of digital evidence is to be done by FSU forensics examiners unless otherwise authorized by command staff.

Transport all devices to a district property intake room and package the item in the manner described in the Evidence Packaging Manual. If the device is going to be transported and released directly to a forensic examiner, the device must have an assigned property tag number prior to the examiner taking custody of the device.

Examination and Analysis of Electronic Evidence

EVIDENCE INTAKE

1. All evidence submitted to the DFU must have a property tag and must be accompanied by an electronic lab request.
2. The forensic examiner will verify and document by description, serial number and condition, any evidence submitted.
3. The forensic examiner will ensure the legal authority for the search of the evidence is in place and documented; a complete copy of the search warrant or consent form shall be submitted during intake.

PRESERVATION OF EVIDENCE

1. Digital evidence in the custody of digital forensic examiners will be handled in a manner consistent with the preservation of evidence.
2. Digital forensic examiners shall ensure the chain of custody of any evidence submitted for forensic examination is maintained and documented during the examination process. Evidence will be properly secured while in the custody of digital forensic examiners.

DIGITAL EVIDENCE ACQUISITION

1. Whenever possible, write-blocking tools are to be used during the acquisition of forensic images to prevent original evidence from being modified.
2. All analysis (beyond a forensic preview using write-blocking tools) shall be conducted using a forensic copy of the drive. In some circumstances, including the acquisition of data from mobile devices and solid state hard drives, changes to the original evidence may be unavoidable due to the nature of these devices.
3. Forensic copies shall be obtained using hardware and software specifically designed to capture a forensic copy of the original media. When it is not possible to obtain a validation hash, the digital forensic examiner will document the circumstances in their report.
4. All items may not need to be forensically imaged provided the media has been previewed and no evidence was found. Lack of a forensic copy will be documented in the examiner's report.

ARCHIVING OF EVIDENCE

All forensic case data shall be archived. Archived media shall be maintained with the same level of security as the original evidence.

Archived case data may be permanently destroyed or deleted from the Digital Forensics Unit (DFU) server if the lead investigator notifies the MPD Property Section of the case evidence disposition or at the direction of an authorized entity (e.g. the City of Madison Attorney's Office).

RELEASE OF EVIDENCE

Evidence released from digital forensic examiners will be done in accordance with MPD policies. No media shall be released from law enforcement custody which contains contraband (child pornography).¹

Prosecution

The case detective shall provide direction to the forensic examiner regarding the preparation and presentation of electronic evidence throughout the prosecution process.

¹ Any evidence recovered during a child pornography investigation should be property tagged and placed in evidence—no photocopies of any images, emails, etc. should be sent to Records as attachments.

The forensic examiner shall assist in the presentation and preparation of digital evidence for court to include training and an explanation of the findings to the assigned District Attorney.

Regarding release of information as part of the discovery process:

1. The forensic examiner shall, at the direction of the lead investigator, prepare evidence to be released or presented to the defense (copies of media, evidence files, cell phone extraction reports, etc.).
2. The forensic examiner shall coordinate with the MPD Records Section or the Prosecutor's Office regarding access or release of evidence and other information to the defense.
3. Contraband, child pornography images, or 3rd party information in any format, written or electronic, shall not be released to the defense without a valid court order. Access to this type of data, or forensic examination of the evidence by the defense, can be arranged by appointment through the forensic examiner.

Reporting

MPD personnel shall document all actions and observations in regard to the handling of computer or electronic evidence, consistent with MPD procedures relating to reporting, such as:

1. Collection of computers and electronic evidence.
2. Any specific actions related to interaction with digital evidence.
3. Chain of custody.

Original SOP: 02/25/2015

(Revised: 01/19/2017, 12/13/2017, 12/28/2020, 01/19/2021)

(Reviewed Only: 01/30/2019, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Domestic Abuse

Eff. Date ~~02/28/2020~~ 01/15/2021

Purpose

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

Procedure

MANDATORY ARREST (WI STATE STATUTE 968.075)

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

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

In circumstances meeting the mandatory arrest requirements, the suspect SHALL be taken to the Dane County Jail for booking if the suspect is present. Citations shall NOT be issued in these cases.

AT LARGE SUSPECTS

1. Officers should attempt to locate and take domestic abuse suspects into custody.
2. If the suspect cannot be located, then the officer shall complete a probable cause affidavit, booking sheet, and 72-Hour No Contact Provision. The date and time of arrest should be left blank on the 72-Hour No Contact Provision if the suspect is not in custody.
3. The PC affidavit, booking sheet, and 72-Hour No Contact Provision shall be forwarded to the OIC's office.
4. When the suspect is taken into custody, the officer will read the probable cause affidavit and attempt to interview the suspect regarding the incident. If probable cause still exists after this interview, the suspect shall be taken to the Dane County Jail (DCJ) and booked in.
5. Once the suspect is taken into custody, the date and time of arrest should be completed on the 72-Hour No Contact Provision. The victim should be notified of the date and time of arrest, and this notification should be documented on the 72-Hour No Contact Provision. If unable to contact victim to make this notification, then the officer should document the attempt to contact the victim in their report.

ARREST FACTORS

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

DISCRETIONARY ARREST (PRO-ARREST)

1. In cases involving Intimate Partner Violence, officers should make a physical arrest if a crime has been committed, even if the circumstances do not meet mandatory arrest requirements.

DISCRETIONARY ARREST (INTIMATE PARTNER VIOLENCE)

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

REPORT REQUIRED WHERE NO ARREST

1. Officers shall complete a report on all domestic violence calls. The report shall be completed prior to the end of their shift unless a supervisor approves for the report to be held.
2. The domestic abuse arrest law requires a law enforcement officer who does not make an arrest in a domestic abuse incident, but has probable cause to make an arrest, to prepare a written report prior to the end of his or her tour of duty stating why the person was not able to be taken into custody.
3. The report will be sent to the District Attorney's Office for review to determine whether the person involved in the incident should be charged with the commission of a crime.
4. Please refer to the "AT LARGE SUSPECTS" portion for procedure.
5. While Wisconsin State Statute 968.075 (Domestic Abuse Incidents) compels reasonable efforts to locate and arrest suspects who have committed acts of domestic abuse, there will be limited instances when this is not possible. (Hence, the need to forward a copy of the officer's incident report to the District Attorney's Office.) Examples where an arrest may not be immediately plausible include the following:
 - a. Reasonable efforts to locate and arrest the suspect are unsuccessful.
 - b. The suspect is located, but due to incapacitation from alcohol and/or drug use, the suspect is placed under protective custody and conveyed to Detox.
 - c. The suspect has been committed under the standard for an emergency detention.
 - d. The suspect has received injuries necessitating an overnight admission to a hospital. Consult with the Officer-in-Charge (OIC) to determine whether a guard should be posted.
6. When probable cause exists to arrest a domestic abuse suspect who is at large, the reporting officer will:
 - a. Enter suspect information and charges into SharePoint.
 - b. Complete a probable cause affidavit and consider having a sergeant or commander review the probable cause affidavit.
 - c. Complete the 72 Hour No-Contact paperwork.
 - d. Complete a Dane County Booking form.
 - e. Complete the required Leap LEAP Referral Form and Danger Assessment Form in instances of Intimate Partner Violence (IPV) (See below).
 - f. Forward the Booking form and Probable Cause Affidavit to the OIC.

MUTUAL DOMESTIC ABUSE

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

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

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

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

PAPERWORK

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

72-HOUR NO CONTACT PROVISION

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

VIOLATION OF 72-HOUR NO CONTACT PROVISION

1. Violation of the 72-Hour No Contact Provision is a new crime. If an officer has probable cause to believe the 72-Hour No Contact Provision has been violated, the offender shall be arrested and taken to the Dane County Jail.
2. A new case number is required for the new violation.
3. A new 72-Hour No Contact Provision should be completed by the investigating officer.
4. If the Danger Assessment and LEAP were completed following the initial arrest, those forms do not need to be completed again.

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

NOTIFICATION TO VICTIMS-VICTIM RIGHTS' INFORMATION FORM

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

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

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

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

LEAP REFERRAL

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

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

DANGER ASSESSMENT

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

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

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

INCREASED PENALTY FOR CERTAIN DOMESTIC ABUSE OFFENSES 939.621

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

CHILDREN PRESENT DURING DOMESTIC ABUSE CRIMES

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

WEAPONS SEIZURE

1. Weapons used in the commission of a crime should always be seized as evidence.
2. Weapons shall be seized from any individuals prohibited from possessing a firearm.
3. Possession of a firearm by a convicted felon is prohibited by Wisconsin State Statute 941.29 and Federal Regulation 18USC 922(g).
4. Possession of a firearm by a domestic abuse or child abuse respondent is prohibited for the duration of the injunction. If a respondent is in possession of a firearm, this is a felony offense. The respondent should be arrested for Possession of a Firearm (941.29 (1m)(f)) and the weapon should be seized, and photographed.
5. Safekeeping. If you are on the scene of a domestic and no weapons were used in the commission of a crime, you should still ask about access to weapons. If the victim is a spouse, ask if they would like you to take the weapons (marital property) for safe-keeping while the case is pending.
6. Possession of a firearm OR ammunition by a person prohibited from possession by federal regulations. (See below)

FEDERAL GUN VIOLATIONS

It is a federal offense for a person, **convicted** of a crime classified as a crime of domestic violence, to possess a firearm; Federal Regulations 18USC911 (g)(9).

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

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

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

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

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

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

LAW ENFORCEMENT INVOLVED DOMESTIC VIOLENCE

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

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

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

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

TEMPORARY RESTRAINING ORDERS AND INJUNCTIONS (WI STATE STATUTE 813.12)

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

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

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

1. Verify that the TRO/injunction exists, either through Data or DCJ records.
2. Determine whether the TRO/injunction has been served. This information can be obtained through **Public Safety Communication Center Data Operator** or Spillman **jail records**.
3. Determine the specific restricted granted in the TRO/injunction.
4. Serve the TRO/injunction to the suspect if it has not been served, noting date, time of service, and officer name on the back of the TRO copy. Additionally, notify dispatch of the date and time of service. Attach a copy of this form to your report. The victim's copy of the TRO/Injunction can be used to serve notice to the suspect.
5. **CONSTRUCTIVE KNOWLEDGE:** In cases where the suspect was served with the TRO and failed to show for the injunction hearing, the injunction is automatically granted. If the suspect had been served with the TRO, then the suspect has constructive knowledge that an injunction was granted. Therefore, the suspect should be considered on notice of the injunction and shall be arrested for any violations.
6. The officer will make an arrest for a violation of the order when there is an order in existence, the order has been served, and there is probable cause to believe that it was knowingly violated.

7. If the officer is arresting for the violation of a Domestic Abuse Injunction, this constitutes a new domestic abuse crime under **WI Wisconsin** State Statute 968.075, so a 72-Hour No Contact Provision shall be completed.
8. If an officer has probable cause to believe the injunction has been violated more than once, then a charge of stalking should be considered. The officer should obtain a new case number and offer the Danger Assessment and LEAP forms.
9. A Violation of a TRO or injunction may or may not constitute a new crime under **WI Wisconsin** State Statute 968.075. If the nature of the contact is benign, then it might result in only a violation of the injunction or TRO. If the nature of the contact involves additional crimes, then the Mandatory Arrest procedure shall be followed.

STALKING (WI STATE STATUTE 940.32(2))

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

STALKING WARNING LETTER

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

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

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

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

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

STRANGULATION/SUFFOCATION (WI STATE STATUTE 940.235)

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

Procedure

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

5. Officers sent to Meriter to collect a strangulation FNE kit should place the kit into MPD property according to the MPD property room guidelines.

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(Revised: 02/24/2016, 03/31/2016, 01/15/2019, 02/28/2020, 01/15/2021)

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



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



News Media Relations

Eff. Date ~~08/13/2018~~ 1/4/2021

Purpose

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

Procedure

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

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

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

ON-CAMERA, TELEPHONE OR IN PERSON INTERVIEWS

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

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

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

SUPERVISOR RESPONSIBILITIES

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

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

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

PIO RESPONSIBILITIES

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

Original SOP: 02/25/2015

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

(Revised: 05/02/2018, 08/13/2018, 1/4/2021)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Notification of Commanding Officers

Eff. Date ~~12/30/2019~~ 01/15/2021

Purpose

To clarify the situations requiring the notification of District or Work Unit Command Staff.

Required Notification of Commanding Officers

The following situations always require the notification of the District/Work Unit Command staff and the Assistant Chief of Field Operations as soon as possible regardless of when the incident occurs. When possible, contact should first be made with District/Work Unit Command staff, who will then notify the Assistant Chief of Field Operations. These notifications shall be made as soon as possible and should be made directly to one member of the District/Work Unit Command staff. Voice/Text messages should be left, but it is important to have direct contact with the command staff and an assistant chief of the district or work unit involved. The Officer in Charge is responsible to ensure these notifications are made.

1. A homicide or attempted homicide where death appears probable or where the victim sustains a significant injury. This includes weapons offenses where a victim is shot, stabbed (non-superficial), or sustains other injuries requiring hospitalization.
2. Weapons offenses of shots fired into an occupied residence or into an occupied vehicle.
3. When the suspect or person of interest of a high profile case has been arrested (i.e. homicide, attempted homicide, or any other high profile case that has received media attention).
4. A situation requiring an SWAT call-up. **NOTE: SWAT Commander will be called first** in this instance.
5. A situation requiring a SET call-up. **NOTE: SET Commander will be called first** in this instance.
6. A fatal traffic crash.
7. A significant incident involving an employee, on or off duty, e.g., serious injury or death of an employee, officer-involved shooting or use of deadly force, serious disciplinary measures, allegations of or arrest for criminal violations, or an employee or his/her family members being the victim of a serious violent crime. This includes on duty injuries in which an officer is unable to complete their shift. These examples are illustrative and not meant to be inclusive. **NOTE: The Chief of Police wants to be notified in the event of ANY employee—sworn/civilian—injury, whether on or off-duty.**
8. MPD arrest of any law enforcement officer.
9. A fire that results in a fatality.
10. A significant community issue or incident that requires police attention or involves notable persons.
11. Unusually extensive criminal damage to property/graffiti.
12. When a case is generating significant media interest and the scene supervisor is requesting PIO assistance.

If there is any doubt as to whether a call should be made, make the call. When unable to contact the appropriate Commanding Officer, contact should be attempted as follows:

1. Assistant Chief of Field Operations
2. Assistant Chief of Investigative and Specialized Services
3. Assistant Chief of Support and Community Outreach
4. Executive Section/Operations Captain
5. Any other District Commander

CONSULTATION WITH DISTRICT, WORK UNIT, OR ON-CALL DETECTIVE LIEUTENANT

Many cases warrant the immediate involvement of detectives and additional investigative resources. During normal work hours, the appropriate Detective Lieutenant, Investigative Lieutenant, or Detective Sergeant may be contacted directly. After 4 pm on weekdays, during normal Detective on-duty hours, the OIC can contact Detective Sergeants or Detectives directly with pre-approval from District, Work Unit, or On-Call Lieutenants.

The following table lists the incident types which **require** contact with the appropriate Lieutenant. In some cases, contact is only required in the event that a Patrol Supervisor or the Officer in Charge determine that additional investigative resources are needed. In cases where contact is required or additional resources are being requested, the Officer in Charge should contact the appropriate person from the table.

INCIDENT TYPE	Contact required	Mon - Fri	After Hours, weekend or holiday
Homicide / Attempted Homicide where death appears probable	Yes	VCU Detective Sergeant	Investigative Services Lieutenant of VCU <i>Back-Up: Either of the VCU Detective-Sergeants</i>
Kidnapping	Yes		
Weapons offense with occupied building or vehicle struck	Yes		
Victim with a gunshot wound	Yes		
Self-inflicted gunshot wound	If additional resources are needed	District Lieutenant	Detective On-Call Detective Lieutenant
Infant/Child death investigation or significant head or brain trauma	Yes	SVU Detective Sergeant	Investigative Services Lieutenant of SVU <i>Back-Up: Captain of Investigative Services SVU Detective Sergeant</i>
Child abduction or attempted abduction (not intended for child custody dispute)	Yes		
Sexual assault of a child ** An after-hours delayed report with no evidence readily available to collect, victim is safe and suspect is known, can be written up and routed to the Investigative Services Lieutenant of SVU	If additional resources are needed		
Physical abuse of a child	If additional resources are needed		
Child Neglect	If additional resources are needed		
Serious or fatal auto crash	Yes	Lieutenant of Traffic and Specialized Training	Lieutenant of Traffic and Specialized Training <i>Back-Up: Lieutenant of Forensic Services</i>
First or second-degree sexual assault ** An after-hours delayed report with no evidence readily available to collect, victim is safe, and suspect is known, can be written up and routed to the District Detective Lieutenant	If additional resources are needed	District Detective Lieutenant	On-Call Detective Lieutenant
First degree reckless endangering safety	Yes		
Arson to occupied building	Yes		
Home invasion without shots fired	If additional resources are needed		
An investigation that requires additional resources or expertise not available on an on-duty status	If additional resources are needed		
Imminent threat, targeted, or mass casualty violence	Yes		

NOTE: There may be circumstances involving crimes other than those already specified, which because of the complexity, on-going crime pattern, etc. (examples: counterfeit rings, business burglaries, armed robberies) warrant the immediate involvement of detectives. A call to the On-Call Detective Lieutenant is appropriate in these instances. **When in doubt**, a call to consult with the On-Call Detective Lieutenant should be made. The on-call contact number is 243-0544.

CONTACTING THE FORENSIC SERVICES UNIT LIEUTENANT

The Forensic Services Unit Lieutenant should be contacted whenever additional investigator resources are needed for an investigation, or for consultation on investigative steps/resources. The following situations **require** notification of the FSU Lieutenant:

1. A homicide or attempted homicide where death appears probable.
2. A serious or fatal auto crash.
3. A death investigation resulting the Medical Examiner's staff requesting an Investigator attend the autopsy.
4. A request by an outside agency for assistance by FSU personnel.
5. An investigation requiring additional FSU resources.

NOTE: Notification can be made by on-duty Investigators if time permits. This may help facilitate passing of pertinent information between on-duty investigators and the FSU Lieutenant.

CALL-IN PROCEDURE FOR DETECTIVES, SWAT, SET

When the On-Call Detective Lieutenant has determined that detectives are to be called in, he or she will provide a list of detectives to the OIC. It is the responsibility of the OIC to then contact the detectives from this list utilizing the Telestaff call-in process.

It is recognized that there may be circumstances that prompt the OIC to request assistance from the On-Call Lieutenant in making calls to the detectives, and these situations may be negotiated on a case-by-case basis. However, any further assistance provided by the On-Call Lieutenant is optional and not required.

When the SWAT or SET Commander has determined a unit call-up is warranted, it is the responsibility of the OIC to coordinate the SWAT/SET member notification process utilizing the Telestaff call-in process.

NOTIFICATION OF MPPOA/AMPS PRESIDENT

The President of MPPOA/AMPS should be notified whenever a significant incident involving an employee, on or off duty, occurs, e.g., serious injury or death of an employee, officer-involved shooting or use of deadly force, or an employee or his/her family members being the victim of a serious violent crime. These examples are illustrative and not meant to be inclusive.

INFORMATION CONSIDERATIONS PRIOR TO CALLING ON-CALL DETECTIVE LIEUTENANT

1. Nature of incident (i.e. stabbing, sexual assault, home invasion, etc.); was weapon/force/threat of violence used
2. Scene(s) – located and secured (i.e. vehicle, residence, outdoors, etc.); Supervisor, Detective or Investigator currently involved in on-duty status; presence of evidence; weather conditions that may impact evidence collection; evidence collection coordination
3. Time lapse from incident to reporting — if there was a delay, why
4. Victim(s) information – name; age; current location (hospital, scene, unknown, etc.); injuries; MPD in contact

5. Suspect(s) information – name(s), if known; in unknown, do we have a description or other pertinent information; relation to victim(s); location/custody status, if known;
6. Witness(s) information – are there any; if so, how many; location; MPD in contact
7. Other considerations – language/culture barrier; handicap for any involved parties (physical, mental illness, cognitive delays, etc.); juvenile (Safe Harbor situation, contact DCHS, protection issues, etc.); crowd or media concerns

The above information will assist the On-Call Detective Lieutenant in making a decision on the best way to proceed with the investigation, and who, if anyone, will be called in to assist.

Original SOP: 02/25/2015

(Revised: 02/24/2016, 02/03/2017, 06/15/2017, 02/19/2018, 05/02/2018, 01/17/2019, 05/01/2019, 12/30/2019, 01/15/2021)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Searches

Eff. Date ~~01/03/2020~~ 01/04/2021

Searches of Persons

A full search of an individual may only be performed under the following circumstances:

1. Incident to any lawful, custodial arrest authorized by Madison Police Department (MPD) procedures.
2. When a search of the person is authorized by a valid search warrant.
3. When the person has consented to a search of their person, and articulable reasons for the search exists. Whenever an officer requests consent to search, the officer shall document the articulable reasons in a police report.
4. The person has been arrested for a criminal offense (non-traffic) which is a violation of state statute, and the arresting officer elects to release the arrested person and issue a municipal or misdemeanor citation. A search may also be conducted for a violation of City Ordinance Trespass, which has a non-criminal corresponding state statute.
5. If the person to be searched is an elementary, middle, or high school student; the search is conducted in a school environment; the officer possesses reasonable suspicion that the student has committed a crime, ordinance violation, or school rule violation; and the search is being performed at the request of or in conjunction with school officials. The scope of the search must be related to the particular circumstances.
6. The person to be searched is a probationer, parolee, or under extended supervision; was placed on that status after December 2013; and the officer has reasonable suspicion that the person is committing, has committed, or is about to commit a crime or violation of their probation/parole/extended supervision. The scope of the search must be related to the particular circumstances.
7. The person has been lawfully taken into custody pursuant to provisions of Chapter 51 of the Wisconsin Statutes.

Strip Searches

DEFINITION OF A STRIP SEARCH

For purposes of this procedure, a strip search is defined as any search in which a person’s genitals, pubic area, buttock or anus, or an arrested female’s breast, is uncovered and either is exposed to view or is touched by a person conducting the search.

A search warrant will be obtained prior to performing any non-consensual strip search, unless exigent circumstances exist. All non-consensual strip searches will comply with 968.255 Wis. Stats. and the following procedures:

STRIP SEARCHES AUTHORIZED

Strip searches or body cavity searches may only be performed in the following circumstances:

1.
 - a. The person to be the subject of the search is an adult arrested for a felony or for a misdemeanor specified in State Statute 968.255(1)(a)2.; or is a child taken into custody under 938.19 if there are reasonable grounds to believe that the juvenile has committed an act which, if committed by an adult, would be covered under sub. A); and
 - b. Probable cause exists to believe that the person to be the subject of the search is concealing contraband or evidence in such a manner that a strip search or body cavity search is necessary to discover or retrieve it.
2.
 - a. The person to be the subject of the search is arrested for a misdemeanor not specified in 968.255(1)(a)2, a violation of state law punishable by forfeiture, or any local ordinance; and

- b. Probable cause exists to believe that the person to be the subject of the search is concealing a weapon or a thing which may constitute evidence of the offense for which **he or she has they** have been arrested in such a manner that a strip search or body cavity search is necessary.
3. The search is authorized by a valid search warrant or court order.

Strip Searches Must Be Conducted in the Following Manner

1. The officers conducting the search are the same gender as the person to be searched.
2. The officers conducting the search have obtained approval from a supervisor designated by the Chief to grant such approval, unless there is probable cause to believe that the person to be searched is concealing a weapon. The supervisor authorizing the search will complete and sign the strip search authorization form.
3. The search is conducted in a manner so that the person to be searched is not exposed to the view of anyone not conducting the search.
4. The person searched must be provided with written documentation of the search. Such documentation shall include the name of the officers conducting the search, the date and place of the search, and the written authorization from the Chief or his designee.
5. No visual or sound recording is made of the search.

DEFINITION OF BODY CAVITY SEARCH

For purposes of this procedure, a body cavity search is defined as any search of a body cavity that is also a strip search. Therefore, searches of the mouth, nose, or ears are not considered body cavity searches, and do not fall within the restrictions provided by this procedure.

Body Cavity Searches Must Be Conducted in the Following Manner

1. The search is conducted by a physician, physician assistant, or registered nurse licensed to practice in Wisconsin.
2. The officer directing the search has obtained approval from a supervisor designated by the Chief to grant such approval, unless there is probable cause to believe that the person to be searched is concealing a weapon. The supervisor authorizing the search will complete and sign the strip search authorization form.
3. The search is conducted in a manner so that the person to be searched is not exposed to the view of anyone other than the officers directing the search and the medical personnel needed to perform the search. Officers directing the search must be the same gender as the person to be searched.
4. The person searched must be provided with written documentation of the search. Such documentation shall include the name of the officers directing the search, the date and place of the search, and the written authorization from the Chief or **his the Chief's** designee.
5. No visual or sound recording is made of the search.

SUPERVISORS PERMITTED TO AUTHORIZE

The Chief may designate supervisors who are permitted to authorize searches under this procedure. In absence of contrary direction from the Chief, the following supervisors are designated to authorize searches under this procedure:

1. All command supervisors (Lieutenants and above).
2. Sergeants assigned to Patrol.
3. Sergeants assigned to the Dane County Narcotics **and Gang** Task Force.
4. Detective **s**Sergeants.

SEARCHING PHYSICALLY DISABLED PERSONS

Searches of physically disabled persons shall be conducted pursuant to the requirements of State Statute 968.256 of the Wisconsin Statutes.

CRIME VICTIMS/PERSONS CONSENTING

The restrictions outlined in this procedure do not apply to strip searches or body cavity searches of crime victims, or to others who are not being detained, who have consented to the search. However, the officers conducting the search must be the same gender as the person to be searched, the search must be conducted in a manner that the person to be searched is not exposed to the view of anyone not conducting the search, and no visual or sound recording may be made of the search. Consensual strip searches or body cavity searches of non-victims must be approved by a supervisor.

CURRENT FORMS

Most up-to-date Strip Search Forms are located in the filing cabinet in the OIC's Office.

BLOOD DRAWS

A search warrant will be obtained prior to performing any non-consensual blood draw, unless exigent circumstances exist.

Searches, Seizures, and Inventories of Motor Vehicles

These guidelines establish procedures for searches, seizures, and inventories of motor vehicles. Because seizures and inventories are treated differently as a matter of administration, they are made the subject of separate guidelines. A search is an examination of a person, place, motor vehicle, or any other thing with a view toward discovery of evidence (contraband, weapons, things used in committing a crime, and other evidence of crime). A seizure involves taking the vehicle itself into custody. An inventory is an examination of a motor vehicle in police custody to account for objects in the vehicle for which the police are responsible.

The Search guidelines on searches are grouped in terms of common situations in which search opportunities arise: where when evidence is found located in plain view or open view; where when an arrest is made (either non-custodial, as in a minor traffic case, or, more typically, as in full-custody arrest, when the suspect is taken to a detention facility or before a judicial officer); where a when searching of an unoccupied vehicle is desired; and finally, where when consent from the owner or driver is sought.

The procedure contained in the guidelines attempt to maximize police efficiency in controlling crime, while at the same time protecting persons from invasions of their privacy.

Searches of Vehicles Connected with Arrests

FULL-CUSTODY ARREST

Whenever an officer makes a custodial arrest of a person from a motor vehicle, the officer may conduct a search of the vehicle if there is a reason to believe the vehicle contains evidence of the offense for which the arrest has been made. The search is limited to those places in the passenger compartment where the evidence in question could be located. The search must be contemporaneous to the arrest.

STOP FOLLOWED BY CITATION

1. Street Citation

A person who is "stopped" by an officer and then is given a warning or issued a citation—but who is not placed under full-custody arrest—should not be searched, nor should any vehicle used by such person be searched, unless the officer has consent or reasonably suspects the person to be armed. In that case, the officer may "frisk" the person and vehicle for weapons.

2. Stationhouse Citation

Traffic violators and other persons who are asked to follow an officer to a police facility (e.g., non-resident drivers), but who are not placed under full-custody arrest, should not be searched nor should their vehicle be searched. If the officer making the stop reasonably suspects the person to be armed, the officer may “frisk” the person and vehicle for weapons.

Searches of Vehicles Not Connected with an Arrest

SEIZURE OF ITEMS IN PLAIN VIEW OR OPEN VIEW IN A VEHICLE

An officer lawfully in any place accessible to the public may, without obtaining a search warrant, seize from a motor vehicle any item which the officer observes in plain view or open view (including items observed through the use of a flashlight), if there is probable cause to believe that the item is contraband, anything used in committing a crime, or other evidence of crime. These categories of evidence are hereafter referred to collectively as “seizable items.”

SEARCH BASED ON PROBABLE CAUSE

If an officer has probable cause to believe that a vehicle either locked or unlocked, contains seizable items, all those areas of the vehicle which could contain such items may be searched without a search warrant unless:

1. The vehicle does not appear to be movable or easily rendered movable by minor repairs.
2. The vehicle is located on private property not readily accessible to the public.

Use of Search Warrant

A search warrant should be obtained when:

1. The vehicle does not appear to be movable or easily rendered movable by minor repairs.
2. The vehicle is located on private property that is not accessible to the public.

Entry Into Locked Vehicles or Areas

Whenever possible, an officer shall open a locked trunk or glove compartment by means of a key rather than by force. If keys are not available, instructions shall be obtained from a supervisor as to the method to be used in opening the locked trunk or glove compartment.

Consent Searches of Motor Vehicles

An officer may request consent to search from the person(s) in control of the vehicle whenever articulable reasons for the search exist. ~~No~~ A consent search may ~~not~~ be ~~conducted~~ ~~made~~ unless the officer has received from the person a voluntary and unequivocal consent to search the vehicle. A “Consent to Search of Vehicle” form may be completed as evidence that the search was consensual. Whenever an officer requests consent to search, the officer shall document the required articulable reasons in a police report.

Seizures of Motor Vehicles

A motor vehicle is “seized” or “impounded” when officers take custody of it and either remove it to a police facility or arrange its removal to a private storage facility. An “inventory” is an administrative process by which items of property in a seized vehicle are listed and secured. An inventory is not to be used as a substitute for a search. Vehicles coming into custody of MPD shall be classified for purposes of these guidelines into ~~five~~ ~~six~~ categories: seizures for forfeiture; seizures as evidence; prisoner’s property; traffic/parking impoundments; and other non-criminal impoundments. The procedures for carrying out the seizure, the need for a warrant, the right to search or inventory a vehicle, and the time and scope of any such inventory depend upon how the vehicle is classified.

Seizures for Forfeiture: Vehicle Used Illegally

1. When Permitted

A vehicle may be seized for forfeiture when an officer has probable cause to believe any of the following (a supervisor's approval is required):

- a. That the vehicle has been used to facilitate the sale, delivery, or manufacture of controlled substances;
- b. That the vehicle has been used in the unlawful manufacture or commercial transfer of gambling devices;
- c. That the vehicle has been used to transport any property or a weapon used or to be used in the commission of any felony;
- d. That the vehicle was used in violation of 946.70 (Impersonating a Peace Officer);
- e. That the vehicle was used in violation of 944.30, 944.31, 944.32, 944.33 or 944.34 (Prostitution/Pandering/Solicitation);
- f. Other reasons authorized by 973.075 or by any other statute.

2. Exception for Federal Offenses

When an officer has probable cause to believe that a vehicle has been used to violate a federal law, which provides for forfeiture following violation, the officer may seize the vehicle regardless of the amount of contraband involved or the prior record of the owner or occupant, and shall seek instructions from a supervisor concerning federal forfeiture procedures.

3. Necessity for Search Warrant

An officer shall obtain a search warrant prior to making a "seizure for forfeiture" whenever the vehicle to be seized is on private property not accessible to the public.

4. Inventory Procedure

A vehicle seized for forfeiture will be transported to a police facility for storage. An officer who seizes a vehicle for forfeiture shall completely inventory the contents as soon as practical immediately upon its arrival at a police facility. The vehicle's contents will be documented in a report or by using the MPD vehicle inventory form. Upon completion of the inventory, the officer shall obtain instructions from a supervisor relating to appropriate further processing of the vehicle. If the vehicle's contents are documented by using the MPD vehicle inventory form, the form should be scanned into the MPD Law Enforcement Records Management System (LERMS) with the case documents.

Seizures as Evidence

1. When Permitted

When an officer has probable cause to believe that a vehicle has been stolen or used in a crime or is otherwise connected with a crime, the vehicle may be taken into custody and classified as a "seizure of evidence."

2. Exception for Minor Traffic Offenses

A vehicle involved in a minor traffic offense shall not be seized as evidence merely because it was used to commit the traffic offense.

3. Necessity for Search Warrant

An officer shall obtain a search warrant prior to making a "seizure as evidence" whenever the vehicle to be seized is on private property not accessible to the public.

4. Inventory and Release Procedures

A vehicle seized as evidence will be transported to a police facility for storage. A vehicle seized as evidence shall be completely inventoried as soon as practicable after its arrival at a police facility, unless such an inventory might damage or destroy evidence. The vehicle's contents will be documented in a report or by using the MPD vehicle inventory form.

If the vehicle's contents are documented by using the MPD vehicle inventory form, the form should be scanned into LERMS with the case documents. Vehicles seized as evidence shall not be released to any person until the appropriate prosecutor or other official has signed a release form indicating that the vehicle seized as evidence is found to be the property of a person having no criminal involvement in the offense, the vehicle should be returned to such person on an expedited basis.

5. Recovered Stolen Vehicles

Recovered stolen vehicles that are not believed to be connected to any other crimes generally should not be impounded. Instead, they should be processed for evidence at the location of recovery and released to the owner. If the owner is not available to take custody of the vehicle, it should be transported to a private storage facility for safekeeping pending release to the owner. An inventory should not be conducted.

Disposition of Arrested Person's Vehicle

When a person is arrested in a vehicle which that person owns or has been authorized to use, and the vehicle is not otherwise subject to seizure, it should be locked and legally parked on the street. If it is not possible to lock the vehicle, any observable items of value should be secured in the trunk of the vehicle. Of course, dependent upon the fact situation, guidelines contained in other subsections may apply, for example, where probable cause exists to believe the vehicle contains seizable items or where probable cause to believe the vehicle has been stolen or used in a crime exists.

If the vehicle is found to be the property of a person having no criminal involvement in the offense, such person shall be notified of the location of the vehicle as soon as practicable.

Traffic or Parking Removals

When an officer causes a vehicle to be moved to a location on a public street as close to the original location as possible, consistent with prevailing traffic conditions; vehicles removed shall not be inventoried or searched in any way. However, the officer who caused the vehicle to be removed shall, if possible, close the windows and lock the doors before leaving the vehicle.

Abandoned and scofflaw vehicles (unpaid parking citations) may be towed pursuant to guidelines established by the Traffic Captain. These vehicles will be towed to a private storage facility and should not be inventoried.

Parked vehicles that are unreasonably leaking gas/oil/fluids or otherwise creating a safety hazard may also be towed. These vehicles should be towed to a private storage facility and should not be inventoried.

Other Non-Criminal Impoundments

1. Definition

An officer may take a vehicle into police custody because there is reason to believe that it is part of the estate of a deceased person, or the property of an incapacitated person, or because it is property turned over to the police at the scene of a fire or disaster.

2. Procedure Upon Non-Criminal Impoundment

A vehicle impounded under this section should not be inventoried, and should be transported to a private storage facility.

Procedure for Vehicle Contents Inventory

Whenever an officer is authorized to inventory a vehicle, the passenger compartment, glove compartments, trunk, and other storage compartments, such as console and dashboard compartments, or ashtrays which may be infinitely varied by automobile designers, may be examined whether or not locked. Areas not included are gas tanks, fluid reservoirs, or structural cavities not likely to be used to store personal effects. The vehicle's contents will be documented in a report or by using the MPD vehicle inventory form.

Closed or sealed, locked or unlocked containers, found within any of the above compartments shall be inventoried as "a closed container or unit" and shall not be opened. Included are suitcases, purses, or closed or sealed containers.

Vehicle contents should be documented in a report or on the inventory form and returned to the vehicle in most instances. Contraband or evidence located during an inventory should be seized and property tagged. Immediately upon completion of the inventory, the officer shall, if possible, roll up the windows and lock the doors and the trunk.

When Foregoing Guidelines May Be Disregarded

Whenever it appears that any of the foregoing guidelines should be modified or disregarded because of special circumstances, supervisory approval is required. The District Attorney's Office should be consulted when feasible.

Consent Search of Residences

An officer may request consent to search a residence from any person who has apparent authority over and control of the premises, whenever articulable reasons for the search exist. A No consent search will not may be conducted unless the officer has received voluntary consent to do so. A "Consent to Search of Residence" form may be completed as evidence that the search was consensual. Whenever an officer requests consent to search, the officer shall document the required articulable reasons in a police report.

Officers shall make reasonable attempts to ensure that the person granting consent has the authority to give consent to the particular area(s) searched.

ENTRY TO RESIDENCES TO MAKE AN ARREST

Officers may enter a private residence to effect an arrest if there is a valid criminal arrest warrant for the subject; if there is probable cause that the subject is in the residence at the time; and if there is probable cause that the subjects resides at the residence. If the wanted subject is in the residence of a third party, the arrest warrant does not authorize entry and some other legal justification is required (consent, search warrant, exigency, etc.). Probable cause to arrest—by itself—does not provide authority to enter a residence.

Once an arrest is made, officers may conduct a lawful search of the area within the arrestee's immediate control at the time of the arrest. This search must be contemporaneous to the arrest.

A protective sweep of the residence may be conducted once officers have lawfully entered if a reasonable suspicion exists that a person or person(s) are in the residence and pose a threat to officers. The sweep is limited to places where a person could be concealed.

Officers considering entry to a private residence should be cognizant of the inherent risks to entry and utilize proper tactics, equipment, and resources to do so safely. In some instances, the appropriate course of action will be to wait for await additional resources or to not make entry.

WARRANTLESS ENTRY TO RESIDENCES BASED ON EXIGENT CIRCUMSTANCES

Officers are permitted to make a warrantless entry to a residence when they have probable cause (to arrest or search) and exigent circumstances are present. Exigent circumstances are defined as a compelling need for action without having time to secure a warrant, and fall into one of these categories:

- Hot pursuit
- A threat to the safety of the suspect or others
- A risk that evidence will be destroyed
- A likelihood that the suspect will flee

Officers must consider the severity of the underlying offense when determining whether a warrantless entry based on exigent circumstances is appropriate. The offense must be criminal; a warrantless entry for ordinance violations is not permitted.

The scope of the entry is limited to that needed to address the exigency; any searching must be legally justified (consent, search warrant, etc.). A protective sweep of the residence may be conducted once officers have lawfully entered if a reasonable suspicion exists that a person or person(s) are in the residence and pose a threat to officers. The sweep is limited to places where a person could be concealed.

Officers considering warrantless entry to a private residence should be cognizant of the inherent risks to entry and utilize proper tactics, equipment, and resources to do so safely. In some instances, the appropriate course of action will be to wait for await additional resources or to not make entry.

ENTRY TO RESIDENCES BASED ON THE EMERGENCY DOCTRINE OR COMMUNITY CARETAKER STANDARD

Officers are permitted to make a warrantless entry to of a residence under the emergency doctrine if it is reasonably believed that a person inside the residence is in immediate need of aid or assistance.

Officers are permitted to make a warrantless entry to of a residence under the community caretaker doctrine when it reasonably appears that immediate action is required to address a non-investigative need (checking welfare, public safety risk, significant property risk, etc.). Officers' primary motivation must not be criminal investigation, and alternatives to the warrantless entry must be exhausted.

The scope of the entry is limited to that needed to address the issue; any searching must be legally justified (consent, search warrant, etc.). A protective sweep of the residence may be conducted once officers have lawfully entered if a reasonable suspicion exists that a person or person(s) are in the residence and pose a threat to officers. The sweep is limited to places where a person could be concealed.

Officers considering warrantless entry to a private residence should be cognizant of the inherent risks to entry and utilize proper tactics, equipment, and resources to do so safely. In some instances, the appropriate course of action will be to wait for await additional resources or to not make entry.

Original SOP: 03/04/2015
(Reviewed Only: 02/17/2016, 12/26/2017)
(Revised: 03/21/2016, 03/03/2017, 12/03/2018, 01/03/2020, 01/04/2021)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Update of Payroll/Status for Promoted Employees

Eff. Date ~~02/02/2018~~ 02/01/2021

Purpose

This procedure outlines the process steps for the promotion of commissioned employees, from the designation of the Chief, through the approval of the Police and Fire Commission, and through the completion of the probationary period.

Definitions

- Acting A temporary limited-term fill of a crucial position or a temporary acting position prior to an anticipated open position vacancy. An employee serving in this role has not been designated for promotion for an anticipated open position vacancy. This refers to employees receiving acting pay.
- Acting-Promotional A temporary status for an employee serving in the promoted role after the Chief's preliminary designation for promotion. The employee will serve in this status from the effective start date, until the preliminary designation has been approved by the Police and Fire Commission (PFC).
- Effective Start Date This is the official start date of the promotional status, and generally will set the date for the start of the required probationary period.

Procedure

1. The Chief designates an employee for promotion.
 - If there is more than one employee promoted on the same date, seniority is determined by the order the Chief designates. The memo sent out by the Chief's Administrative Assistant will list the promoted employees in seniority order.
2. Determination of Effective Start Date
 - The Executive Section/Operations Captain of Centralized Services will work with the Finance Manager to determine the effective start date of each employee in their promoted assignment and notify the Chief's Administrative Assistant and the Captain of Training of the appropriate date.
 - The effective start date of the promoted assignment will not occur until an actual vacancy exists. If there is a critical need for a promotion prior to that date, the appropriate City Personnel Rules and/or labor contract APM's and/or ordinances will be followed in regards to obtaining approval for the "double fill" of the position.
 - The effective start date does not include initial cross-training dates when the employee is not primarily responsible for the promoted assignment. For all promoted positions except for Sergeant promotions, cross-training will take place at the non-promoted rank. For Sergeant promotions, the first week of cross-training will take place at the non-promoted rank. The second and third weeks of cross-training will take place at the promoted rank.
 - It is preferred that promotional start dates coincide with the start of a payroll period. Exceptions can be made if there is a critical need. (The Executive Section/Operations Captain of Centralized Services should consult with the Finance Manager to ensure that the correct date is used.)
 - The Chief's Administrative Assistant will issue the appropriate memos regarding the notification of the promotion and the effective start date, and will place the documents in the employee's personnel file.

3. Payroll Status: Acting

Payroll staff will calculate the pay difference between the acting role and an employee's current rank. Any calculated pay will be added to an employee's biweekly paycheck for each pay period when they are in an acting role. Seniority and probation is not applied during this period.

As of 2020, if an acting Association of Madison Police Supervisors (AMPS) promotion extends longer than a period of six months, the employee will be entitled to the step increases outlined in the labor contract. If an employee is receiving acting pay for an acting promotion from a Madison Professional Police Officers Association (MPPOA) position to an AMPS position (i.e. moving from the sergeant rank to acting lieutenant), the acting lieutenant would receive the benefits to which an AMPS member is entitled. This would include a step increase if the acting AMPS promotion extends longer than a period of six months.

4. Payroll Status: Acting-Promotional Capacity

Payroll staff will initiate a Personnel Action Entry in the finance system to move the employee to the new rank in an "Acting-Promotion" capacity as of the effective start date of the promoted assignment.

As of July, 2013, the date that the employee begins to earn Acting-Promotional Pay at the promoted rank is also the employees "seniority date" in rank. (Prior to July 2013, the date the PFC confirmed the promotion was the seniority date.) This date is also the anniversary date in rank for contract seniority pay as well as promotional eligibility, closed positions, etc.

5. Police and Fire Commission Promotional Review Process

The Captain of Training will utilize the effective start date of a promotion to determine when to initiate the PFC review process of the preliminary promotional designation. The PFC review process is as follows:

- Step 1: The employee is introduced as a designated promotion and their the employee's resume is provided. This introduction should occur be at the first PFC meeting after the designation is made. (At times, there are exceptions to when this would happen. An employee may not be presented to the PFC if there is no actual vacancy, or if the position is part of a "pilot" project. In these situations, the Captain of Training will notify the Chief's Administrative Assistant and the Finance Manager that the employee will not be presented to the PFC as the position may not be permanent.)
- Step 2: The PFC will meet in closed session as needed to discuss the review of the personnel file of the employee(s) designated for promotion(s).
- Step 3: Once a position has been vacated/created and is available for a promotion, the Chief officially requests through his/her designee, approval by the PFC of the preliminary promotion designation. The PFC approves the official start date in rank that has been provided by the Captain of Training. This is usually the start of the pay period closest to the date the PFC makes its approval of the designation.
- It is requested that the PFC approves the official start date in rank that has been provided by the Captain of Training. This is usually the start of the pay period closest to the date the PFC makes its approval of the designation.

PFC Approval of the Preliminary Promotional Designation

- The Captain of Training will notify the Chief's Administrative Assistant of the approval.
- The Chief's Administrative Assistant sends out the appropriate memos, which includes notification of to Payroll. The Administrative Assistant also updates the seniority information with the date of the change in rank.

6. Payroll Status Change from Acting-Promotional

Payroll staff will initiate a Personnel Action Entry in the finance system to move the employee from the "Acting" rank to the promoted rank using the start date approved by the PFC.

7. Probationary Promotional Period

The PFC approval of the preliminary promotion designation starts the probationary period for the employee. The term of the probation is determined as follows:

- The Captain of Training recommends the ~~start end~~ date of probation, which is usually 12 months from the actual date they began in acting promotional status.
- This may or may not coincide with the introduction of the employee to the PFC as a promotional designation. If an employee starts as acting promotional prior to a position becoming available, the acting promotional time will count towards probation, but they cannot move forward with the PFC process until an actual vacancy exists.
- Prior to the end of a 12-month probationary period, the Captain of Training will request a memo from the promoted employee's commander, directed to the Chief of Police. The memo should indicate one of three dispositions: satisfactory performance during the probationary period, the need for an extension due to use of leave time, or a recommendation to the Chief to rescind the promotion.
- The Chief will make the final determination on the status of the promotion.
- The employee must be notified if the Chief intends to either extend probation or rescind the promotion. The commander of the employee will be required to meet with the employee in these cases.
- At the closest PFC business meeting prior to the end of the employees 12-months of probationary period, the Captain of Training will request that the PFC make the promotion permanent, or inform the PFC of any needed extensions or rescinding decisions by the Chief of Police. This step must occur prior to the end of the probation.
- The Captain of Training will notify the Chief's Administrative Assistant of the final decision by the PFC regarding final promotional designation.

8. Promotional Memo to Employee

The Chief's Administrative Assistant will issue the appropriate memo indicating the final promotional designation and approval of the PFC.

Original SOP: 03/01/2014

(Revised: 03/31/2015, 04/03/2015, 02/12/2016, 01/06/2017, 02/02/2018, 02/01/2021)

**CITY OF MADISON
INTRA-DEPARTMENTAL
CORRESPONDENCE**

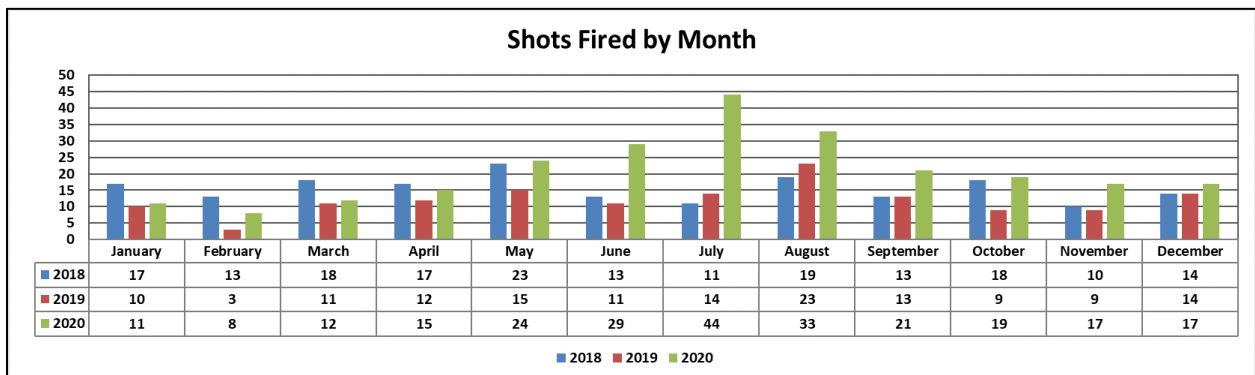
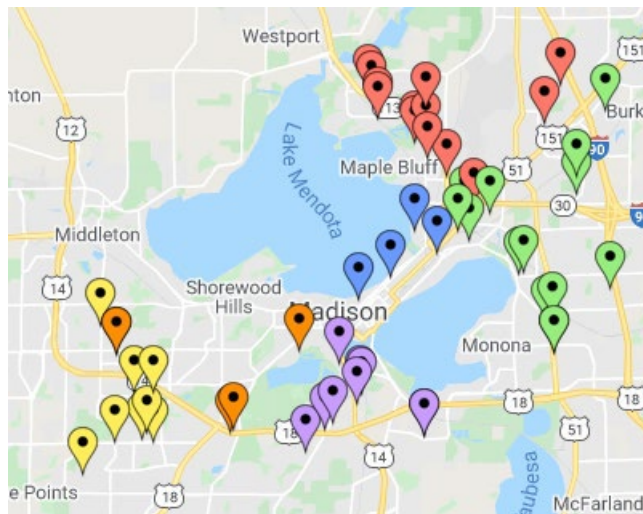
DATE: January 15, 2021

TO: All Alders
FROM: Victor Wahl, Acting Chief of Police
SUBJECT: Quarterly Report

This document provides an update on selected MPD topics for the fourth quarter (October, November, and December) of 2020. **Please consider the data included in this update as preliminary, subject to modification.**

Significant Incident Types

Shots Fired – there were fifty-three (53) shots fired incidents in the City from October 1st through December 31st (2020). This is a **66%** increase from the fourth quarter of 2019. Twenty-two (22) shots fired incidents were reported during the 4pm – midnight period; fifteen (15) were reported during the midnight – 8am time period; and sixteen (16) were reported during the 8am – 4pm time period.

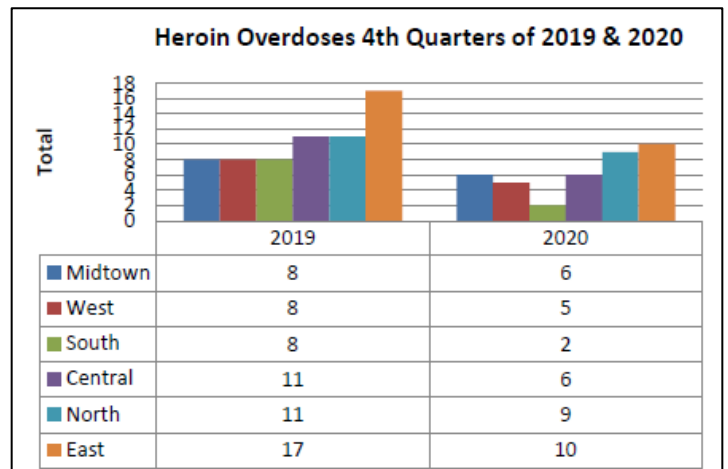


	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Total
Property Damage	6	27	47	17	97
Subjects Struck by Gunfire*	7	13	19	9	48
Accidental Discharge	4	1	1	2	8
Self-Inflicted (intentional)	2	3	3	3	11
Casings Recovered	70	202	565	274	1,111

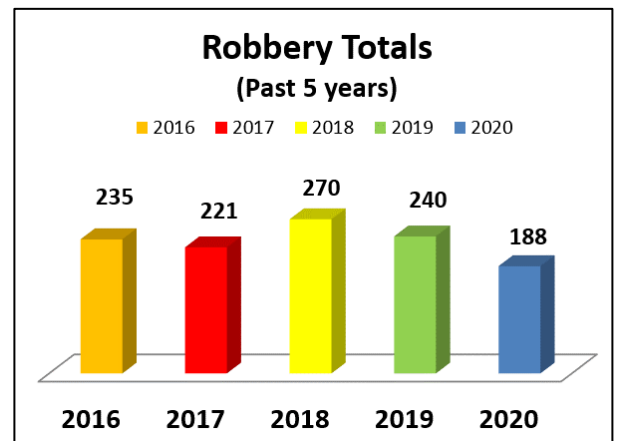
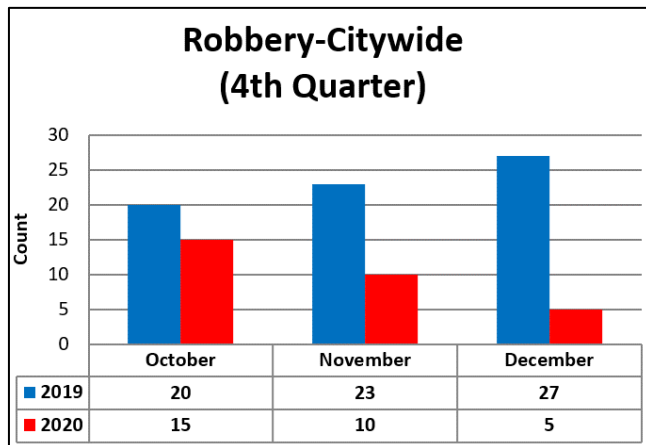
*Excludes accidental discharge & self-inflicted

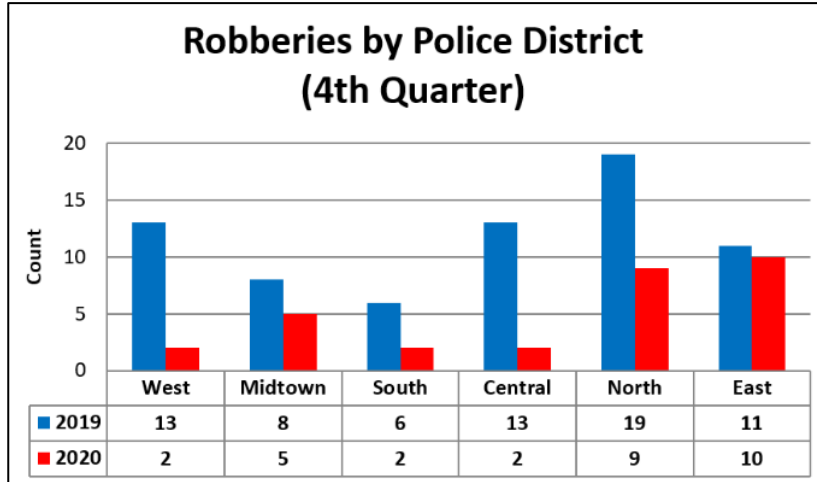
Heroin Overdoses – MPD responded to thirty-nine (39) known heroin overdoses during the fourth quarter of 2020. This is a 38% decrease from the fourth quarter of 2019. Note that these figures refer to known overdoses...it is likely that many overdoses are occurring without any report to MPD or MFD.

There were six (6) overdose deaths during the fourth quarter of 2020. This is a 33% decrease from the fourth quarter in 2019 [note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

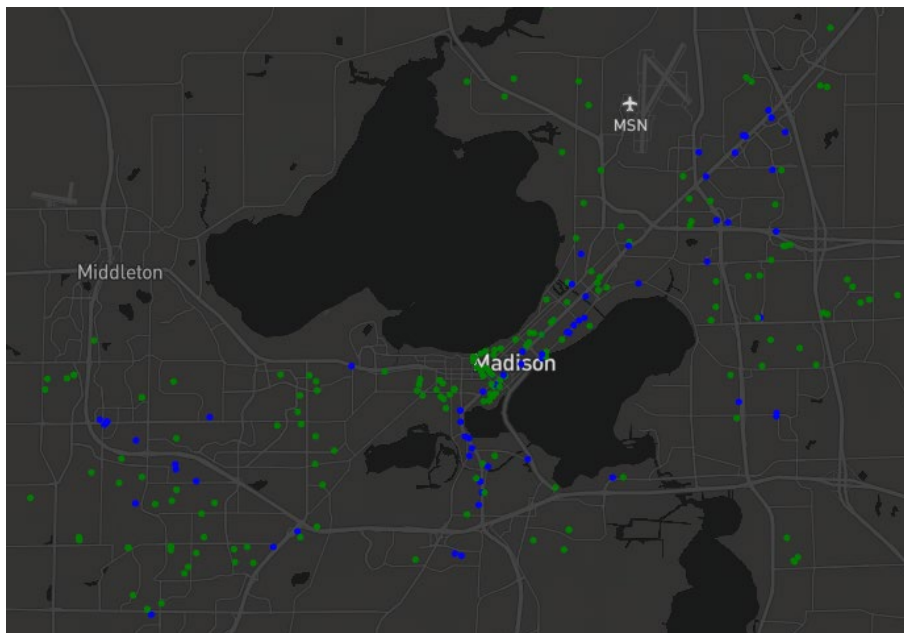
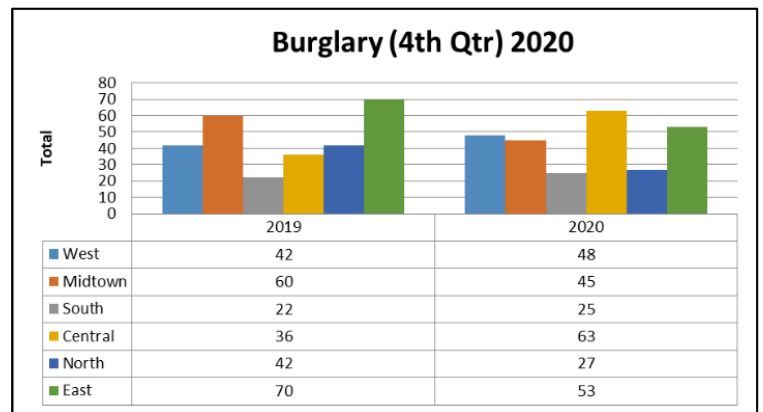
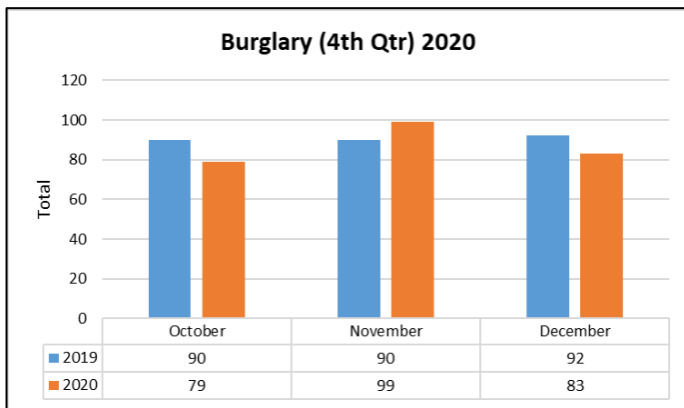


Robberies – Thirty (30) robberies occurred in the City during the fourth quarter of 2020. This is a 57% decrease from the fourth quarter of 2019. The end-of-year robbery total in 2020 (188) reflected a 22% decrease from 2019 and was the lowest annual robbery total in the last five years.



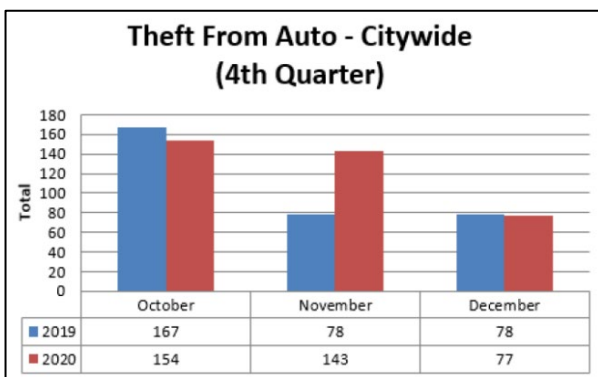
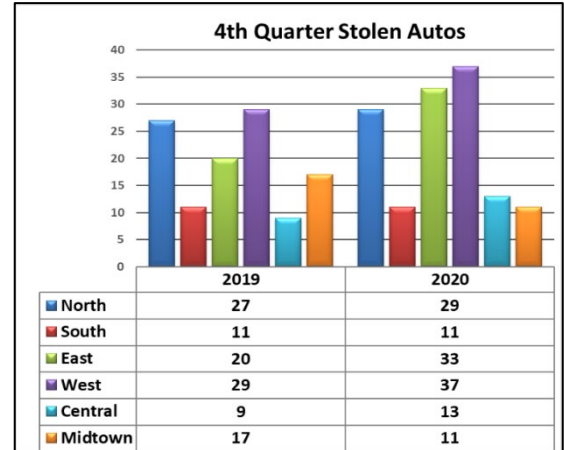


Burglaries – MPD responded to 261 burglaries during the fourth quarter of 2020. This is a 4% decrease from the fourth quarter in 2019.



Blue: nonresidential burglary; green: residential burglary

Stolen Autos – MPD investigated 141 stolen autos during the fourth quarter of 2020. This is a 25% increase from the fourth quarter in 2019.



Thefts from Vehicles – MPD investigated 374 thefts from vehicles during the fourth quarter of 2020. This is a 16% increase from the fourth quarter in 2019

Arrest Data

Fourth quarter arrest data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	1,371	1,222	1,133	969	4,695	73.9%
Female	539	407	378	337	1,661	26.1%
Unknown	1	0	0	0	1	0.0%
Total	1,911	1,629	1,511	1,306	6,357	100.0%

Race	Q1	Q2	Q3	Q4	Total	%
Asian	28	27	16	19	90	1.4%
African-American	905	754	780	657	3,096	48.7%
Native American	7	10	11	11	39	0.6%
Other	38	42	26	10	116	1.8%
Caucasian	933	796	678	609	3,016	47.4%
Total	1,911	1,629	1,511	1,306	6,357	100.0%
Hispanic	155	111	103	69	438	6.9%

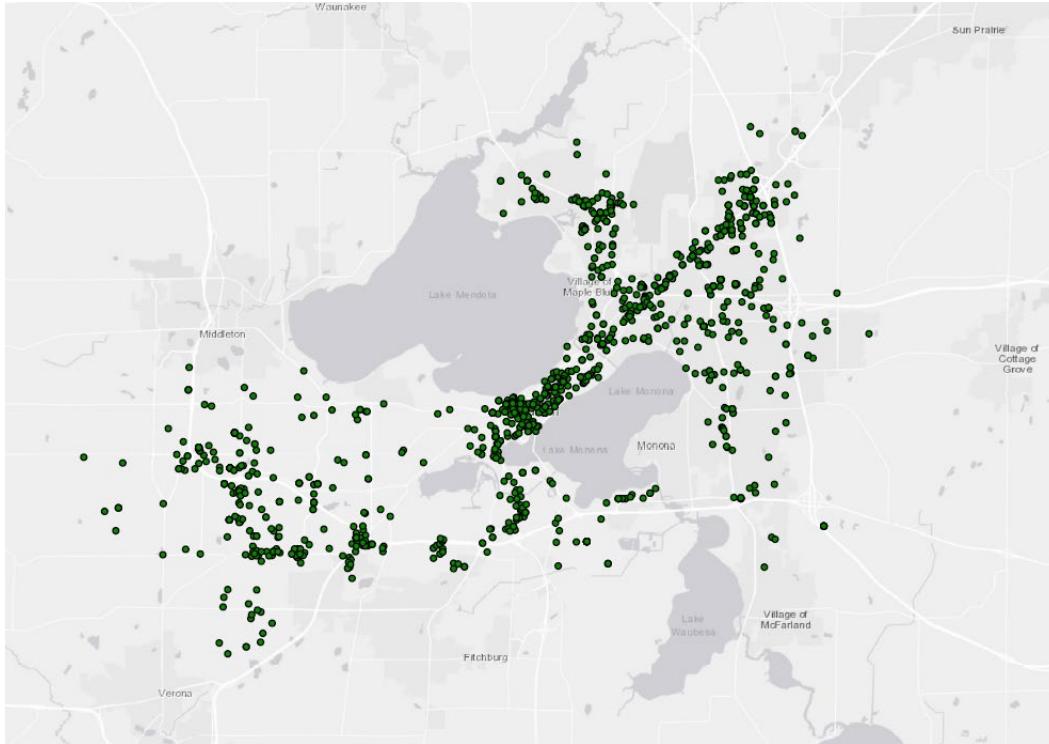
***"Hispanic" is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD's records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD's crime reporting.

IBR Arrest Charges						
Group A Offenses	Q1	Q2	Q3	Q4	Total	%
Animal Cruelty	1	1	0	1	3	0.0%
Arson	0	1	4	1	6	0.1%
Assault Offenses	308	303	310	293	1,214	11.2%
Bribery	0	0	0	0	0	0.0%
Burglary	22	39	33	33	127	1.2%
Counterfeiting/Forgery	6	3	3	5	17	0.2%
Damage to Property	117	124	116	103	460	4.3%
Drug/Narcotic Offenses	235	212	120	127	694	6.4%
Embezzlement	4	0	4	5	13	0.1%
Extortion	1	4	1	5	11	0.1%
Fraud Offenses	24	16	17	22	79	0.7%
Gambling Offenses	0	0	0	0	0	0.0%
Homicide Offenses	0	1	10	3	14	0.1%
Human Trafficking Offenses	0	1	0	0	1	0.0%
Kidnapping/Abduction	13	13	14	21	61	0.6%
Larceny/Theft Offenses	233	172	153	149	707	6.5%
Motor Vehicle Theft	63	35	47	37	182	1.7%
Pornography/Obscene Material	2	2	2	2	8	0.1%
Prostitution Offenses	4	0	1	1	6	0.1%
Robbery	30	20	33	15	98	0.9%
Sex Offenses, Forcible	24	11	23	12	70	0.6%
Sex Offenses, Non-Forcible	0	1	2	0	3	0.0%
Stolen Property Offenses	6	9	16	8	39	0.4%
Weapon Law Violations**	38	47	39	26	150	1.4%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	1	0	0	0	1	0.0%
Curfew/Loitering/Vagrancy Violations	11	36	1	1	49	0.5%
Disorderly Conduct	642	575	561	450	2,228	20.6%
Driving Under the Influence	132	92	104	80	408	3.8%
Drunkenness	0	0	0	0	0	0.0%
Family Offenses, Nonviolent	13	22	12	8	55	0.5%
Liquor Law Violations	91	21	34	14	160	1.5%
Peeping Tom	0	1	0	0	1	0.0%
Runaway	0	0	0	0	0	0.0%
Trespass of Real Property	165	133	112	75	485	4.5%
All Other Offenses	969	846	849	792	3,456	32.0%
Total	3,155	2,741	2,621	2,289	10,806	100.0%

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

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

Fourth quarter arrests reflected geographically:



Comparison of 2019 to 2020 fourth quarter arrest data:

Sex	2019 (Q4)	2020 (Q4)
Male	1,341	969
Female	543	337
Unknown	0	0
Total	1,884	1,306

Race	2019 (Q4)	2020 (Q4)
Asian	36	19
African-American	883	657
Native American	10	11
Other	32	10
Caucasian	923	609
Total	1,884	1,306
Hispanic*	135	69

*"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.

Use of Force Overview

During the fourth quarter of 2020, MPD officers responded to 28,851 incidents. In that time, there were thirty-six (36) citizen contacts in which officers used recordable force during the encounter. Each of these force incidents documented by officers was reviewed for compliance with MPD standard operating procedures. **Note that use of force data related to the riots/unrest that occurred this year is reflected separately below.**

Description	Q1	Q2	Q3	Q4	Total
Calls for Service	32,218	30,605	33,958	28,851	125,272
Citizen Contacts Where Force Was Used	80	51	55	36	222
% of CFS Where Force Was Used	0.25%	0.17%	0.16%	0.12%	0.18%
Force					
Decentralization/Takedown	59	44	38	29	141
Active Counter Measures	19	13	6	8	38
Taser Deployment	9	9	18	5	36
Hobble Restraints	13	10	11	6	34
OC (i.e. Pepper) Spray Deployment	12	3	5	1	20
Baton Strike	0	0	0	0	0
K9 Bite	0	1	0	2	1
Firearm Discharged Toward Suspect	0	0	0	0	0
Impact Munition	3	0	2	1	5
Specialty	0	0	0	0	0
Total	115	80	80	52	327
Firearm Discharged to Put Down a Sick or Suffering Animal	12	11	18	17	58

*Please refer to the MPD SOP on use of force data collection for the definition of recordable force and distinction between reportable and recordable use of force:

<http://www.cityofmadison.com/police/documents/sop/UseOfForceData.pdf>

Fourth quarter use of force data by MPD district and time of day:

District*	Q1	Q2	Q3	Q4	Total	%
West	11	8	4	6	29	13.1%
Midtown	13	3	11	5	32	14.4%
South	5	4	2	2	13	5.9%
Central	23	15	14	8	60	27.0%
North	14	9	10	3	36	16.2%
East	12	12	13	11	48	21.6%
Out of County	0	0	0	0	0	0.0%
Within County - Assist	2	0	1	1	4	1.8%
Total	80	51	55	36	222	100.0%

Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
1 st Detail (7am – 3pm)	13	7	14	8	42	18.9%
3 rd Detail (3pm – 11pm)	29	22	23	16	90	40.5%
5 th Detail (11pm – 7am)	38	22	18	12	90	40.5%
Total	80	51	55	36	222	100.0%

Comparison of fourth quarter 2019 with fourth quarter 2020 use of force data:

Force	2019 (Q4)	2020 (Q4)
Decentralization/Takedown	68	29
Active Counter Measures	12	8
Taser Deployment	8	5
Hobble Restraints	12	6
OC (i.e. Pepper) Spray Deployment	9	1
Baton Strike	0	0
K9 Bite	1	2
Firearm Discharged Toward Suspect	1	0
Impact Munition	2	1
Specialty (SWAT/SET)	0	0
Total	113	52

Riots/Unrest

The City experienced several nights of significant civil unrest in 2020. These events included violence, property damage, looting, and arson. Law enforcement agencies from across the State along with National Guard personnel were required to assist MPD's response. Rocks, bottles, chairs, and other projectiles were thrown at officers; multiple officers sustained injuries. Officers utilized chemical agents and other tools/techniques to address ongoing looting and violence:

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

Use of force information for these events is being reported separately to clearly distinguish force used during the unrest. I anticipate providing further detail (breakdown by date, etc.) in the future.

Note that the City experienced near-daily protest activity from June through December 2020. MPD staffed a daily command post with officers designated to assist with protest activity for more than 180 consecutive days. MPD policed the vast majority of these events – many involving civil disobedience or other challenging behavior – without significant incident or need for police intervention.

The Quattrone Center for Impartial Justice (affiliated with the University of Pennsylvania Law School) is conducting a review of these events. This process is intended to identify factors that led to the undesirable outcome (like policy, training, culture) and make recommendations to improve them. MPD has been communicating regularly with the Quattrone Center and the review process is well underway.

Gun Violence

The City experienced an unprecedented level of gun violence in 2020. The monthly total for shots fired incidents in July (44) reflected the highest monthly total since the department has been tracking shots fired incidents. The monthly totals in August (33) and June (29) reflect the second and third highest monthly totals, respectively. Other metrics (shell casings recovered, persons struck by gunfire, etc.) were also much higher in 2020. For example, 473 shell casings were recovered by MPD during all of 2019; 1,111 were recovered in 2020 (an increase of 135%). Twenty-six (26) people were struck by gunfire in 2019; forty-eight (48) were struck by gunfire in 2020 (an increase of 85%).

Response to this level of gun violence is very resource-intensive; both the initial response (primarily patrol personnel) and follow-up investigative efforts (Violent Crime Unit and district detectives). MPD also works to prevent future violence/retaliation using department resources and external partners.

MPD Response to COVID-19

The COVID-19 pandemic continues to have a significant impact on MPD. As the COVID-19 situation was developing, MPD created an internal task force to focus exclusively on COVID-19 issues. The work group has done a tremendous amount of work in response to the COVID-19 challenge, ensuring that MPD continues to deliver core services to the community. A number of MPD employees have tested positive for COVID-19, and the pandemic has impacted a number of projects/processes.

COVID vaccination for individuals in group “1a” has started. This group includes frontline healthcare workers and EMS personnel. Law enforcement is expected to be included in group “1b,” and it appears as though vaccination for MPD personnel will begin relatively soon.

Mental Health Related Workload

During the fourth quarter of 2020 MPD personnel spent about **3,700** hours of work on cases/incidents involving the mentally ill. This is an average of about **40** hours per day. The bulk of this workload was handled by patrol officers.

This work includes thirty-two (**32**) emergency detentions. It took an average of about **twenty-seven (27)** officer hours for each of these cases. MPD personnel also handled an additional **eight (8)** mental health commitment returns; these averaged about **seventeen (17)** officer hours each.

Training

Forty-nine new officers completed the pre-service academy in November. The group has now moved into field training, and will be ready for solo patrol service in February. Fall in-service started in September and finished in December; all commissioned MPD personnel received training in the following topics:

- Firearms
- Deadly Force SOP
- Less Lethal Force Options
- De-escalation
- Duty to Intervene

- Prohibited Workplace Harassment
- Policing the Teen Brain

SOP Updates

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

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

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

MPD did not acquire any property through DLA/LESO during the fourth quarter of 2020.

Priority/emergency call response

During the fourth quarter, there were sixty-nine (69) instances where MPD's patrol response was limited to emergency and priority calls. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the City.

The sixty-nine instances occurred on forty-nine (49) dates (some days required limited call response multiple times); this means that at some point on **53%** of the days during the fourth quarter MPD patrol response was limited. The sixty-nine instances spanned about **138** total hours of limited call response, an average of 2 hours per instance. In terms of total hours during the fourth quarter, MPD patrol response was limited to emergency and priority calls about **19%** of the time.

Promotions

2020 – Fourth Quarter Promotions

Lieutenant Daniel Nale to Captain
Lieutenant Jamar Gary to Captain
Sergeant Shannon Blackamore to Lieutenant
Sergeant Eugene Woehrle to Lieutenant
Detective Sergeant John Messer to Lieutenant
Police Officer Wade Gummin to Sergeant
Police Officer Livia Novitzke to Sergeant
Police Officer Daniel Sherrick to Sergeant
Police Officer Luke Lengfeld to Sergeant
Police Officer Jared Prado to Sergeant
Police Officer Joseph Buccellato to Detective
Police Officer Katherine Bland to Detective
Police Officer Anna Schmidt to Detective

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

<https://www.cityofmadison.com/police/documents/psiaRecognition2020OctDec.pdf>

<https://www.cityofmadison.com/police/documents/psiaSummary2020OctDec.pdf>

Updated/New SOPs for MPD: October-December, 2020

Active Shooter/Killer Incidents: 12/28/2020

Arrest, Incarceration and Bail – Adults: 12/21/2020

Arrest, Incarceration and Bail – Youth: 12/4/2020

Barricaded Person Incidents: 11/30/2020

Canine Use: 12/21/2020

Changes to Code of Conduct and Standard Operating Procedures: 10/12/2020

Court Overtime: 10/6/2020

Critical Incident Stress Management: 11/30/2020

Deadly Force – Use of: 11/2/2020

Departmental Awards and Recognitions: 10/19/2020

Digital Forensics: 12/28/2020

Foot Pursuits: 12/21/2020

General Duties and Expectations of Employees: 11/9/2020

Handling of Evidence, Contraband, Lost or Found Property: 12/28/2020

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CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Active Shooter/Killer Incidents

Eff. Date ~~12/23/2019~~ 12/28/2020

Purpose

Establish standard procedure for MPD response to incidents involving active shooters/killers.

Policy

The objectives of this department in dealing with barricaded person, hostage, and active shooter/killer incidents are:

1. Preservation of life
2. Apprehension of perpetrator(s) using a reasonable amount of force
3. Securing available evidence to assist in the appropriate disposition of the perpetrator(s)

SAFETY PRIORITIES

The basis for operational and tactical decisions will be based on the following safety priorities:

1. Hostages and citizens
2. Law enforcement personnel
3. Suspects and subjects

In situations where ongoing deadly force is reasonably likely to be employed by a suspect—and delay in taking police action could result in injury or death—rapid intervention of officers at the scene is authorized and expected when such actions are deemed reasonable to prevent further injuries or loss of life.

Definitions

Active Shooting/Killing: An incident, normally in a confined and populated area, in which one or more armed persons have used, or are reasonably likely to use, deadly force in an ongoing manner, and where persons have been injured, killed, or are under imminent threat of death or serious bodily harm by such persons. This includes all situations where there is an active, ongoing deadly threat, to include those from firearms, explosives, knives, and other weapons.

Rapid Intervention: Immediate response by one or more officers to an active shooting based on a reasonable belief that failure to take action pending the arrival of additional officers would result in death or serious bodily injury.

Hot Zone: Physical location(s) under direct threat by a person(s) or other mechanism (improvised explosive devices, etc.).

Warm Zone: Physical location not believed to be under direct threat but where there is potential for hazard. Cleared and occupied by law enforcement but not secured.

Cold Zone: Area outside the immediate warm zone.

Contact Team: The first officer(s) at the scene of an active shooting tasked with locating the suspect(s) and neutralizing the threat.



Rescue Team: An organized team of officers who make entry after the contact team to provide first aid and evacuate persons from a hostile environment. May include a mixture of law enforcement and fire/EMS elements operating in a warm zone environment to triage patients, provide medical care and coordinate casualty evacuation.

Staging: A physical location established in the cold zone and staffed by a law enforcement and fire/EMS representative.

Response Procedures

INITIAL RESPONSE

Personnel initially responding to an active shooter/killer incident will make an initial assessment by:

- [Redacted]
- [Redacted]

Upon completion of the initial assessment, [Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

In some instances, an individual officer may be present within or nearby the active shooting location, such as a mall or school.

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

As soon as practical, officer(s) shall notify communications that an active shooter/killer situation exists. The officer should provide the following information and updates as available:

- The identity, location, manner of dress (if not in uniform), and proposed actions of the officer(s) at the scene;
- Information on the suspect to include a physical description, weapons, equipment such as body armor, and current location and actions; and
- Available information on persons injured or under threat, their locations, emergency resources required, and [Redacted]

- [Redacted]
- [Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

INTERVENTION—CONTACT TEAM RESPONSE

A contact team response to an active shooter/killer situation is preferred in nearly all active shooter/killer situations—irrespective of any initial actions that may have been taken. Even if the threat seemingly has been terminated, [Redacted]

Normally, [Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

RESCUE TEAM RESPONSE

- [Redacted]


-



STABILIZATION

Once the contact and rescue teams have been deployed, the scene supervisor/incident commander will:

1. Establish an inner perimeter.
2. Establish a command post and unified command structure with other agencies (MFD, etc.).
3. Establish a staging area for responding emergency personnel.
4. In conjunction with the Madison Fire Department, identify a casualty collection point (CCP) for injured parties to be taken for triage, treatment and transportation.
5. Determine a collection point/evacuation center for non-injured evacuees from the location.
6. Establish a staging area/contact point for friends and family members of potential victims.
7. Select a location for media response and designate a person to interact with them prior to the arrival of the agency public information officer.
8. Establish an outer perimeter and traffic plan.
9. Establish and maintain a log that documents the activities that have occurred and the location and identification of the assigned personnel.
10. Ensure that the appropriate personnel have been notified and briefed (OIC, District Command, etc.).
11. Coordinate with owners or officials of the target location for floor plans, site layout, and a roster (including emergency contact information as available) of employees, students, residents, visitors, or others believed to be on-site.



Officers assigned to the evacuation center shall maintain custody and control of all persons and document their identities until they can be reunited with family or others. Victims and witnesses suffering from emotional and/or physical trauma or shock should be kept under the observation of medical personnel until such time as they may be safely transported to a hospital or home in the care of family or friends.

SWAT RESPONSE

SWAT should be activated to assist with active shooter/killer incidents when appropriate. Initial requests for SWAT activation should be made to the SWAT tactical team lieutenant. A full-team SWAT activation should generally be approved by the SWAT Commander and Assistant Chief of Operations. However, SWAT use may be approved by any MPD supervisor if no SWAT commander/supervisor can be contacted, or in case of extraordinary emergency where command approval would be impractical. The SWAT commander will be notified as soon as possible of any SWAT usage that did not have prior authorization.

On-duty SWAT personnel may respond to assist with tactical situations as needed. Where possible, a SWAT supervisor will respond to the scene to oversee the utilization of SWAT personnel. If used for on-duty tactical situations, SWAT personnel will only be used in a manner that is consistent with the SWAT Team's training and standard operating procedures.

The actions of SWAT will be consistent with MPD's Code of Conduct, standard operating procedures, and with standard professional practices in the area of police tactical response.

Original SOP: 08/18/2014

(Reviewed Only: 02/17/2016, 12/26/2017, 12/28/2020)

(Revised: 11/02/2016, 01/14/2019, 12/23/2019)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Arrest, Incarceration, and Bail - Adults

Eff. Date ~~01/15/2020~~ 12/21/2020

Arrest Authority

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

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

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

Enforcement Action Outside of Jurisdiction

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

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

1. Madison Police MPD officers shall take intervention or enforcement action when:
 - a. The officer is on duty and on official business outside of the City of Madison, but within the State of Wisconsin; and
 - b. The officer would be authorized to take action if the incident occurred in the City of Madison; and
 - c. The officer is acting in response to:
 - i. An emergency situation that poses a significant threat to life or of bodily harm; or
 - ii. An act the officer reasonably believes is a felony.
2. Madison Police MPD officers may take enforcement action including making arrests and issuing citations:
 - a. On the entire width of boundary highways and on the entire area of boundary intersections for any violation of either the state criminal code or any City of Madison ordinance.

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

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

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

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

- g. When acting on boundary highways or in boundary intersections, an officer is not required to make any notification or take action other than that which is required if the incident occurred entirely within the City. This does not prevent the officer from informing the adjoining jurisdiction as a matter of professional courtesy.

Arrest Screening/Bail

It is the policy of the MPD to have the Officer-in-Charge (OIC) or a designee screen each arrest before the person is incarcerated.

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

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

Felonies

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

State Statute Misdemeanor Citations

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

1. The arrested person is positively identified.
2. The arrested person currently resides in Wisconsin.
3. It appears the arrested person will not continue the behavior forming the basis for the charge.
4. The arrested person poses no apparent threat to persons or property.
5. The arrested person does not have a history of failing to appear at court dates for previous offenses.
6. The offense does not fall under the definition of domestic abuse, as defined by **Sec. Wisconsin State Statute 968.075(1)(a) Wis. Stats.**

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

If the arrested person refuses to sign the citation, the officer shall inform the person of the court date and time, and that court appearance is mandatory. The officer shall document these facts in their report.

City Ordinance Violations (Non-Traffic)

CITATION

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

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

PHYSICAL ARREST

A custodial arrest of a person found in violation of a City Ordinance is appropriate when a citation has been issued, but:

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

Traffic Violations (City Ordinance or State Statute)

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

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

1. The officer cannot positively identify the violator; or
2. The violator has no permanent address; or
3. The violator is an out-of-state resident; or
4. The offense is **Operating a Motor Vehicle While Intoxicated (OMVWI)** related.

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

The arrested person shall be released if they:

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

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

Traffic Warrant Service Guidelines

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

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

WHEN SERVING A WARRANT PROCEDURE

1. Read warrant to defendant.
2. If paying, place money, receipt, warrant, and jacket in **Patrol CCB** ticket slot.

3. If defendant is taken to the Public Safety Building, place warrant and jacket in warrant tray.

PROCESSING PHYSICALLY ARRESTED ADULTS

1. Appropriate Booking Forms must be completed prior to processing an arrested person into jail.
2. Prior to transporting an arrested adult to jail, officers shall search the person as a routine security measure to ensure that weapons/contraband are not introduced into the jail environment.
3. When processing an arrested adult or 17 year old:
 - a. Conveyance should be made directly to the Dane County Jail UNLESS the arrest is one which requires additional processing, e.g., an intoximeter, an interrogation, a strip search, to obtain a City of Madison arrest warrant, an extended consultation with OIC reviewing charges.
 - b. Arresting officer should contact OIC via the telephone to approve charges and establish bail.
 - c. The OIC will confirm that the arrested person has been asked medical condition questions, and, where appropriate, direct officers to convey the prisoner to a medical facility for attention and medical release.
 - d. The arresting officer will ensure completion of booking forms to include specific charges and established bail if approved and will present this to jailers jail booking deputies along with the completed Probable Cause (PC) Affidavit.
 - e. When an arrested person must be medically treated prior to incarceration, officers must complete a Dane County Jail medical clearance form and attach the same to their report. After returning from leaving a medical facility, officers will convey the arrested person is conveyed to the Dane County Jail.
 - f. When an arrested person is taken to a detoxification facility prior to being taken to jail, the report shall be completed prior to the end of shift. The Booking Forms and PC Affidavit will be placed in the locked file cabinet at Detox. Officers shall complete the release notification form and leave that form with the nurse at Detox.
 - g. Copies of the Booking Forms received at the jail are to be returned to the Patrol Counter CCB for transfer to Data Control.
 - h. Seventeen-year-olds arrested only for ordinance violations shall not be incarcerated in the Dane County Jail.
 - i. Arresting officers will ensure the appropriate entries are made into the SharePoint Arrest log.
 - j. In the event that SharePoint is unavailable, the arresting officer will obtain a paper form from the OIC and will complete this paper form. The OIC will then forward that paper form to Records.
4. All reports dealing with an arrested person must be done prior to going back into service. (Exception: OIC approval).

Original SOP: 12/14/2015
(Reviewed Only: 12/26/2017, 01/30/2019)
(Revised: 04/02/2018, 01/15/2020, 12/21/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Arrest, Incarceration, and Bail – Youth

Eff. Date ~~09/09/2019~~ 12/04/2020

Purpose

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

Procedure

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

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

DEFINITIONS

Youth/Child/Juvenile

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

Adult

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

Parent

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

Taking Into Custody

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

Physical Custody

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

Legal Custody

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

Secure Custody Status - Confinement

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

Secure Detention Facility

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

Release

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

Juvenile Reception Center (JRC)

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

CUSTODY

Authority for Taking a Youth into Custody

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

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

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

Mandatory Detention of Juveniles Youth

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

“Offense” means any of the following:

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

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

Temporary Holding Facility (THF)

All police districts may be used as a THF for youth.

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

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

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

No youth shall be placed into any cell or any form of secure custody status until the youth has been completely processed (fingerprints and photographs). This means that the arresting officers/detectives shall physically

stay with all youth in their custody. If youth meet the criteria established for “cite and release,” every effort will be made to utilize this process without taking the youth into custody.

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

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

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

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

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

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

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

Detention Facilities

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

Notification of Parent or Guardian

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

TRANSPORTATION OF YOUTH

Transport to District Station or JRC

1. In general, youth taken into temporary custody shall be conveyed to the district station of the district in which the youth was taken into custody. JRC shall be the lockup facility for youth taken into secure

custody. Youth will generally be transported in a squad car equipped with a safety shield. Youth shall be properly restrained in seat belts or child restraint systems during transportation, being mindful that this restraint is for safety, not restriction of movement.

2. Youth shall not be transported with adult prisoners unless the youth and adult have been arrested in connection with the same offense, or unless the adult is the parent or guardian of the youth.
3. Officers conveying youth to the JRC shall park in the basement of the CCB.
4. At the CCB, Officers will proceed to the processing area for Central District and perform all searching, citations and pre-booking paperwork. Photographs/fingerprints will be performed in the GR-55 (Central District Intake Area) processing area. Under no circumstances will an adult prisoner be allowed entry into the processing area when youth are present.

Youth with Medical Issues or in Need of Medication

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

BOOKING

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

DISPOSITIONS

When considering the proper disposition of a youth in custody, there are instances where the public interest would be better served by an officer not making an arrest or issuing a citation, even if it is legally justifiable, when other alternatives exist to respond to the situation. MPD is committed to exercising alternatives to arrest and citation for young people whenever possible, consistent with public safety to a degree even greater than that of adults.

Disposition Alternatives

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

Procedural Guidelines

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

1. **Warn and Release:** a youth may be released with no further action, if the offense is minor in nature. This route shall be utilized as often as possible in alignment with MPD’s goal of utilizing alternatives to arrest and citation when coming into contact with youth. When going the route of warn and release, the options that should be utilized except in exigent circumstances are:
 - a. **Verbal warning** with no further action.
 - b. **Informal counseling** by the officer, focused on helping the young person recognize the consequences of his/her actions.

- c. **Release** to a parent, guardian, or other responsible adult.
 - d. **Referral** to an appropriate community social service or mental health agency.
 - e. **Referral** to an existing diversion program.
2. **Criminal Charge:** a youth may be released after being taken into custody for the commission of a crime. An Arrest Notification Form will be properly completed and disseminated. Fingerprints shall be taken. A photograph should be taken unless the youth already has a photograph, and their appearance has not significantly changed since the last photograph. The youth shall be released to a parent, guardian, legal custodian, or other responsible adult.
3. **Referral to Dane County Juvenile Reception Center:** the decision to refer a youth to the Reception Center for the purpose of detention or intake will be reviewed by the Officer-in-Charge under any of the following conditions:
 - a. Commission of a serious criminal offense;
 - b. A case involving the possession, use, or threatened use of a weapon.
 - c. The youth is unwilling to appear in court, and the parents or guardian will be unable to produce him/her upon proper notice;
 - d. The youth is likely to repeat behavior harmful to him/herself or others;
 - e. In incidents where a youth continues to resist, is uncooperative, and it appears that he or she will not submit to the control of parents or another responsible adult.

ADMINISTRATIVE RELEASE

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

REFERRAL TO JUVENILE RECEPTION CENTER (JRC)

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

DETENTION AT JRC

1. The decision to detain a youth shall be made by the OIC. The OIC may consult with the JRC intake worker when considering detaining a youth at the JRC. Only the JRC intake worker is authorized by state statute to make the decision to admit or release the youth. Under no circumstances shall a youth be detained as a means of punishment, because it enhances pending investigations, or because he or she is a material witness, unless so ordered by a judge of the children’s court. If there is a need for secure custody of a youth, the officer taking the youth into custody shall complete a reporting documenting the need.
2. Detention is mandatory when one or more of the following conditions or circumstances exist:
 - a) The offense is a felony.

- b) The offense is a misdemeanor involving a weapon or resulting in injury or harm to others or a threat to public safety.
 - c) The offense is one of a series of offenses that were previously handled without being referred to the JRC, not identified as an instance where an alternative to arrest or citation attempt should be utilized.
3. If the youth is hospitalized, all paperwork shall be filed and secured in the OIC's office until the youth is medically cleared and ready to be discharged.

REPORTS

General Information

1. The officer taking the youth into custody shall be responsible for the proper custody, control and care of a youth taken into custody and the submission of all reports relating to the apprehension.
2. When appropriate, and as determined by MPD procedure (generally felony or controlled substances cases), the respective district must be notified so that they may provide whatever assistance is necessary.

Arrest/Detention Report Required

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

FINGERPRINT REQUIREMENT

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

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

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

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

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

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

ARRESTS OF YOUTH

Serious Offenses

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

Aftercare Violators (Previously Probation & Parole Violators)

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

Capias or Apprehension Request

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

Taking Into Custody on School Property During School Hours

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

Procedural Guidelines

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

Responding to Truancy

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

Procedural Guidelines

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

When Processing an Arrested Youth for JRC

1. Conveyance should be made directly to the City County Building unless release in the field is approved by a supervisor.
2. The arresting officer shall consult with the OIC to approve charges and shall make an entry into the SharePoint Arrest log. In the event that SharePoint is unavailable, the arresting officer will obtain a paper form from the OIC and will complete this paper form. The OIC will then forward that paper form to Records.
3. The Temporary Physical Custody Request Form should be completed prior to transporting the youth to JRC. A copy of this form should be forwarded to the Criminal Intake Unit (CIU).

4. Youth who are to be taken to JRC shall be photographed, fingerprinted, and a required DNA sample taken for the arrest of listed violent felonies. Exception: If there is a recent photo on file and there are no changes in appearance, a new photograph is not required.

Use of Youth as Paid Undercover Personnel

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

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

Photographing, Fingerprinting, and DNA Collection for Youth

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

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

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

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

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

2. When an arrested youth is brought into the station for photographs and fingerprinting, the following is required (runaways are excepted):
 - a. Two (2) green fingerprint cards with palm and rolled impressions, which are signed by the person printed and the person doing the printing.
 - b. One (1) set of palm prints.
 - c. A front and profile photograph. If glasses are worn, one set with and one set without glasses.
 - d. The forwarding of all reports and fingerprint cards to the juvenile court detective in CIU.

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

Recordkeeping

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

Confidentiality of Records

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

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

9. Victim-Witness Coordinator;
10. Fire Investigator investigating an arson;
11. The involved youth when they reach the age of 18.

Original SOP: 11/09/2015

(Revised: 02/10/2016, 04/02/2018, 09/09/2019, 12/04/2020)

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



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Barricaded Person Incidents

Eff. Date ~~12/20/2019~~ 11/30/2020

Purpose

Establish standard procedure for **Madison Police Department (MPD)** response to incidents involving barricaded subjects or suspects.

Policy

The objectives of this department in dealing with barricaded person, hostage and active shooter incidents are:

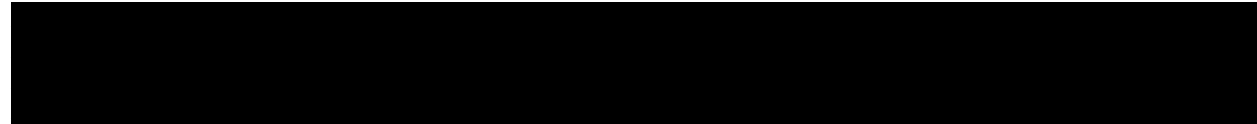
1. Preservation of life.
2. Apprehension of perpetrator(s) using a reasonable amount of force.
3. Securing available evidence to assist in the appropriate disposition of the perpetrator(s).

SAFETY PRIORITIES

The basis for operational and tactical decisions will be based on the following safety priorities:

1. Hostages and citizens
2. Law enforcement personnel
3. Suspects and subjects

If a barricaded subject/suspect situation involves dangerous or assaultive behavior directed towards citizens or officers, involves a risk to public safety, or involves suspects wanted for serious felony crimes, officers—including **Special Weapons and Tactics (SWAT)** personnel, if needed—will respond and resolve the situation. In other barricaded subject/suspect situations, the benefits of forcing the suspect/subject from the location will be weighed against the potential costs (resources, impact on neighboring community, risks involved with tactical interventions, etc.).

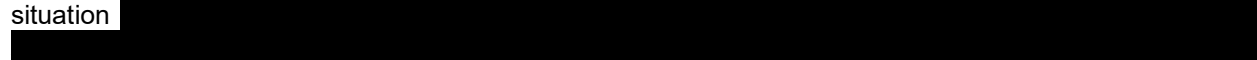


Definitions

Barricaded Suspect: A criminal suspect who has taken a position in a physical location, most often a structure or vehicle, that does not allow immediate police access—whether fortified or not—and who is refusing police orders to exit. A barricaded suspect may be known to be armed, thought to be armed, have access to weapons in the location, or **be in have** an unknown weapons status.

Barricaded Subject: A person who is not suspected of committing a crime, but **who** is the focus of a legitimate police intervention effort—most often involving threats of suicide or mental illness—who has taken a position in a physical location, most often a structure or vehicle, that does not allow immediate police access—whether fortified or not—and who is refusing police orders to exit. A barricaded subject may be known to be armed, thought to be armed, have access to weapons in the location, or **be in have** an unknown weapons status.

Resolution Techniques: Primary police action geared toward resolving a barricaded suspect or subject situation



Resolution Tactics: Secondary police action geared toward resolving a barricaded suspect or subject situation [REDACTED]

Triggering Point: Specific predetermined circumstances that will justify the initiation of direct action to prevent or terminate a particular course of suspect or subject behavior.

Inner Perimeter: A close proximity boundary [REDACTED]

Outer Perimeter: A boundary outside the inner perimeter maintained by patrol officers and designed to prevent unauthorized persons from entering the area of the critical incident.

Positive progress in a barricade resolution effort shall be defined as developments that increase the probability that the suspect or subject will be safely taken into custody, as opposed to the mere passage of time.

Response Procedures

INITIAL RESPONSE

Personnel initially responding to a barricaded subject/suspect incident will assess the situation and request the appropriate resources. The initial priorities are to:

[REDACTED]

STABILIZATION

Once the scene is stabilized, patrol personnel shall conduct a secondary assessment and consider what has occurred and whether there is legal standing to intercede. It is especially important to determine:

1. Whether a crime has been committed;
2. Whether the person inside is a suspect in the crime;
3. Whether there is probable cause for his/her arrest; and
4. Whether the need to apprehend the suspect at that moment outweighs the challenges associated with compelling the suspect or subject to submit to police authority.

In the absence of a crime or under circumstances where there is no legitimate risk of death or serious injury, the best course of action may be to stand down.

RESOLVING THE SITUATION

If the decision is made to attempt to resolve the barricade situation, the scene supervisor shall ensure that the appropriate specialized resources have been requested (SWAT, Crisis Negotiation Team (CNT), paramedics, etc.). The scene supervisor shall ensure that a variety of tasks are addressed while awaiting the arrival of SWAT, including but not limited to the following:

1. Establish an outer perimeter and initiate the evacuation and handling process for those inside. Special consideration must be given to the handling of those who refuse to be evacuated.
2. Establish a command post location [REDACTED]

3. Initiate an investigation to determine exactly what has occurred and locate, isolate, and debrief any witnesses.
4. [REDACTED]
5. Select a location for media response and designate a person to interact with them prior to the arrival of the agency public information officer.
6. [REDACTED]
7. [REDACTED]
8. Establish and maintain a log that documents the activities that have occurred and the location and identification of the assigned personnel.
9. Ensure that the appropriate personnel have been notified and briefed (OIC, District Command, etc.).
10. Brief the SWAT and negotiations teams upon their arrival (if applicable).
11. Assist the SWAT team as it relieves the officers responsible for inner perimeter containment personnel (if applicable).
12. Ensure that all officers relieved report to the command post for reassignment.

SWAT RESPONSE

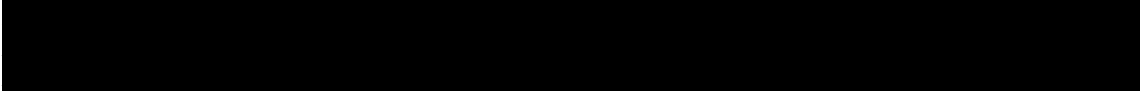

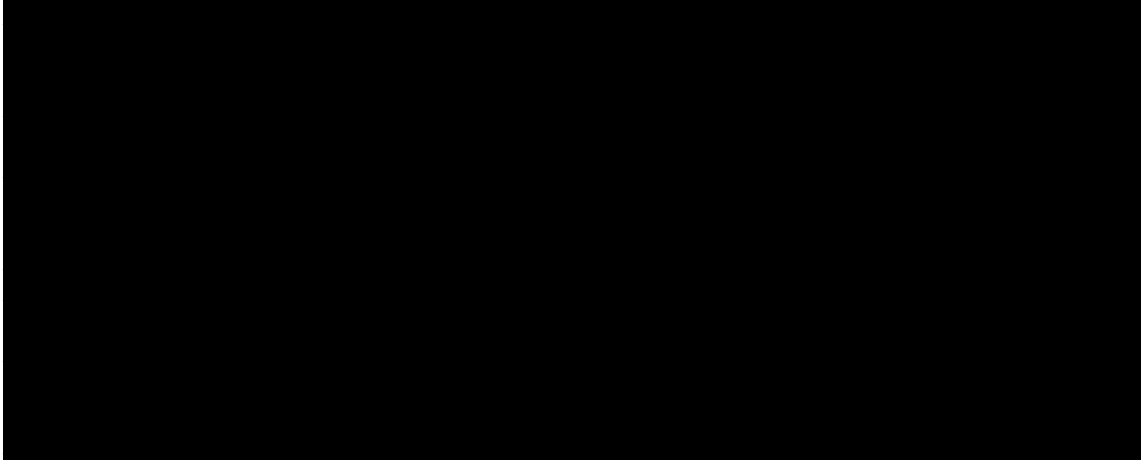
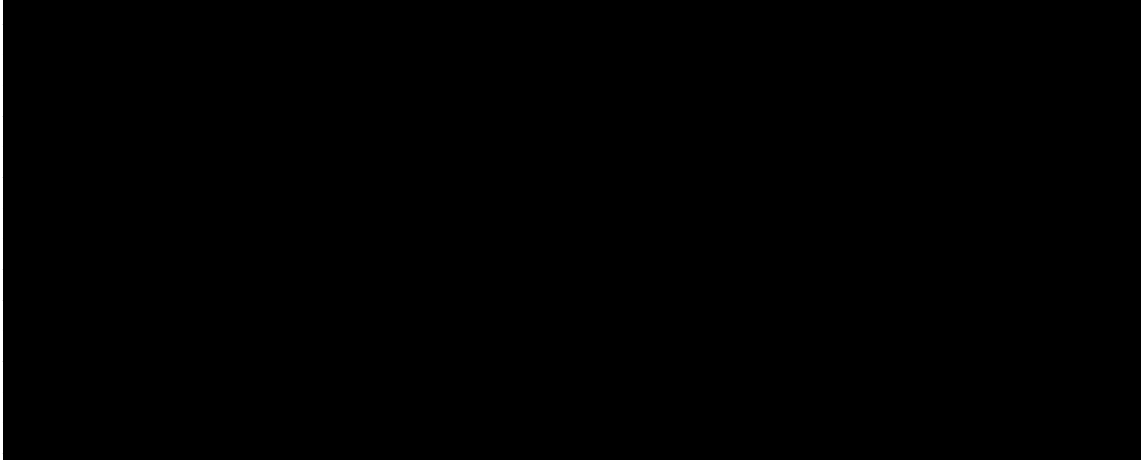
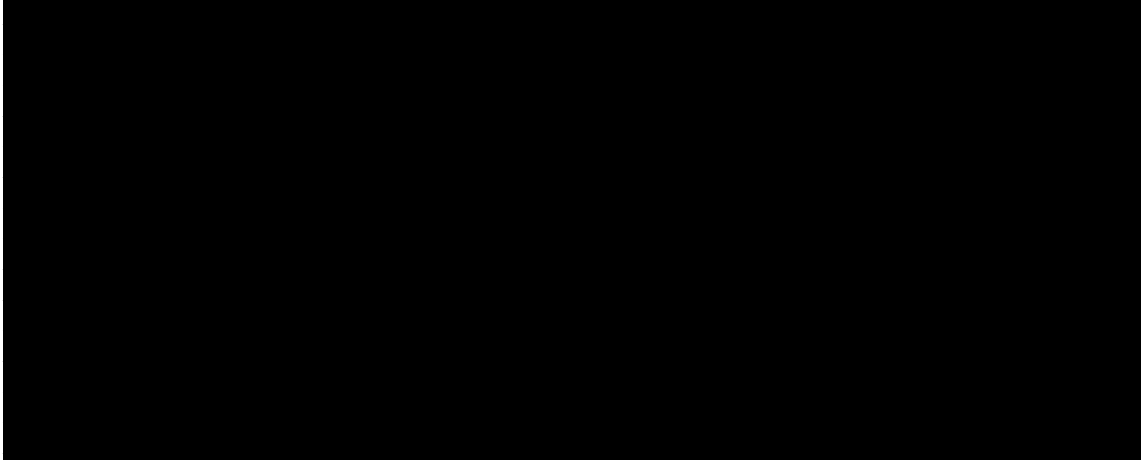
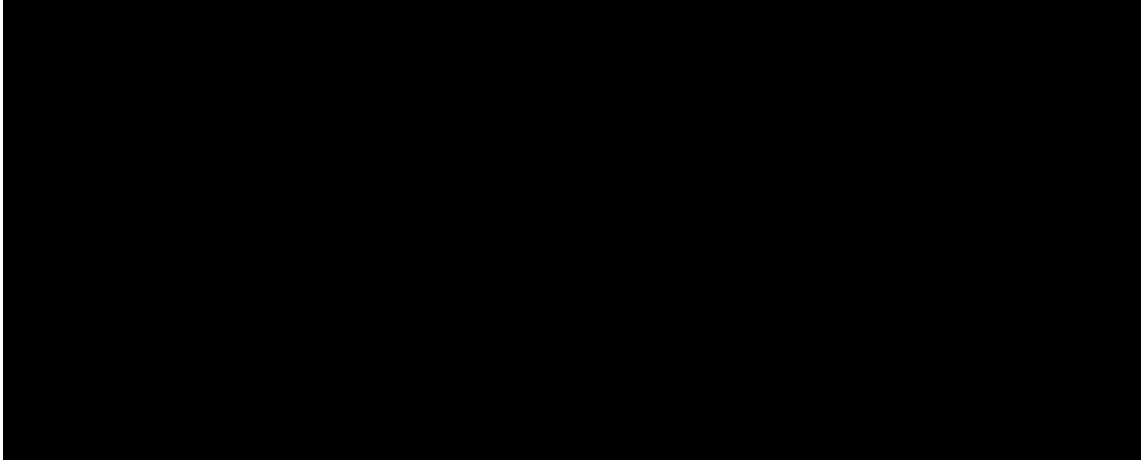
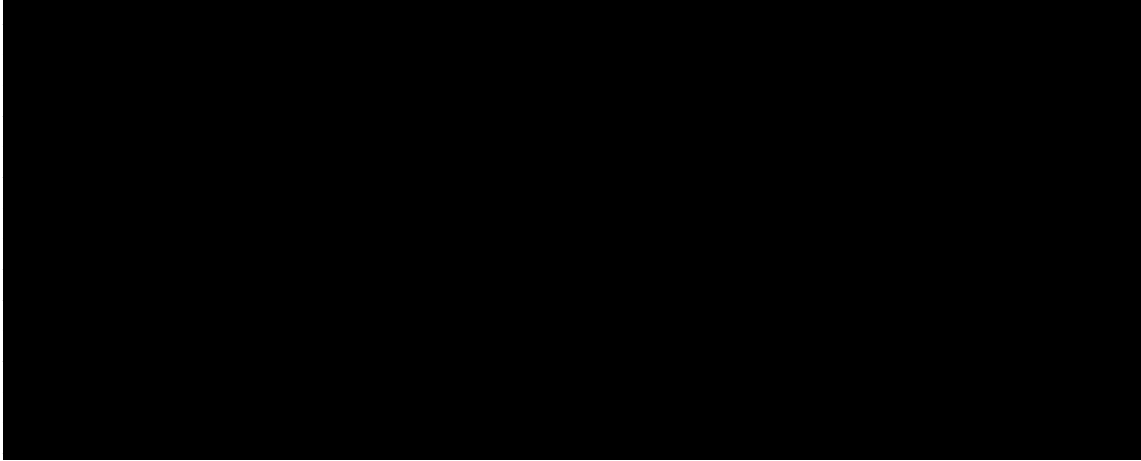
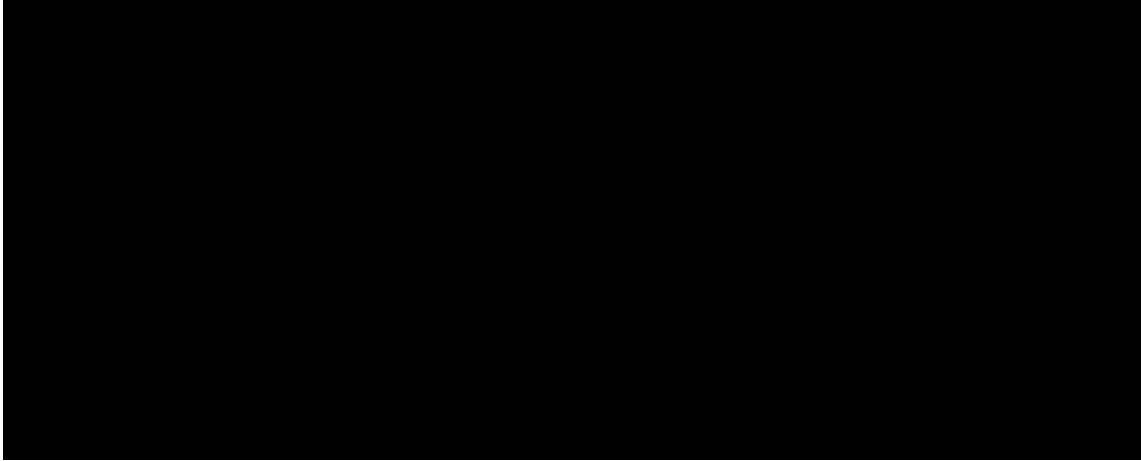
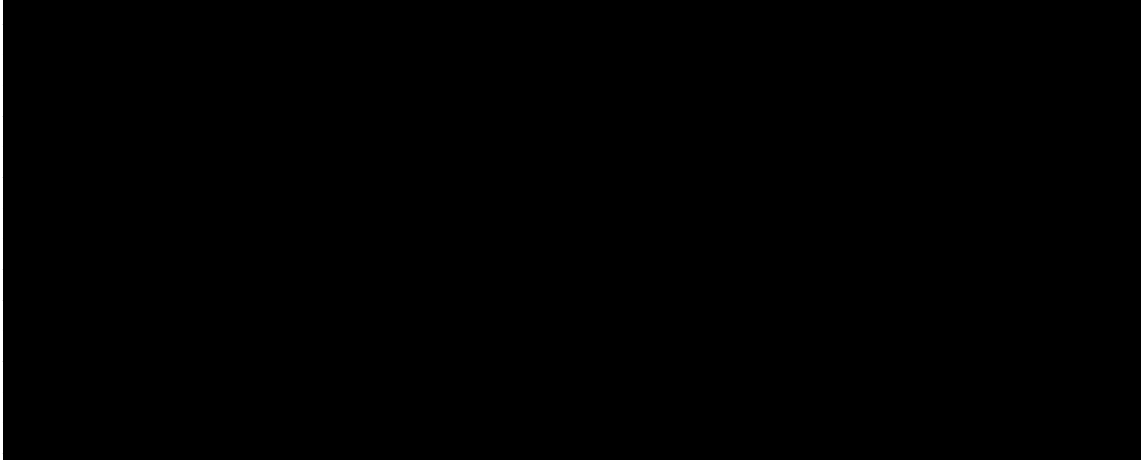
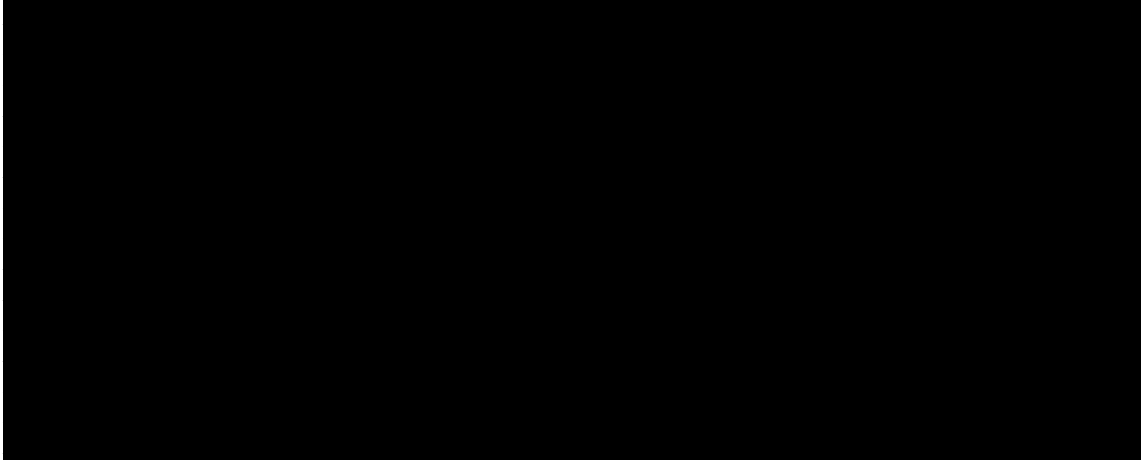
SWAT shall be activated for barricaded person situations involving suspects/subjects believed to be armed. SWAT may also be activated when circumstances exist that may pose risks beyond the capacity of patrol to safely resolve. Initial requests for SWAT activation should be made to the SWAT tactical team lieutenant. A full-team SWAT activation should generally be approved by the SWAT Commander and designated Assistant Chief. However, SWAT use may be approved by any MPD supervisor if no SWAT commander/supervisor can be contacted, or in case of extraordinary emergency where command approval would be impractical. The SWAT commander will be notified as soon as possible of any SWAT usage that did not have prior authorization.

On-duty SWAT personnel may respond to assist with tactical situations as needed. Where possible, a SWAT supervisor will respond to the scene to oversee the utilization of SWAT personnel. If used for on-duty tactical situations, SWAT personnel will only be used in a manner that is consistent with the Team's training and standard operating procedures.

The actions of SWAT will be consistent with MPD's Code of Conduct, standard operating procedures, and with standard professional practices in the area of police tactical response.

Once SWAT has arrived on scene and assumed responsibility for the incident, SWAT command will fill the role of the overall incident commander. Resolution efforts in most situations generally involve the following:

1. Ensure that all appropriate steps have been taken prior to SWAT arrival (inner perimeter, intelligence gathering, etc.).
2. Patrol/district personnel will have responsibility for the outer perimeter, traffic control, media contacts, etc.
3. [REDACTED]
4. [REDACTED]

5. 
6. 
7. Maintain a log to document incident activity.
8. The CNT commander will oversee the negotiation function and the gathering of all relevant intelligence. Information will be shared with perimeter units as appropriate, and CNT activity will be documented consistent with the SWAT Manual.
9. 
10. 
11. 
12. 
13. 
14. 
15. 
16. 
17. Ensure that appropriate legal authority exists prior to using tactics to enter the dwelling. Judicial authority to enter (a search warrant for the target location, an arrest warrant or commitment order for the subject known to be inside, and so on) is preferred.
18. Use a combination of techniques and tactics, in a manner consistent with approved training, until the situation is brought to a successful conclusion.

Original SOP: 08/18/2014
(Revised: 02/05/2016, 11/02/2016, 01/20/2017, 12/20/2019, 11/30/2020)
(Reviewed Only: 12/26/2017, 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Canine Use

Eff. Date ~~01/15/2020~~ 12/21/2020

Purpose

Subject to the provisions of this ~~policy~~ standard operating procedure (SOP), ~~Madison Police Department (MPD)~~ K9s trained in patrol applications may be utilized for area searches, building searches, tracking, evidence searches, narcotics detection, bomb detection, suspect apprehensions, handler protection, and community presentations.

The K9 handler is at all times responsible for the control of his or her dog. If there is a dispute on the manner in which a K9 team is to be used, the final decision will be made by the handler.

Procedure

SEARCH AND APPREHENSION

Deploying a K9 off lead to search for or apprehend a subject is considered a use of force and must be reasonable and consistent with MPD's Use of Non-Deadly Force SOP. MPD K9s may be used as an application of force to:

- Assist in the arrest or prevent the escape of serious or violent subjects;
- Conduct building or area searches for what are reasonably believed to be serious or violent subjects;
- To overcome violent or assaultive behavior or its threat, if the officer reasonably believes that the subject poses an articulable threat of harm to officers or others and that a lesser degree of force would be insufficient or impractical;
- To control a subject to prevent him or her from harming themselves or others, if a lesser degree of force would be insufficient or impractical.

Verbal warnings shall be issued prior to the deployment of the K9 unless circumstances exist that make such warnings impractical or unsafe. Officers will also consider the potential risk of a K9 deployment to officers or uninvolved subjects prior to deployment.

Searches of populated areas should be done on lead until the dog locates a subject. The dog may then be deployed off lead in accordance with this SOP. The K9 handler shall not allow his or her dog to engage a subject ~~that who~~ has voluntarily submitted to arrest or ~~who~~ is in physical custody.

If a K9 engages a subject, the K9 shall be commanded to disengage as soon as the person is subdued and under control. The appropriateness of deploying a K9 for an apprehension may vary during the course of an incident and the K9 handler must continually evaluate the circumstances when determining the reasonableness of a K9 apprehension.

INJURY CAUSED BY K9

Once a K9 has engaged a subject and control has been achieved, the subject will be evaluated for injury. If a patrol K9 injures a person, the K9 handler will request that a field supervisor respond to the scene immediately, consistent with the Use of Force Data Collection and Review SOP. The K9 handler will also ensure that the K9 supervisor is notified.

NARCOTICS DETECTION

K9s trained in narcotics detection will be used in accordance with their training.

BOMB DETECTION

K9s trained in bomb detection will be used in accordance with their training.

MUTUAL AID REQUESTS

Madison Police Department (MPD) K9 units will, when possible, assist other agencies pursuant to a mutual aid request. Mutual aid requests should be vetted and approved by the OIC. MPD K9 handlers assisting other agencies will act in accordance with this policy SOP at all times.

K9 HANDLER VEHICLE

1. Each handler will be assigned a squad for their his or her exclusive use. Handlers are allowed to keep their squads at their residence, and to use them as follows:
 - a. Driving to and from work.
 - b. During the handler's normal tour of duty.
 - c. Taking the K9 to the veterinarian.
 - d. Picking up dog food or other required K9 equipment.
 - e. Driving to work-related K9 training.
 - f. Any other work-related transportation.
2. When the handler is away from his or her vehicle and the dog is in the vehicle, the vehicle shall be locked and appropriate ventilation will be provided.
3. Patrol K9 handlers will have an exposed bite sleeve available in the trunk of their vehicle at all times.
4. When operating the squad (on- or off-duty), handlers will be armed with their duty weapon, will have handcuffs available, and will have police identification—including a badge—with them.

K9 HANDLER ASSIGNED K9 CARE

1. Each K9 handler will have an assigned K9 to keep at their his or her residence. K9 handlers are responsible for the care of their assigned K9 as follows:
 - a. Provide regular food and water as needed.
 - b. Ensure routine vet care is provided and ensure prompt vet care for health changes or injury.
 - c. Notify a K9 supervisor when the K9 is being cared for by anyone other than the assigned handler. Ensure the person caring for the K9 has the K9 sergeant's contact information.
 - d. Notify the K9 sergeant of any changes in the K9's health or of any injury as soon as possible.

K9 TRAINING

1. New handlers and dogs will undergo initial training prior to being certified for active duty. Each team will obtain an independent certification by an organization recognized in patrol, narcotics, and/or bomb detection use prior to active duty.
2. Each K9 team will engage in regular maintenance training and periodic re-certification as necessary.
3. The K9 supervisor is responsible for ensuring that each K9 team receives adequate training and maintains appropriate certification.

RECORDS

1. Each handler is responsible for maintaining records of all K9 related calls for service and K9 training.
2. The K9 supervisor is responsible for maintaining overall MPD K9 records and for verifying that individual handlers are maintaining appropriate records.

Original SOP: 02/25/2015
(Revised: 02/24/2016, 01/15/2019, 01/15/2020, 12/21/2020)
(Reviewed Only: 11/01/2016, 12/26/2017)



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



Changes to Code of Conduct and Standard Operating Procedures

Eff. Date ~~01/03/2020~~ 10/12/2020

Code of Conduct

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

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

Standard Operating Procedures (SOP)

SOP REVIEW

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

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

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

Annual Review	Every Other Year	Every Three Years
Active Shooter Incidents	Arson Investigations	Alder Notification
Arrest, Incarceration & Bail – Adults	Back-Up	Cellular Telephones – Use of
Arrest, Incarceration & Bail – Youth	Bomb Threats	Changes to Code of Conduct and Standard Operating Procedures
Barricaded Person Incidents	Court Overtime	City Owned Property - Use and Care
Canine Use	Guarding Prisoners	City-County Building Access - Non-Business Hours
CFS Dispatch Guidelines	Guidelines for Case Assignment and Management	Civilian Hiring Process
Civil Actions Against Police Department Employees	Hours Worked	Cold Case Review Team
Crime Scene Response	In-Car Video System	Community Rooms
Critical Incident Stress Management	Interactions with Transgender and Gender Non-Conforming Individuals	Custody of Newborn
Deadly Force - Use of	Interviews of Crime Victims	Departmental Awards and Recognition
De-Escalation	Intoxicated and Incapacitated Persons	Dignitary Protection
Demonstrations & Assemblies	Investigation of Cases Involving Officers as Victims of Serious Crimes	Donation of Vacation and Compensatory Time - Civilian Process
Detox, JRC Jail and Probation and Parole Responses and Conveyances	Investigation of Incidents Involving Shots Fired	Drug Recognition Expert
Digital Forensics	Language Access Services	Employee Assistance Program
Domestic Abuse	Missing Child	Funerals and Ceremonies of LEO
Emergency Vehicle Operations Guidelines	Mutual Aid Requests and Enforcement Action Out of Jurisdiction	HR218, LE Officer Safety Act - LEOSA - for Former Madison Police Officers

Annual Review	Every Other Year	Every Three Years
Enforcement of Immigration Laws	Naloxone - Narcan – Protocol	Identification of MPD Employees
Foot Pursuits	Overtime Guidelines	Incident Review Process
General Duties and Expectations of Employees	Overtime Protocols for Police Report Typists	Interns Application and Acceptance Process
Handling of Confidential Informants	Patrol Leave Requests	Landlord Tenant Unwanted Guest Criminal Trespass
Handling of Evidence, Contraband, Found, or Lost Property	Patrol Staffing Hold Guidelines, Special Events and Special Assignment Scheduling	Life Threat Emergency at Facility Public Windows
Hostage Situation Incidents	Personal Appearance	Lost and Abandoned Property
Identification Procedures	Police Weaponry	Mendota Mental Health Institute Response
Interactions with Youth	Precautionary Measures and Significant Exposure to Infectious Pathogens	Military Leave
Labor Disputes and Picketing	Preserve the Peace	Mobile Data Computers - Use of Mounted Patrol Use
Line of Duty, Life-Threatening Injury or Death of an Employee	Probation and Parole Searches	MPD Locker Rooms
Major Case Investigations	Recording Suspect Interviews	News Media Relations
Mental Health Incidents and Crises	Reporting Procedure	Off-Duty Officer Responsibilities
Non-Deadly Force - Use of	Restricted Duty	Outside Employment
Notification of Commanding Officers	Retail Theft	Personnel File Contents and the Process for Accessing these Records
Officer Involved Deaths and Other Critical Incidents	Social Media - Investigative Use	Police Motorcycles
PSIA Complaint Investigation	Social Media – Non-Investigative Use	Police Vehicle Parking
PSIA Discipline Matrix	Social Media - Off Duty Use	Political Activity
PSIA Electronic Complaint File Management System	Special Events Team Extrication Team	Pre-Employment Candidate File
Records Inspection and Release	Special Events Team Grenadiers	Proficiency, Continuous Improvement and After Actions Reports
Response to Persons with Altered State of Mind	Special Events Team Medic Platoon	Replacement of Lost, Stolen or Damaged Equipment
Robberies in Progress and Silent Robbery Alarms	SWAT Body Worn Cameras	Requesting Additions or Changes to Approved Uniform and Equipment Lists
Search Warrant Service	System Audits	Sex Offender Notifications
Searches	Third Party Database Use and Dissemination	Soliciting and Receiving In-Kind or Cash Donations and Applying for Grant Funding
Sexual Assault Investigations	TIME System Use and Dissemination of Records	Special Duty
Stop and Frisk	Traffic Parking and Crash Investigation	Stolen Vehicle Reporting Guidelines
Supervision and the Early Intervention System	Uniform Standards	Telestaff Requirements
Threats of Targeted or Mass Casualty Violence	Workplace Safety	Tours, Visitors, and Ride-Alongs
Unmanned Aircraft Systems		Tuition Reimbursement and Educational Incentive
Use of Force Data Collection		U Visa Program Participation
Use of Tire Deflation Devices		Uniform Accounts
Video and Audio Surveillance		Update of Payroll Status for Promoted Employees
Video Evidence Retrieval		Vehicle Escorts
		Vehicle Use, Assignment, and Maintenance
		WI Prescription Drug Monitoring
		Workplace Telestaff Requirements

MID-YEAR ADJUSTMENTS

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

PROCESS FOR CHANGES

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

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

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

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

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

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

Original SOP: 04/08/2015
(Reviewed Only: 03/01/2016, 01/09/2017)
(Revised: 01/20/2017, 03/08/2018, 08/27/2018, 01/30/2019, 09/09/2019, 01/03/2020, 10/12/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Court Overtime

Eff. Date 04/17/2020 10/06/2020

Purpose

To clarify the contractual compensation and payroll entries associated with court testimony in person and via telephone as well as court cancellation provisions.

Procedure

WHEN AN EMPLOYEE IS SUBPOENAED FOR COURT DURING NON-DUTY TIME

- Employees who are under subpoena and physically appear in court to provide testimony will use the overtime code **OT Court**.
- Effective January 2019, the Court Standby MOU with the MPPOA codified that employees who are under subpoena and directed to provide testimony by telephone will be compensated pursuant to standard contract provisions as if they had reported for duty to testify.
- When employees are asked to meet in-person with the prosecutor to prepare in advance of subpoenaed testimony, the work code is OT General and the detail code is TRP (or PTRP).

RDO, Bereavement, or Vacation Day:

- If court attendance is on an RDO, bereavement leave day, or vacation day, the correct detail code is CRDO or PCRDO.

Regularly Scheduled Work Day (including leave usage other than Vacation and Bereavement Leave) or COA Day

- For any shift beginning before 8:00 PM (1st, 2nd, or 3rd detail personnel), the appropriate detail code is either COU or PCOU.
 - For any shift beginning 8:00 PM or later (4th or 5th detail personnel), the appropriate detail code is COU3 or PCOU3.
 - If an employee is scheduled for court during regular work hours when leave time (other than vacation or bereavement leave) is used, no overtime is earned. Instead, the leave time will be reduced to accommodate court attendance during regularly scheduled work time.
 - Examples of leave types other than vacation and bereavement leave include the following: sick, exigent, administrative, FMLA, City-paid parental leave, military, earned time, worker's comp, and FTO.
- Phone calls are covered under Article VIII, E, 5 of the MPPOA contract that covers payment for off-duty phone calls regarding testimony. When contacted by phone from the prosecutor, for trial prep or scheduling, the employee is eligible for overtime if the call is longer than 10 minutes. The employee enters the exact duration of the phone call as follows:
 - The appropriate overtime code is OT Misc OT Pay. The detail code is TRP (or PRTP), either COU (or PCOU), COU3 (or PCOU3), or CRDO (or PCRDO) depending on work shift and/or whether the phone call occurred on a regular day off (refer to information above).
 - The employee is paid for the exact time of the phone call only - no minimum call back to duty times apply.
 - If an employee is under subpoena but placed on "stand-by" (not required to physically appear for the duration of the subpoena but must be available during certain periods), the correct overtime code is **OT Standby – Court**. The detail code is STB (or PSTB).
 - a) Officers will receive a minimum two (2) hours of pay or compensatory time at the rate of time-and-one-half their regular rate of pay for each calendar day that they are under subpoena and put on "stand-by". ("Stand-by" time periods may not directly reflect the time periods on the written subpoena).

- b) If an officer is on “stand-by” for a period that extends beyond two (2) hours, the officer is entitled to an additional one-third (1/3) of an hour of compensation (rate of time-and-one-half their regular rate of pay) for each hour that they are under subpoena and on “stand-by”. If the officer is not contacted and released from their “stand-by” status, they are presumed to be released at 4:30pm - unless specifically directed otherwise.
- c) If an officer is under subpoena and on “stand-by” and is then called to physically appear, standard contractual compensation provisions will apply. The officer will receive hourly compensation under (b) for time on “stand-by” prior to court appearance, but will not receive the two (2) hour minimum compensation mentioned above under (a).
- d) If an officer is under subpoena and on “stand-by” during a time period immediately before or after their regular shift for a period of two (2) hours or less, they will not receive the minimum compensation under (a), but will receive compensation only for the actual time on “stand-by” (rate of time-and-one-half their regular rate of pay).
- e) Employees receiving compensation for “stand-by” are not eligible for court cancellation compensation.
- f) If an officer is under subpoena and is directed to provide testimony by telephone, they will be compensated pursuant to standard contract provisions as if they had reported for duty to testify. This only applies to testimony provided by telephone pursuant to a subpoena and does not apply to other telephone communication (trial preparation, scheduling, etc.).
- g) An OT Standby – Court entry will need to be entered in TeleStaff by an officer for each calendar day directed to be on “stand-by”. The work code defaults to the hours 08:00 to 16:30, requires a detail code, a case number and name in the note field, and will need to be approved by a supervisor.

LESS THAN 24 HOUR NOTICE OF COURT CANCELLATION

- If an employee is subpoenaed to attend court and is later notified they will be testifying by phone, they can enter overtime for court cancellation if the notification was less than 24 hours notice. (Note: an employee is only eligible for court cancellation overtime, if court was scheduled outside of normal working hours, on a regular day off, or on a vacation or bereavement leave day.)
- If an employee has a court cancellation and then testifies by phone, they can only enter one type of overtime. Either they are paid the minimum 2 hours for a court cancellation or they are paid the time of the phone testimony - the employee cannot request both.
- Court cancellations are as follows:
 - The work code is OT Court and the detail code is COL or PCOL.
 - An employee is eligible if they are notified that court has been canceled less than 24 hours before they are scheduled to testify. If the start time for court is moved, but the appearance remains on the same date originally scheduled, then the employee is not eligible for court cancellation overtime.
 - If court is scheduled to start during an employee's regular work shift, even if that is the end time for the work shift, then the employee is not eligible for court cancellation overtime.
 - The overtime entry should be made with a start time that is the same date and time that appears on the subpoena or, when required, 30 minutes prior for a meeting with the City Attorney. The entry is always for 1 hour, unless the 1 hour overlaps the start of a work shift. In that situation, the end time is the start of the shift to avoid overlapping.

MPPOA Earned Time Off cannot be used during the time an employee is subpoenaed for court.

Original SOP: 06/10/2014
(Reviewed Only: 02/22/2016, 01/09/2017, 12/26/2017)
(Revised: 04/17/2020, 10/06/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Critical Incident Stress Management (CISM)

Eff. Date 12/22/2016-11/30/2020

Purpose

The Madison Police Department (MPD) recognizes that even though stress is inherent in policing, occasionally employees will become involved in incidents, which place them under such great emotional strain, and that characteristic symptoms of psychological distress may develop.

While members of the MPD may react differently to the same situation, all members play an important role in recognizing such events and ensuring that the procedures outlined herein are followed for the welfare of their fellow employees.

Procedure

DEFINITIONS

Assessment: A review of the circumstances of a critical incident, officer involvement and subsequent support needs to determine appropriate response and follow-up.

Defusing: An initial small group response to a critical incident that is often conducted within 12 hours of a crisis event by the Employee Assistance Program (EAP)/Critical Incident Stress Management (CISM) Provider and a Peer Support Officer when available. Defusing is designed to provide an initial forum for ventilation, support, and information exchange. A defusing provides an opportunity for assessment and is sometimes followed by a Critical Incident Stress Debriefing.

Debriefing (CISD): A structured, group crisis intervention facilitated by a mental health professional (EAP/CISM Provider) and/or EAP Administrator to facilitate psychological closure and reconstruction. A debriefing is a group discussion where participants are encouraged, but not required, to discuss the critical incident and their reactions to the incident. Suggestions are provided for coping and stress management. Peer support is welcomed and encouraged, when appropriate.

Employee Assistance Program (EAP): The City of Madison Employee Assistance Program provides 24-hour professional and confidential assistance, information, resource referral, and support. EAP services are available at no cost to all current and retired City of Madison employees, families of employees, and significant others of employees.

EAP/CISM Provider: A select group of EAP and other mental health professionals that provide Critical Incident Stress Management services in response to critical incidents. These services may include, but not be limited to, assessment, defusing, debriefing, follow up and outreach to affected family members/significant others.

Peer Support Officer (PSO): An MPD Officer that has been selected by his/her peers to be available as a resource for other Officers. The PSO is trained to provide assistance to co-workers through listening, understanding and providing appropriate referrals when necessary. In addition, PSO's will serve as the first point of contact for the OIC when a critical incident has occurred. Upon notification, the PSO reviews the incident, coordinates contact between the involved employees and the responding EAP/CISM Provider, and makes arrangements for follow up as appropriate. Selected and trained commissioned personnel who confidentially support all MPD employees (civilian and commissioned), MPD retirees, and their families, who are confronting challenging stressors of everyday life. Peer Support Officers will also ensure that MPD's Critical Incident Stress Management (CISM) process is activated in the aftermath of a critical incident and will work with Critical Incident Partners (CIP) to provide aftercare to involved officers in a critical incident.

GUIDELINES FOR DETERMINING A CRITICAL INCIDENT

A critical incident is a situation faced by personnel that causes them to experience unusually strong emotional and/or physical reactions that have the potential to interfere with their ability to function either at the scene or later. A situation does not have to be a major disaster to be classified as a critical incident.

The following are examples of critical incidents:

- The serious injury or death of any MPD personnel in the line of duty.
- The serious injury or death of a member(s) of the public while an employee(s) is performing regular duties or functions. Special attention should be given to incidents that involve a child(ren), a family member, friend, neighbor, or where an association to these can occur.
- A suicide or homicide of an employee.
- Any incident in which there is unusual media coverage.
- Any incident that can be considered a serious physical or psychological threat to an employee in the line of duty.
- Loss of life that follows extraordinary and prolonged expenditures of physical and emotional energy in a rescue attempt.
- A series of incidents that may have cumulative effects.
- An incident in which the circumstances are so unusual or so distressing as to produce immediate or delayed emotional reactions that surpasses normal coping mechanisms.

CHARACTERISTIC SYMPTOMS FOLLOWING A CRITICAL INCIDENT MAY INCLUDE

- Being unable to talk about the event and the feelings associated with it.
- Feeling detached and withdrawn; keeping emotional distance from family and friends.
- Avoiding recreational or work activities that are reminders of the incident.
- Experiencing recurring and intruding memories and feelings about the incident; this may occur during sleep.
- Feeling preoccupied, and experiencing impaired memory and concentration, and having difficulty completing tasks.
- Feeling hyper-alert, startling easily, having difficulty sleeping, eating, coping, parenting, etc.

While these symptoms are characteristic of several emotional disorders, their development after a psychologically traumatic event represents a fairly common and normal response.

Involvement in a critical incident requires some adjustment by all persons, and the development of the symptoms in no way indicates weakness or mental illness in an employee. If, however, an employee suppresses, denies, or in any other way fails to work through the normal psychological pain associated with a stress reaction, the potential for development of a serious emotional disorder exists.

PROCEDURAL GUIDELINES

To assist personnel in adjusting to a critical incident, the MPD has developed the following procedure:

1. Any MPD member recognizing an employee's involvement in a potential critical incident shall immediately inform the Officer-in-Charge (OIC) if the event has occurred during the shift, a Peer Support Officer, or the Peer Support Program (PSP) Coordinator (in any instance that when the PSP Coordinator (or Co-Coordinator) is unavailable, the PSP Administrator should be contacted). The OIC shall review the facts surrounding the event and make a determination as to whether it falls within the guidelines of a critical incident. In addition, the OIC should evaluate if there are known aspects about the involved employee's life experience that could adversely compound the employee's reaction such as:
 - a. Recent exposure to a similar situation.
 - b. Recent death of a family member.
 - c. Family member who sustained serious injury as a result of similar incident.

- d. The victim of the critical incident is personally known to the employee.
- e. Other circumstances not described above but are determined to have a significant impact.

2. If the OIC determines that the incident falls within the definition of a critical incident, the OIC shall immediately notify an on-duty Peer Support Officer, and/or the Peer Support Program Coordinators and the Command Staff of the involved employee(s) or the District where the incident occurred in the case of multiple District employees.

The OIC or primary on-scene supervisor shall give the PSO or Program Coordinator pertinent information to include case number, time the event occurred, employees involved and each of their roles in the incident, and the nature of the incident.

When the critical incident has occurred during the shift, and a PSO or Program Coordinator (or Co-Coordinator) is not immediately available, the OIC or Commander may contact the EAP/Critical Incident Stress Management (CISM) Provider directly. In some cases, the PSP Coordinator may contact a Peer Support Officer to respond in order to coordinate contact between the involved employees and the responding EAP/CISM Provider. If a Peer Support Officer is not available, the OIC, Commander, and/or PSP Coordinator will designate a supervisor or other officer outside the Peer Support Program to coordinate this contact. Coordination of contact shall include determining the location for the defusing, ensuring involved officers respond to the defusing, and assisting the EAP/CISM Provider as needed.

3. The PSO/PSP Coordinators, upon notification of a critical incident, shall review the circumstances and contact the EAP/CISM Provider. The PSO shall respond to coordinate the contact between the involved employees and the responding EAP/CISM Provider.

The PSO/PSP Coordinator shall coordinate, as needed, with the EAP/CISM Provider to provide additional debriefings or follow up for involved employees or their families.

4. Employees with significant involvement in a critical incident are mandated to take part in one defusing or assessment. A defusing may take place in the same shift as the incident or an assessment may be scheduled at a later time.
5. Subsequent to a critical incident, the Peer Support Coordinator or the OIC may authorize administrative leave for involved employees for the remainder of that work shift. Assistant Chiefs and Captains have the authority to grant up to three (3) days of administrative leave with pay for their impacted employees. More than three (3) days would need to be approved by the Chief.
6. Employees may experience a reaction due to involvement in a critical incident that does not come to the attention of a Commander or OIC. In cases such as this, it shall be the responsibility of the involved employee to contact the Employee Assistance Program, Peer Coordinator Supervisor or a Peer Support Officer to discuss a confidential referral.
7. All individual referrals and the content of a defusing or debriefing session shall remain strictly confidential. The only exception is when, under extraordinary circumstances, an employee is believed to be an imminent threat to the safety of him/herself or others.

Original SOP: 02/25/2015
(Reviewed Only: 02/15/2016, 12/26/2017, 01/30/2019, 01/31/2020)
(Revised: 06/13/2016, 12/22/2016, 11/30/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Deadly Force – Use of

Eff. Date: ~~01/15/2020~~ 11/02/2020

Purpose

Consistent with our Mission and Core Values, the Madison Police Department (MPD) is committed to valuing and preserving human life. The protection and preservation of all human life – including the lives of individuals being taken into custody – is the Department’s fundamental objective and the primary duty of all MPD employees. The application of deadly force is a measure of last resort, only to be employed when an officer reasonably believes all other options have been exhausted or would be ineffective.

The Department is committed to resolving conflicts through the use of communication skills, crisis intervention, and de-escalation tactics, when feasible. Officers may only use that force which is objectively reasonable, and only in furtherance of a legitimate, lawful objective. “Objective reasonableness” is a test based on the totality of the circumstances. *Graham v. Connor*, 490 U.S. 386 (1989). Officers will only apply force in a manner consistent with MPD’s Code of Conduct, SOP, and training.

As used in this Standard Operating Procedure (SOP), deadly force refers to the intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.

DE-ESCALATION

Whenever safe and feasible, officers will attempt to utilize de-escalation tactics and techniques in a manner consistent with the De-Escalation SOP.

DUTY TO 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 to report.

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. To protect another person or persons from what is reasonably believed to be an imminent threat of death or great bodily harm.
2. To protect the officer from what is reasonably believed to be an imminent threat of death or great bodily harm.
3. To prevent the escape of a fleeing subject when all of the following are present:
 - a. The officer has probable cause to believe that the person has committed or has attempted to commit a felony involving the use or threatened use of deadly force.
 - b. The officer reasonably believes the subject presents a continuing imminent risk of great bodily harm or death to the officer or another subject if not immediately apprehended.

4. To protect the officer or another from an animal which an officer reasonably believes may cause great bodily harm if not immediately controlled, or to end the suffering of an animal gravely injured or diseased after considering public view, safety, and other reasonable dispositions.

As used in this SOP, the word "imminent" means "about to happen." An imminent threat is an immediate threat.

VERBAL WARNING

Before using deadly force, officers shall, if reasonably possible, identify themselves and order the subject to desist from unlawful activity.

DEADLY FORCE IS NEVER AUTHORIZED

Deadly force is never authorized:

1. As a warning shot.
2. From a moving vehicle, unless deadly force is justified and the consequences of not acting to stop the threat outweigh the risk created by the use of deadly force.
3. At a moving vehicle unless:
 - A. A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or
 - B. The vehicle is operated in a manner that reasonably appears deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted (or are not present or practical), which includes moving out of the path of the vehicle. To prevent the threat of being struck by a vehicle, officers should avoid intentionally putting themselves in the path of any moving vehicle, and when such positioning is unavoidable, move out of the vehicle's path as soon as practical.
4. When its use unreasonably risks the lives of innocent bystanders.

PROHIBITED TECHNIQUES

The following techniques create a substantial likelihood of death or great bodily harm and are prohibited (except if deadly force is authorized and all other reasonable means of defense have been exhausted or are not present or practical):

1. Intentional punching or striking of the throat/trachea.
2. Intentional continued restriction of the carotid neck arteries.
3. Intentional application of pressure to the windpipe or throat with an arm or other object.

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.~~

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, 12/06/2017, 03/01/2019, 01/15/2020, 11/02/2020)

(Reviewed Only: 12/22/2016)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Departmental Awards and Recognition

Eff. Date ~~01/13/2017~~ 10/19/2020

Purpose

The Madison Police Department (MPD) on an annual basis hosts a ceremony where MPD personnel and members of the public are recognized for ~~actions and efforts performance and/or behavior that is are~~ deemed exemplary.

The purpose of this procedure is to clarify the definitions and criteria under which an employee or ~~community member citizen~~ may receive such recognition and the underlying process to recommend and select those individuals.

In no way does the lack of formal recognition through this process intend to dismiss the hard work, sacrifice and dedication that our employees and our public routinely display. Rather, this process also honors their efforts in our collective service to the City of Madison and our ~~constituents citizens~~.

Definitions/Criteria

DEPARTMENTAL AWARDS

The number of awards given are not restricted to a certain number (i.e., only one Lifesaving Award, etc.). **However, the Awards Committee will make the determination as to how many people will receive a particular award.**

- Medal of Valor:** The Medal of Valor is the highest recognition of achievement presented by the Madison Police Department. The Medal of Valor shall be awarded to department personnel who distinguish themselves with extraordinary individual acts of bravery or heroism above and beyond which is normally expected in the line of duty at extreme, life-threatening, personal risk. Personnel must have displayed extreme courage by placing their own safety in immediate peril in the pursuit of their duties. The actions must clearly be so outstanding that it clearly distinguishes above the call of duty from lesser forms of bravery. If a ~~department~~ member uses poor judgment or procedures which created the necessity for ~~their his/her~~ action, they will not be eligible for this award. **Recipients of the Medal of Valor will receive a medal, certificate suitable for framing signed by the Chief of Police, and uniform ribbon (pin).**
- Meritorious Conduct Medal:** The Meritorious Conduct Medal shall be awarded to department personnel who distinguish themselves by meritorious achievement or meritorious service. Meritorious actions are those which clearly surpass that which is normally required or expected. The degree of merit need not be unique but must be exceptional and superior. Acts of courage which do not meet the voluntary risk of life requirements for the Medal of Valor may be considered for the Meritorious Conduct Medal. **Recipients of the Meritorious Conduct Medal will receive a medal, certificate suitable for framing signed by the Chief of Police, and uniform ribbon (pin).**
- Meritorious Lifesaving Award:** The Meritorious Lifesaving Award shall be awarded to department personnel or a community member for saving a human life under circumstances in which the recipient exposed themselves to either personal risk and/or significant or prolonged hardship. **Recipients of the Meritorious Lifesaving Award will receive a medal, a challenge coin, certificate suitable for framing, and uniform ribbon (pin). Community member recipients of a Meritorious Lifesaving Award will receive a challenge coin, along with a certificate that is suitable for framing signed by the Chief of Police.**
- Lifesaving Award:** The Lifesaving Award shall be awarded ~~Awarded~~ to recognize the actions of department personnel or a ~~citizen~~ community member that resulted in the saving or preservation of human life that otherwise would have been lost without the involvement of the department member/community member. ~~for saving a human life under circumstances in which the recipient~~

- exposed himself or herself to either personal risk and/or significant or prolonged hardship. Lifesaving efforts which did not involve this kind of risk or hardship (for example, basic CCR of limited duration until paramedic arrival) should be considered for a Chief's Citation for Lifesaving. **Recipients of the Lifesaving Award will receive a medal, a challenge coin, certificate suitable for framing signed by the Chief of Police, and uniform ribbon (pin). Citizen Community member recipients of a Lifesaving Award will receive a challenge coin from the Department instead of the medal/uniform ribbon/pin, along with a certificate that is suitable for framing signed by the Chief of Police.**
5. **Blue Star Award:** The Blue Star shall be awarded to department personnel who receive an injury of a degree necessitating hospitalization or the immediate care of a physician. This injury must be a serious nature, capable of causing death or extended disability. To qualify for this award, the injury must be attributable to the deliberate actions of another, directed toward the recipient or another person, or during the commission of a crime or attempted apprehension of the perpetrator, or in an attempt to save a human life placing oneself in immediate peril. **Recipients of the Blue Star Award will receive a medal, certificate suitable for framing signed by the Chief of Police, and uniform ribbon (pin).**
 6. **Citizen Community Member Recognition Award:** The Community Member Citizen Recognition Award is awarded for acts of service to the department and community under circumstances involving bravery, personal risk, or significant hardship on the part of a community member citizen. Subject to approval by the Chief of Police, the Awards Committee may, in lieu of the Citizen Recognition Award, recommend a Chief's Citation, a Lifesaving Award, Outstanding Support Award, or Medal of Valor if the criteria is met. **Recipients of the Community Member Citizen Recognition Award will receive a challenge coin and a certificate suitable for framing signed by the Chief of Police.**
 7. **Outstanding Service Award:** Outstanding service represents performance by a department employee during a period of 12 months or more which demonstrates a quality and/or quantity of work clearly and significantly exceeding the requirements of a position. This would also include work-related act(s) by an employee which results in exceptional performance on a special project, or occurrences in which the employee has demonstrated exceptional knowledge, skills or ability within the scope of assigned duties and responsibilities. An employee who has demonstrated sustained community service, either on or off duty, is eligible for this award, including an employee who has shown exceptional creativity, initiative and/or determination in finding solutions to a problem utilizing a problem solving approach. Problem-Solving efforts that will be recognized through this award will have had a significant impact on either the community and/or the Madison Police Department. **Recipients of the Outstanding Service Award will receive a challenge coin and a certificate suitable for framing signed by the Chief of Police.**
 8. **Outstanding Support Award:** This award is intended for an individual who is not employed by the Madison Police Department, but who in their his/her profession has supported the Madison Police Department in an extraordinary effort. This would include, but not be limited to, other police agencies, Probation and Parole, Human Services, or other agencies that through a collaborative effort work with the police department. Individuals who volunteer their time to the Madison Police Department are eligible for this award. **Recipients of the Outstanding Support Award will receive a challenge coin and a certificate suitable for framing signed by the Chief of Police.**

CHIEF'S CITATIONS

There are circumstances when an employee or community member citizen engages in behavior or activity that does not meet the criteria for a departmental award, but exceeds the level and scope of conduct normally acknowledged through a supervisory commendation or performance recognition. Those occurrences should be submitted to the Chief and Awards Committee for consideration for a Chief's Citation. The following four three categories are the most common application of the Chief's Citation, although other circumstances may be considered at the discretion of the Chief of Police.

1. **Lifesaving Citation:** Lifesaving efforts which do not involve personal risk, prolonged direct exposure or significant hardship still have a dramatic impact on those constituents citizens who are recipients of that assistance, and should be recognized. Those department members and/or community members

- citizens** who engage in lifesaving efforts that do not meet the criteria for a Lifesaving Award should be considered for a Chief's Citation for Lifesaving. **Recipients of the Chief's Citation for Lifesaving will receive a certificate, suitable for framing, signed by the Chief of Police.**
2. **Community Member Citizen Assistance Citation:** **Community Member Citizen** action which does not meet the criteria for a **Community Member Citizen** Recognition Award or other MPD award, but still involves a significant level of assistance by a **community member citizen** that benefits the community and the department, should be considered for a Chief's Citation for **Community Member Citizen** Assistance. **Recipients of the Chief's Citation for Community Member Citizen Assistance will receive a certificate, suitable for framing, signed by the Chief of Police.**
 3. **Problem-Solving Citation:** Awarded to a Madison Police Department employee who has shown creativity, initiative and/or determination to find solutions to a problem utilizing a problem solving approach to identify and effectively deal with a problem(s) that if not addressed, would continue to negatively impact the department and/or community. **Recipients of the Chief's Citation for Problem-Solving will receive a certificate, suitable for framing, signed by the Chief of Police.**
 4. **Exemplary Performance Citation:** Awarded to a Madison Police Department employee who has demonstrated exemplary performance in **their his or her** service to the department and/or the community through work on a specific project(s) or performance during a specific incident(s). This citation should be considered when the employee's contributions do not meet the criteria for an Outstanding Service Award or Meritorious Conduct Medal. **Recipients of the Chief's Citation for Exemplary Performance will receive a certificate, suitable for framing, signed by the Chief of Police.**

COMMENDATIONS/RECOGNITIONS

There are occasions when **community members citizens**, co-workers, supervisors and commanders recognize the work and performance of commissioned and civilian employees.

When this occurs, an Employee **Commendation/Recognition** form should be completed. If the personnel listed should be considered for an award, the checkbox on the employee recognition form to be considered for an award shall be checked. This will route the recognition form to the awards committee through the Public Information Officer. ~~A copy of this form should also be forwarded to the employee's Captain or Civilian Manager. Should the action be recommended for or if the Captain or Civilian Manager believes that the incident meets the criteria for either a Departmental Award or Chief's Citation, a Nomination Form must be completed and the related process followed as prescribed below.~~

Should a **Community Member Citizen** Commendation meet the criteria for either a Departmental Award or Chief's Citation, a **Departmental Award/Chief's Citation** Nomination Form must be completed and the related process followed as prescribed below.

~~**Recipients of the Employee Commendation/Recognition will receive the original acknowledged form from the Chief of Police with a copy placed in their Employee File. Citizen Commendation Letters will be mailed to the recognized party.**~~ A copy of the letter, with explanation of the award/recognition, will be placed in the employee's personnel file.

Procedure

ELIGIBILITY

Any commissioned or non-commissioned member of the MPD is eligible for a Departmental Award or Chief's Citation, except the **Community Member Citizen** Recognition Award and the Outstanding Support Award. A recipient can only obtain one award for each recognized event, except for the Blue Star Award. The recipient should be given the highest award for which ~~they are she/he is~~ eligible.

Community members—Citizens—are eligible for the Community Member Citizen Recognition, Meritorious Lifesaving, Lifesaving and Outstanding Support Awards. Community members—Citizens may also be eligible for a Chief's Citation for Lifesaving and Community Member Citizen Assistance.

Any MPD employee is eligible for an Employee Commendation/Recognition. Community members—Citizens may be issued a Commendation letter in those circumstances where a Chief's Citation is not appropriate.

NOMINATION PROCESS

A nomination can come from any source. However, if a supervisor/commander becomes aware of an event or performance that would make an individual eligible for a Departmental Award or a Chief's Citation, that supervisor/commander shall complete a nomination form or direct a person with the most direct knowledge of the event to submit a nomination form with assistance from the supervisor/commander. follow the process noted below.

A captain (or higher ranking commander) or a civilian manager are responsible for reviewing all employee and citizen commendations/recognitions to assure that the incident has been or is being recommended for the highest appropriate form of recognition (Departmental Award or Chief's Citation).

If any employee feels that the actions or performance of another employee or citizen merits recognition at the level of a Departmental Award or a Chief's Citation, the nominating employee should forward that recommendation to his/her Captain or Civilian Manager. **Generally, it will be the responsibility of the Captain (or higher ranking commander) or Civilian Manager to review all necessary information to assure that the recommendation is in compliance with MPD award/citation definitions.** On occasion, this responsibility may fall to the Captain (or higher ranking commander) or Civilian Manager responsible for the district or section that was more widely impacted by the employee's actions. Recommendations that do not appear to comply with relevant Departmental Award and Chief's Citation definitions will be noted accordingly and forwarded with any relevant documentation to the Awards Committee for further review.

Should that recommendation appear to be supported by procedures, the Captain/Civilian Manager shall complete the "Nomination Form" and forward same with any relevant documentation to the Public Information Officer for collection. It will be the sole responsibility of the Awards Committee to make a determination as to whether the recommendation will be forwarded to the Chief of Police. The Chief of Police makes all final decisions.

NOMINATION COMMITTEE

Each year, the MPD Human Resources Coordinator Lieutenant of Personnel or Chief's designee will be responsible for selecting members of the Nomination Committee. The committee will be comprised of at least twelve ten (10 12) members as designated below. Additional members can be added to assure the integrity of the selection process. The purpose of the committee is to review all nomination forms collected by the Public Information Officer. The MPD Human Resources Coordinator Lieutenant of Personnel will select all the members of the Nomination Committee, except for the MPPOA Representative, who will be designated by the MPPOA President.

There will be a minimum of a three-year term for all committee members, except for the MPD Human Resources Coordinator Lieutenant of Personnel or Chief's designee. The MPD Human Resources Coordinator Lieutenant of Personnel will assure "continuity of experience" when establishing the committee.

The committee will meet once twice a year (or as needed if appropriate) to make recommendations as to which individuals qualify for the above-mentioned awards. All vetted recommendations. The Chief of Police has final approval rights. forwarded to the Chief for final approval.

The MPD Human Resource Coordinator Public Information Officer will contact the nominator Captain/Civilian Manager of the individual(s) who were not selected for a Departmental Award and advise why recommendation(s) were not approved. After notification, the decision can be appealed within a ten (10) day

period. That appeal should be sent to the Chief of Police and to the Administrative Assistant to the Chief of Police. *The Chief of Police will have final decision on the appeal.*

The awards presentation will coincide with National Law Enforcement Week in May of each year. The Awards

Nomination Committee will consist of:

1. Officer Advisory Committee Representative
2. MPPOA Board Representative
3. Public Information Officer
4. Lieutenant of Personnel, MPD Human Resources Coordinator (or Chief's designee)
5. Community Representative
6. Local 6000 member of MPD
7. Civilian Advisory Committee Representative
8. Sergeant
9. Detective
10. Lieutenant
11. Civilian member of MPD
12. Civilian Supervisor
13. Alternate Member (optional)

The MPD Human Resources Coordinator, Lieutenant of Personnel will make every effort to assure that the Awards Committee has a diverse membership, consistent with other MPD processes.

WEARING OF RIBBONS

An officer has the option to wear the approved uniform ribbon (pin) for the Medal of Valor, Meritorious Lifesaving Award, Lifesaving Award, Meritorious Conduct Medal and the Blue Star Award.

NOMINATION FORM

A specific form (Departmental Award/Chief's Citation Nomination Form) has been developed to be utilized by all personnel for the purpose of recommending an employee or community member/citizen for either a Departmental Award or Chief's Citation. An Employee Recognition form could alternatively be completed and the checkbox on the employee recognition form to be considered for an award shall be checked. This will route the recognition form to the awards committee through the Public Information Officer. Both forms can be located on MPD's intranet.

Original SOP: 04/08/2015
(Revised: 03/04/2016, 04/07/2016, 01/13/2017, 10/19/2020)
(Reviewed Only: 12/26/2017, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Digital Forensics

Eff. Date ~~12/13/2017~~ 12/28/2020

Purpose

Enhance the capabilities of Madison Police Department (MPD) personnel in the investigation and prosecution of crimes that involve the use of computers, tablets, cellular phones or other data storage devices.

Goals

1. Properly investigate and assist in the prosecution of cases involving digital evidence.
2. Preserve the integrity of seized digital evidence.
3. Provide expert testimony in court.
4. Act as an educational and training resource for the MPD and the community.

Function

The function of digital computer forensics includes the investigation of crimes committed involving the use of computers, cellular phones and other data storage devices which may include:

1. Use of electronic devices to commit or facilitate a crime.
2. Any crime outlined in Wisconsin State Statute 943.70 or computer crimes defined by federal code.
3. Perform forensic analysis of digital evidence in felony cases where evidence or information pertinent to an investigation may be stored.
4. Provide technical assistance and guidance in the proper safeguarding and collection of evidence stored in electronic form.

Collection of Devices with Digital Evidence

DESKTOP COMPUTERS

If the computer is shut down, **do not** turn it on. If the computer is powered **on up**, **do not** shut it down. Check the monitor to determine if there is any information that may require photographic documentation and request an investigator for photos if necessary. Unplug the power cable from the rear of the computer, **not from the wall outlet**. Collect the computer tower. There is no need to collect the power cable **unless** the computer is an Apple product. Please collect the power cable for all Apple computers.

LAPTOP COMPUTERS

If the laptop is shut down, **do not** turn it on. If the laptop is powered **on up**, **do not** shut it down. Check the screen to determine if there is any information that may require photographic documentation and request an investigator for photos if necessary. Unplug the power cable from the rear of the computer, **not from the wall outlet**. If the laptop stays powered on after the cable is removed, remove the laptop battery, if possible. If not, close the laptop and leave it powered on. Collect the laptop computer and the power cable for all laptops.

CELL PHONES / TABLETS / MOBILE DEVICES

Once it is determined that the device will require examination, **do not** allow anyone other than L.E. personnel to handle or manipulate the device. If the device is shut down, **do not** turn it on. If the device is powered **on up**, shut it down. Collect the device. If the device is going to be examined on consent, complete the "Consent to Search Cell Phone" form and have the cell phone owner sign the form. Do not forget to ask if the phone has a pass code security lock and indicate the pass code number or pattern on the consent form.

THE HANDLING OF DIGITAL DATA INVOLVING KNOWN OR SUSPECTED CHILD PORNOGRAPHY:

When MPD staff comes across evidence that includes known or suspected child pornography extreme measures must be taken to ensure that this evidence is safely maintained and stored so that it can never be viewed outside of the official scope of the investigation. MPD staff shall also follow federal legislation regarding child pornography prevention, (The Adam Walsh Child Protection and safety act, HR-4472) and Section 3509 of title 18, United States code:

“(m) PROHIBITION ON REPRODUCTION OF CHILD PORNOGRAPHY.—“(1) In any criminal proceeding, any property or material that constitutes child pornography (as defined by section 2256 of this title) shall remain in the care, custody, and control of either the Government or the court.”

“(2)(A) Notwithstanding Rule 16 of the Federal Rules of Criminal Procedure, a court shall deny, in any criminal proceeding, any request by the defendant to copy, photograph, duplicate, or otherwise reproduce any property or material that constitutes child pornography (as defined by section 2256 of this title), so long as the Government makes the property or material reasonably available to the defendant.”

MPD personnel shall adhere to the following operating procedures:

1) MPD personnel not assigned to the ~~Computer Forensics Shared Resources Partnership office (S.R.P) Digital Forensics Unit (DFU) or the Special Victims Unit (SVU)~~ shall never copy or reproduce in any manner items that contain known or suspected child pornography. If MPD investigative personnel, prosecuting attorney's staff or attorneys or subject matter experts for the defense need to view the material for investigative or trial preparation purposes, arrangements shall be made with the computer forensic investigators assigned to the ~~DFU S.R.P.~~ for viewing to take place in the ~~DFU S.R.P.~~ office with ~~relevant all of the~~ parties present.

2) MPD personnel assigned to the ~~DFU S.R.P.~~ may copy or reproduce and distribute items that contain known or suspected child pornography only at the request of a government agency or for submission to a government agency such as the National Center for Missing and Exploited Children (NCMEC). In such situations the copied material must be delivered by MPD personnel directly to a government agent or delivered in the manner directed by the agency's submission guidelines.

3) If MPD personnel not assigned to the ~~DFU S.R.P.~~ receive evidence of known or suspected child pornography during the course of an investigation that evidence should be clearly identified as child pornography when packaged and entered into the MPD property system. Digital files such as images and videos should be placed on digital media and labeled clearly on the digital media "CHILD PORNOGRAPHY DO NOT DUPLICATE."

Investigation

During the course of their investigation, MPD personnel are strongly discouraged from interacting directly (or allowing victims or witnesses to do so) with computers or other electronic devices that will subsequently be seized as digital evidence, unless they have been specifically trained to do so or there are exigent circumstances requiring such interaction. All activities on a computer or cell phone ~~may will~~ be reflected in a forensic examination, and interacting with the device may overwrite or alter digital evidence or otherwise complicate a forensic examination. If it is necessary to interact with the digital evidence, document the date, time and activity involved. All examination, retrieval and analysis of digital evidence is to be done by FSU forensics examiners unless otherwise authorized by command staff.

Transport all devices to a district property intake room and package the item in the manner described in the Evidence Packaging Manual. If the device is going to be transported and released directly to a forensic examiner, the device must have an assigned property tag number prior to the examiner taking custody of the device.

Examination and Analysis of Electronic Evidence

EVIDENCE INTAKE

1. All evidence submitted to the DFU computer forensics must have a property tag and must be accompanied by an electronic lab request.
2. The forensic examiner will verify and document by description, serial number and condition, any evidence submitted.
3. The forensic examiner will ensure the legal authority for the search of the evidence is in place and documented; a complete copy of the search warrant or consent form shall be submitted during intake.

PRESERVATION OF EVIDENCE

1. Digital evidence in the custody of digital computer forensic examiners will be handled in a manner consistent with the preservation of evidence.
2. Digital Computer forensic examiners shall ensure the chain of custody of any evidence submitted for forensic examination is maintained and documented during the examination process. Evidence will be properly secured while in the custody of digital computer forensic examiners.

DIGITAL EVIDENCE ACQUISITION

1. Whenever possible, write-blocking tools are to be used during the acquisition of forensic images to prevent original evidence from being modified.
2. All analysis (beyond a forensic preview using write-blocking tools) shall be conducted using a forensic copy of the drive. In some circumstances, including the acquisition of data from mobile devices and solid state hard drives, changes to the original evidence may be unavoidable due to the nature of these devices.
3. Forensic copies shall be obtained using hardware and software specifically designed to capture a forensic copy of the original media. When it is not possible to obtain a validation hash, the digital computer forensic examiner will document the circumstances in their report.
4. All items may not need to be forensically imaged provided the media has been previewed and no evidence was found. Lack of a forensic copy will be documented in the examiner's report.

ARCHIVING OF EVIDENCE

All forensic case data image files containing data of evidentiary value shall be archived. Archived media shall be maintained with the same level of security as the original evidence.

Archived case data may be permanently destroyed or deleted from the Digital Forensics Unit (DFU) server if the lead investigator notifies the MPD Property Section of the case evidence disposition or at the direction of an authorized entity (e.g. the City of Madison Attorney's Office).

RELEASE OF EVIDENCE

Evidence released from digital computer forensic examiners will be done in accordance with MPD policies. No media shall be released from law enforcement custody which contains contraband (child pornography).¹

Prosecution

The case detective shall provide direction to the forensic examiner regarding the preparation and presentation of electronic evidence throughout the prosecution process.

¹ Any evidence recovered during a child pornography investigation should be property tagged and placed in evidence—no photocopies of any images, emails, etc. should be sent to Records as attachments.

The forensic examiner shall assist in the presentation and preparation of digital evidence for court to include training and an explanation of the findings to the assigned District Attorney.

Regarding release of information as part of the discovery process:

1. The forensic examiner shall, at the direction of the lead investigator, prepare evidence to be released or presented to the defense (copies of media, evidence files, cell phone extraction reports, EnCase reports, etc.).
2. The forensic examiner shall coordinate with the MPD Records Section or the Prosecutor's Office case detective regarding access or release of evidence and other information to the defense.
3. Contraband, child pornography images, or 3rd party information in any format, written or electronic, shall not be released to the defense without a valid court order. Access to this type of data, or forensic examination of the evidence by the defense, can be arranged by appointment through the forensic examiner.

Reporting

MPD personnel shall document all actions and observations in regard to the handling of computer or electronic evidence, consistent with MPD procedures relating to reporting, such as:

1. Collection of computers and electronic evidence.
2. Any specific actions related to interaction with digital evidence.
3. Chain of custody.

Original SOP: 02/25/2015

(Revised: 01/19/2017, 12/13/2017, 12/28/2020)

(Reviewed Only: 01/30/2019, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Foot Pursuits

Eff. Date ~~11/19/2019~~ 12/21/2020

Purpose

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

Definitions

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

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

Procedure

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

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

- c. The pursuing officer will coordinate with other officers to establish a perimeter in the area to contain the subject. K9 use should be considered if the subject is believed to be in a confined area.
 - d. If possible, officers should consider the feasibility of the following strategies or tactics prior to initiating foot pursuits:
 - i. Area containment
 - ii. Surveillance
 - iii. Obtaining additional officers
 - e. Officers shall terminate a foot pursuit if ordered by a supervisor. If the officer believes that the risk to officers or the public outweighs the necessity for immediate apprehension of the subject, they should terminate the foot pursuit. If the subject's identity is known and the subject does not pose an immediate threat to the safety of the public or other officers, consideration should be given to terminating the pursuit and apprehending the suspect at a later date.
 - f. After termination of the foot pursuit, officers will notify Dispatch with the last known location of the subject or point of apprehension.
4. Supervisor's role:
- a. The supervisor's role is to monitor a foot pursuit and appropriately direct resources to safely apprehend the subject.
 - g. The supervisor should coordinate with involved officers to establish a perimeter. K9 use should be considered if the subject is believed to be in a confined area.
 - b. The supervisor will terminate a foot pursuit at any time if it is determined the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the subject.

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



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



General Duties and Expectations of Employees

Eff. Date ~~04/27/2017~~ 11/09/2020

Purpose

The purpose of this Standard Operating Procedure (SOP) is to provide general expectations as to the duties and responsibilities of all employees of the Madison Police Department (MPD). This document does not encompass all aspects of an employee's specific job description.

Procedure

EXPECTATIONS FOR ALL PERSONNEL

Actively support the Mission and Core Values of the MPD.

Know, understand and comply with provisions of the Code of Conduct, SOPs, Field Manual, and departmental memorandums.

Familiarize yourself with all possible aspects of your assignment and strive for excellence in performing the duties so assigned through active participation and training.

While on duty, members of the MPD shall engage in business of the MPD. Incidental business of short duration is allowable, so long as it does not interfere with the duties of the employee.

Work to build functional cultural norms that are consistent with departmental values to help build a strong work environment. Respectfully challenge those behaviors, systems, or processes whose influence is contrary to this goal.

Be accountable to your chain of command or supervision.

Strive to improve working conditions for maximum efficiency and morale.

Actively participate in team meetings and provide feedback as appropriate.

Promote teamwork through effective relationships.

Submit reports to your team leader or to another supervisor, in prescribed form and detail, as may be required to actively reflect the problems, services and activities of your assigned area.

~~If practical, Personnel shall~~ make an effort to check City email, mailboxes, and ~~voicemail~~ ~~voice mail~~ systems once per shift. At a minimum, all staff shall check these communication sources once per week. Responses to supervisory staff requests should be completed as indicated in the message.

Commissioned personnel will maintain a valid Wisconsin driver's license, maintain certification with the State of Wisconsin as a law enforcement officer, and have the ability to effect a forcible arrest.

Support the Constitution of the United States, the Constitution of the State of Wisconsin, and the Charter of the City of Madison.

EXPECTATIONS FOR SUPERVISORY PERSONNEL

Provide active and visible leadership to the MPD.

Be responsible for implementing operational plans developed to achieve the goals of the MPD as envisioned by the Chief of Police.

Identify personnel training needs or deficiencies and facilitate appropriate training.

Be informed of the affairs and status of your team and communicate with subordinates and supervisors as appropriate.

~~Engage in activity to~~ Coach, consult and guide MPD personnel of the MPD.

Direct, supervise and hold accountable the personnel assigned to your command.

Assist members of the MPD by providing sound advice and interpreting procedures of the MPD.

Supervisory staff shall not knowingly allow members of the MPD to violate any criminal law, or provisions of the Code of Conduct.

SOPs are the prescribed method of action for MPD personnel. ~~It is recognized that~~ Situations may be encountered, where based on the totality of the circumstances, deviation from an SOP would not be inconsistent with the MPD Code of Conduct, values, and laws. Supervisory staff may authorize deviation in limited circumstances, and shall be accountable for decisions that allow a member to deviate from a prescribed SOP.

Routinely meet, both formally and informally with subordinate staff.

Recognize and reward outstanding personnel performance.

Discover existing weaknesses within your area of responsibility and address inadequacies to see that corrective action is taken.

Hold employees accountable and verify that subordinate officers discharge their full duties and responsibilities.

Conduct personnel evaluations and investigations as required.

~~Monitor for the~~ Ensure proper and economical use of MPD property and equipment.

Know and abide by the provisions of applicable employee contracts and the City Employee Handbook.

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(Revised: 03/04/2016, 01/13/2017, 04/27/2017, 11/09/2020)
(Reviewed Only: 12/26/2017, 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Handling of Evidence, Contraband, Found or Lost Property

Eff. Date ~~04/06/2020~~ 12/28/2020

Purpose

This SOP establishes procedures for processing, maintaining, and disposing of evidence in a manner that ensures the evidentiary value of the property, as well as the integrity of the Madison Police Department (MPD) and its employees.

Responsibility

Between the hours of 7:00 a.m. - 4:00 p.m. Monday through Friday, in which the Property Room is staffed, Property Clerks will be responsible for the control of all property. In their absence, the Officer in Charge will be responsible for coordinating the handling of secured property.

Police Property Clerks will follow the processes outlined in the Property Room Procedures Manual. This manual will be reviewed annually for updates and clarifications.

Property Intake Rooms

Property Intake Rooms have been provided for storage of evidence, found property, and recovered stolen property. Evidence packaging supplies and storage lockers are provided within the Property Intake Rooms which have been keyed to allow officers access with department-issued keys. Employees are responsible for following established policies and procedures for packaging of items placed into storage lockers as outlined.

LOCKERS

1. After packaging item(s), officers should place the item(s) and the quick entry receipt in an empty storage locker and lock the door with the attached padlock.
2. Various sized lockers are provided and employees are expected to use the appropriate sized locker for the items to be temporarily stored. One specific locker is designated in each district's intake room for small items such as ID cards, driver licenses, etc.
3. If an item is too large to fit into a locker, it may be left on the floor of the Property Intake Room. If the item is evidentiary, it must be taken to the First Street Bay.

Tagging and Packaging Property

1. All items will be entered into LERMS using the Quick Entry system. There is a guide for this system in each intake room.
2. All property should be processed in accordance with the MPD Packaging Guide. Each package will be assigned its own barcode/tag number. Only one barcode/tag number will be assigned per package.
3. Some types of property require special intake procedures or special storage. Employees having questions should consult with the MPD Packaging Guide, the Property staff, the Forensic Services Unit, or if they are unavailable, the Officer in Charge for guidance.

Temporary Evidence Storage

In most instances, all evidence/property must be secured, tagged, and entered into LERMS prior to the end of the employee's shift. However, some evidence may need further processing, or due to volume and time constraints, may need to be temporarily secured until final processing can be completed. Under these circumstances, temporary evidence storage may be utilized as follows:

1. The item(s) may be secured in a designated temporary evidence locker. Evidence may not be stored in any other location (desk, personal locker, etc.) unless unusual circumstances exist (large size, hazardous materials, etc.) and with a commander's approval.
2. A temporary storage log book will be placed in each property room, and employees using temporary evidence storage will document the property in the log and in their report. Employees will also designate their use of a temporary locker by placing their name or business card on the locker. By January 15th of each year, the filled log pages will be sent to the Records Section.
3. Items may not be stored in a temporary evidence locker for more than 72 hours without the approval of a commander. Items should be removed from temporary storage and entered into the property control system as soon as possible.
4. Non-evidentiary property may be removed from temporary evidence storage and released without being entered into the property system only under these circumstances:
 - a. The property is non-evidentiary and not sensitive (controlled substances, firearms, currency, etc.).
 - b. The employee responsible for the property arranges to return it to the owner or party responsible for it.
 - c. The property is released within 72 hours of seizure.
 - d. The release is approved by a supervisor.
 - e. The seizure and release is documented in a report.
5. All sensitive evidence taken into custody (firearms, drugs, currency) must be processed and property tagged prior to the end of the employee's shift, unless unusual circumstances exist and with a commander's approval.
6. Items that are tagged and entered into Quick Entry in the Records Management System (LERMS) must be submitted to Property and not stored in temporary evidence lockers.

Safe Handling of Drugs

When testing or packaging any drugs or paraphernalia as listed below, the best practice is to be paired up with at least one other officer. The second 'safety officer' will not be directly involved in the testing, handling, or packaging of the drug, but can perform other supportive functions such as computer entries. Considering the risk factor of some of the opioids, it will be permissible to divert from the standard packaging procedures of separating the drugs and packaging as listed in the Packaging Guide. All people present in the property intake area when the drugs listed in this policy are packaged or tested should wear N95/N100 masks and protective eyewear (supplied in each property intake room) to protect against accidental inhalation of or exposure to fine particle drugs. Anyone in direct contact with the drug should wear protective, disposable gloves, N95/N100 masks, protective eyewear, and gowns. In addition to sworn personnel, any civilian employees handling the drugs listed below for the purposes of destruction should take the same precautions. This practice does not apply to the simple movement of a sealed package. Likewise, officers should not request anyone to come into direct contact with the following drugs on the officer's behalf without proper training and protective gear, to include community members, suspects, witnesses, or other non-law enforcement contacts:

- Any known or suspected opioid regardless of form (pill, capsule, powder, liquid, patch, etc.).
- Any unknown powdered drug regardless of color or the substance it is suspected to be.
- Any other drug, such as marijuana, when there is any question about safety or opioid contamination.
- Any drug packaging or paraphernalia that has what is commonly referred to as "drug residue" within, when that residue is potentially a powdered substance.

Firearms

1. A Seized Property Receipt shall be provided to all owners of confiscated firearms.
2. **No Loaded Firearms** of any type should be property tagged and stored in the Property Room. Proper unloading procedures are described in the Wisconsin State Crime Lab Handbook and an Investigator will assist with the unloading of any weapon which is to be checked for **DNA and/or** fingerprints.
3. **All ammunition must be packaged separately from firearms.**

4. All firearms, including facsimile, should be placed in a gun box with the case number, tag number, date, employee name/IBM number, weapon description, and serial number on the outside.

RECEIVING RECOVERED STOLEN FIREARMS FROM OUTSIDE AGENCIES

1. When MPD is notified that another agency has recovered a stolen firearm, which originated from MPD OIR, MPD will make arrangements to receive the firearm.
2. The assigned Detective, or in the event that the case was never assigned, the responsible district's Detective Lieutenant will contact the outside agency to provide MPD case number and shipping information account number and address: Madison Police Property Room, Attn: Property Supervisor, 211 S. Carroll St. GR-4, Madison, WI 53703 (608) 266-4955. The cost of this shipping will be covered by the Investigative Funds and the Shipping Account information will be provided to the assigned Detective or Detective Lieutenant.
3. Once the firearm is received by the Property Room, Property Staff will check the firearm in per the MPD Packaging Guide.
4. The assigned Detective or Detective Lieutenant will determine the firearm disposition and the appropriate Property Disposition paperwork will be completed.
5. MPD Property/Records Staff will complete the background process prior to releasing the firearm.
6. Once the background paperwork for the firearm return is completed and authorized by the Commander of Property, the Property Staff will contact the authorized owner via certified letter and the firearm will be released per the Property Firearm Return Guidelines outlined in the Property Room Procedure Manual.

BACKGROUND OF FIREARMS FOR RELEASE

1. The background shall include:
 - a. Firearm Check for Stolen with Data
 - b. ATF Weapon Trace
 - c. Owner III & CIB Checks
 - d. Owner Adjudicated or Committed – Mental Defective
 - e. Report Review (to include Other Police Agencies)
 - f. Prosecution Release Authority

Med Drop

The purpose of this initiative is to prevent unwanted medicines from harming members of the community or the environment, by disposing of them in a safe manner. The Department of Justice coordinates the Drug Take Back Program and the Police Property Supervisor is responsible for registering the department for the program each spring and fall for the deposit dates.

1. Med Drop Bins are located at East and West Police District lobbies and are available for public medication deposits Monday through Friday 8am-4pm.
2. The keys for the locked med drop receptacles will be kept within the control of the district captain or their designee.
3. Instructions and baggies will be provided for the public at the Med Drop receptacles.
4. A case number shall be generated at the beginning of each calendar year for each Med Drop bin location (East PD and West PD) and all reports reference Med Drop collection will be documented under this case number.
5. Packaging materials are provided by the Department of Justice and ordering of the materials will be coordinated by the Police Property Supervisor.
6. On a weekly basis, or as needed, the bucket/ box contained within the drop bin will be inspected by two commissioned personnel for capacity. If the bucket/box is not full, the receptacle shall be closed and secured and the key returned to the respective commander from which it was obtained. If the bucket/box is full, the two commissioned personnel shall collect, safely sort (to determine if there are prohibited items in the bins), weigh and package the prescription medications within the box in accordance with the Property Packaging Procedures. The Med Drop collection bucket/box will be

replaced with a new bucket/box and bin shall be secured. The key used shall be returned to the respective commander from which it was obtained.

7. A report will be completed documenting the box weight, date collected, and that the property tagging process was completed.
8. The packaged Med Drop boxes will be removed by the Property Room Personnel on a weekly basis along with their standard district property collection. The boxes will be stored within the property control system until they are turned over to the appropriate authorities/location designated by the Department of Justice.

Liquid Evidence

1. **Non-Volatile Liquids** should be processed in accordance with the MPD Packaging Guide.
2. **Volatile Liquids** should be processed in accordance with the MPD Packaging Guide.

Collection of Standard Blood Sample in Criminal Investigations

Blood samples in criminal cases are withdrawn to determine blood types of victim and suspect, and/or to determine the presence of foreign chemicals (e.g., controlled substances, poisons).

BLOOD DRAW

1. Blood is to be drawn only by a physician or a person acting under his or her direction. An officer should witness the blood being drawn and shall properly seal, number and mark each tube drawn, and shall report the chain of evidence, including:
 - a. Subject's name.
 - b. Offense.
 - c. Date and time of collection.
 - d. Name of person withdrawing the sample.
 - e. Identification of each tube collected.
 - f. Location of each tube.The blood kit itself must be sealed in accordance with the MPD Packaging Guide.
2. If a suspect objects to having blood samples taken, and if there is any doubt about drawing blood without a search warrant, the OIC may need to contact the on-duty District Attorney for advice.
3. Screening for Controlled Substances - Use the WI Implied Consent Blood Kit when screening for controlled substances. The kit has all the equipment and forms necessary to obtain the blood sample. Follow instructions provided in blood kit.
4. Screening for Blood Type - Use the blood kit provided by the State Hygiene Laboratory. In sexual assault cases, the blood kit and instructions are found in the Wisconsin State Crime Lab Forensic Nurse Examiner Kits.
5. Deceased Person - The Medical Examiner takes the blood.
6. Sexual Assaults - Refer to MPD Sexual Assault Checklist for type of samples needed. (Note: All Madison hospitals have Wisconsin State Crime Lab Evidence Collection Kits with Instructions.) Officers should utilize both documents when investigating sexual assaults.

PROCEDURAL GUIDELINES

1. **Packaging Blood Samples.** Within two hours, if possible, after each blood sample tube has been properly sealed and marked with the case number, date, name of subject withdrawn from, employee's name witnessing drawing, and sample tube number, the individual tubes should be packaged in such a way that the glass tube is protected from breaking. The blood kit box should also be properly sealed and marked on the outside with the date, case number, tag number, employee name, suspect name, and offense.
2. **Refrigeration of Samples (never freeze liquid blood before testing).** For proper analysis of blood samples, it is best practice that the samples be refrigerated as soon as possible after it is drawn. It is important to keep the samples away from extreme temperatures. The sample(s) should be property

- tagged and be placed in the refrigerator located in the Property Intake Room. If the refrigerator is locked, the key for the refrigerator can be obtained from the OIC or designee.
3. **Disposition of Evidence in Sexual Assault Cases Where no Suspect is Known.** Where there is no suspect identified, all blood samples (victim, suspect, or other) shall be turned over to the State Crime Lab for analysis as soon as possible, or until the sample is no longer of evidentiary value. The Crime Lab will analyze the blood samples even though specific suspect is not identified. The follow-up officer shall periodically monitor the value of maintaining other biological evidence in the property room.
 4. **Reporting Evidence Chain.** Transportation or disposition of any evidence shall be documented in reports by any officer involved in the evidence chain.

COLLECTION OF WHOLE BLOOD IN TRAFFIC-RELATED CASES

1. WI Implied Consent Blood Kits, supplied by the State Hygiene Laboratory, shall be utilized for traffic-related cases. The kit supply is maintained by the local hospitals and MPD. The kits are stored in the CCB Intake Room and area hospital emergency rooms. The kit has all the equipment and forms necessary to obtain the blood sample.
2. Blood is to be drawn only by a physician or registered nurse, medical technologist, physician assistant, phlebotomist, or other medical professional who is authorized to draw blood, or person acting under the direction of a physician. The arresting officer should witness the blood being drawn and maintain custody of the evidence once sealed by the medical personnel.
3. It shall be the responsibility of the Police Property Supervisor to coordinate the transport of all blood samples in a timely fashion to the UW Hygiene Laboratory or the State Crime Laboratory when appropriate.

Deceased Animals

In the event that a deceased animal needs to be collected for evidence/necropsy purposes, it is recommended that you contact the **Wisconsin Veterinary Diagnostic Laboratory at 608-262-5432 (M-F 7:45am-4:30pm)**. The WVDL is located at 445 Easterday Lane. The WVDL does not recommend freezing the animal prior to necropsy. Therefore, if an animal is collected for necropsy and it is after the WVDL normal business hours, you can contact the **UW Veterinary Hospital at 608-263-7600** for refrigerated storage options. The UW Veterinary Hospital can then turn the deceased animal over to the WVDL during normal business hours.

The Property Room **WILL NOT** store a deceased animal in the refrigerator. It will only be stored in the freezer. In the unusual event that a deceased animal is collected and not going to have a necropsy, it will be stored in the Property Room Freezer. If the animal is collected and packaged during the hours of 7am-4:00pm, please contact the Property Room for assistance. If it is after hours, and the animal is small enough to fit into the Evidence Refrigerator Freezer in the CCB Intake room, it can be stored there. If it is after hours and the animal cannot fit into the Evidence Refrigerator Freezer in the CCB Intake Room, contact the OIC to call in a Property Room Staff Member to allow access to the larger evidence freezer.

Latent Evidence

Items of evidence bearing or suspected of bearing latent evidence, (e.g., fingerprints, palm prints, foot or shoe prints) which are to be processed must be entered into LERMS Quick Entry, marked and sealed, and secured in a Property Intake Room. If there is danger of destroying possible evidence by marking the item, it must be protected and the package containing the item must be marked.

Vehicles

VEHICLE STORAGE

The MPD's Vehicle Impound Facility (VIF) is for the processing and storage of vehicles of evidentiary value. All other vehicles MUST be towed to the contracted tow company.

A vehicle should be towed to the VIF when a vehicle has been determined to be evidence of a crime and needs to be processed. An MPD vehicle tow card must be completed for all vehicles towed to the VIF. The tow card must be completely filled out. The pink copy is given to the tow truck driver and the other copies should be placed in the box in the VIF intake office.

Vehicle keys will be placed in a clear plastic Ziploc envelope provided in the VIF Intake room. The case number will be written clearly on the envelope and the keys placed in the tray with the tow card.

Officers are required to make any entries into LERMS.

Two Options are Available to Release a Vehicle from the VIF

1. Utilizing MPD's Contracted Tow Company:

When a vehicle has been processed and retains no evidentiary value, the authorizing official will send an email to PD Tow authorizing its release.

This email should include the following information:

Please release vehicle:

- Case#
- Tag#
- Make
- Model
- VIN
- License information (state and number)
- Owner Information

The Property Room Staff will arrange release of the vehicle by contacting the contracted tow company and completely filling out the MPD vehicle tow card. The appropriate tow code for releasing a vehicle is "6". The name of the releasing officer will be annotated in the tow card left margin. When the tow company arrives, the driver must sign in utilizing the VIF log if releasing vehicle from the inside storage area. The vehicle will then be removed and the driver will sign out. The pink copy of the tow card will be given to the tow driver; the remaining two copies (goldenrod and white) will be forwarded to Records.

After the release has been completed, the Property Room Staff will notify the authorizing official and email PD Tow that the transaction is complete. Property Staff will make the appropriate computer entries and the authorizing official will notify the owner of the release.

2. Release of a Vehicle to Owner/Victim without Utilizing Contracted Tow Company.

Under no circumstances should a vehicle be released to an owner/victim at the VIF.

In the event that a person authorizing the release deems it appropriate to release a vehicle directly to an owner, the person authorizing the release must first check with Court Services to verify there are no Owners Fees associated with the vehicle to be released. If there are no fees, an email must be sent via PD Tow.

This email should include the following information:

Please release vehicle:

- Case#
- Tag#
- Make
- Model
- VIN
- License information (state and number)
- Owner Information
- Date and time of release

A supplemental report must be submitted by the releasing officer. Property will make the appropriate computer entries documenting the release.

No unauthorized personnel or personal vehicles will be allowed inside the VIF.

Air-Drying

1. Items requiring air-drying should be placed in the special air-dry lockers available at the Central District Air Dry Room. If these are not available, standard lockers in the Central District Air Dry Room may be used. **Do not air dry in standard lockers at other districts.**
2. Within four days, officers must complete the packaging of the item(s). If absent from duty for more than four days, arrangements should be made with a commissioned co-worker to complete packaging of the items (if the items are dry).

Chain of Custody

Written documentation for the removal or disposition of any item in evidence will be submitted to a Property Clerk. Any officer involved in the evidence chain shall document transportation or disposition of any evidence in a police report.

Refusal of Property

Property that does not meet the packaging and labeling standards outlined in the MPD Packaging Guide will be placed back into the storage locker with the associated lock. The locker will be secured and sealed with a red evidence zip tie. The zip tie will be labeled with the name and IBM of the Police Property Clerk refusing the property. In addition, the case#, tag#, and officer responsible for the item will be annotated. The Clerk will notify the Employee and the Police Property Supervisor of the deficiency and the steps needed to correct the problem via email.

The responsible employee will verify the information on the red evidence zip tie and then cut the red evidence zip tie to remove the affected property.

The employee will correct the deficiencies outlined in accordance with the MPD Packaging Guide and return the correctly packaged property to the storage locker. The red zip tie should also be placed (unpacked) in the storage locker to allow the Police Property Clerk to identify the property and the deficiencies that were to be corrected.

The employee will notify Property via email that the deficiencies have been corrected and the item is ready for pickup. The employee will submit a supplemental report outlining the deficiency, the circumstances surrounding the opening of the locker, the correction, and the re-securing of the evidence. The Clerk, when picking up the packaged property, will verify that the cut red evidence zip tie is indeed theirs and the property has been corrected in accordance with MPD SOP. In the event the indicated deficiency is not corrected within a reasonable amount of time of refusal, the Clerk will send a second email notification to the employee. The Police Property Supervisor will take the necessary steps to facilitate correction of the indicated deficiencies.

Release of Sensitive Evidence/Property

Certain types of evidence and property create a higher liability by their very nature and shall be subject to special restrictions for temporary or permanent release.

DESIGNATED EVIDENCE/PROPERTY

The following categories of property or evidence fall within these guidelines:

1. All controlled substances/drugs.
2. Any functional firearms.
3. U.S. Currency amounts in excess of \$100.
4. Individual items with an estimated value in excess of \$1,000 (excluding vehicles).

AUTHORIZATION

Temporary or permanent release of any of the property/evidence listed above must have documented authorization by a Lieutenant (to include OIC), Captain, or Chief.

The temporary release of any controlled substances/drugs that have been designated to be destroyed may only be authorized by the Assistant Chief of Investigative and Specialized Services.

DOCUMENTATION

The temporary or permanent release of any of the designated sensitive evidence/property shall be documented on a "Property Release/Receipt Form" from the authorizing Commander which includes the same information as this form.

In addition to this form, any officer to whom designated sensitive evidence or property is released shall complete an official police report documenting the handling and disposition of this property/evidence.

Disposition of Property Requirements

UNCLAIMED PROPERTY

State Statutes 66.0139 and 170.07-170.11 and Madison General Ordinance 8.44 regulate the manner in which property coming into the possession of the MPD is handled.

ITEMS NOT TO BE SOLD AT AUCTION

It is required that items such as firearms, beer, liquor, fireworks, and flammables be destroyed after it is determined it is not necessary to retain the item.

BICYCLES FOR DONATION

Section 12.761(4) of the Madison General Ordinance allows for donation of bicycles to charitable non-profit organizations. When abandoned bicycles are not returned to the owner or sold, the City of Madison Police Department will donate abandoned bicycles to qualified organizations.

1. Bicycles shall be held by the Madison Police Department Property Section for 45 days before being considered for donation.
2. All requests for bicycle donations must be made with the "Bicycle Donation Form" (found at <https://www.cityofmadison.com/police/support/bicycleDonation.cfm>) which is to be reviewed by the Police Property Supervisor and the Captain of Specialized Services - Property. The Police Property Supervisor will notify all requesters of the approval/denial of their requests. If approved, the Police

Bicycle Recovery Specialist will be in contact with the requester to schedule a pick-up date and time for the requested bicycles.

3. Requests should be made at least 30 days in advance from when the organization would like to receive the bicycles.
4. Donations shall be limited to charitable non-profit organizations. Such organizations must provide proof of their non-profit government status, (subsequent applications may reference these materials as "on file" with the Police Property Room) and assurances that the bicycles will be used as part of a charitable program sponsored by the organization.
5. Bicycles shall only be for the use of clients of requesting organizations and not for the employees or directors of such organizations. Bicycles may not be sold to raise revenue for any purpose. By accepting a bicycle under this program, the applicant grants permission to the City of Madison Police Department to audit its use of said bicycles in accordance with these guidelines.
6. Organizations wishing to request an ongoing supply of bicycles are required to submit a separate request on each occasion when a donation is desired. Bicycle donations are subject to availability, as determined by the Police Department. Organizations may receive no more than 20 bicycles at one time. Once all requests have been filled, an organization may receive additional bicycles.
7. Organizations receiving donated bicycles must sign a liability waiver and provide for the removal of the bicycles.
8. The Madison Police Department Property Supervisor will maintain the following: copy of the approved request form, date the donation form was filled, and number of bicycles received by the organization.

EXPLOSIVES

Items capable of exploding such as dynamite, nitroglycerin, pipe bombs, or any Class A explosive, including M-80s and other powerful fireworks, will be handled by the Dane County Bomb Disposal Squad and will not be placed in the Property Room.

FIREARMS AND AMMUNITION

Firearms and ammunition must be turned over to the Wisconsin State Crime Laboratory when it is no longer necessary to retain them for any reason.

SEIZED ITEMS

Items seized during the serving of a search warrant or incident to an arrest which are not later used as evidence in a court case, must be returned to the owner or disposed of in accordance with State Statute.

OTHER PROPERTY RELEASED TO OWNER

Other property will be released to the owner according to procedural guidelines set up by the Commander in charge of the Property Room.

Property Room Controls

An audit of all, or of a specified portion, of the property/evidence storage areas is a critical internal control and will be conducted quarterly. Comprehensive inventories will be conducted when deemed necessary. The audit will review policies, procedures, and processes of the property and evidence functions to ensure compliance. Any variances or irregularities identified as a result of an audit or inventory of the property system will be documented by the Police Property Supervisor and/or Commander designated to monitor those processes. This documentation shall be forwarded to the Assistant Chiefs and to the Chief of Police for review.

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(Reviewed Only: 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Hostage Situation Incidents

Eff. Date 12/20/2019 11/30/2020

Purpose

Establish standard procedure for Madison Police Department (MPD) response to incidents involving hostage situations.

Policy

The objectives of this department in dealing with barricaded person, hostage, and active shooter incidents are:

1. Preservation of life.
2. Apprehension of perpetrator(s) using a reasonable amount of force.
3. Securing available evidence to assist in the appropriate disposition of the perpetrator(s).

SAFETY PRIORITIES

The basis for operational and tactical decisions will be based on the following safety priorities:

1. Hostages and citizens
2. Law enforcement personnel
3. Suspects and subjects

The department will respond and take necessary steps to free innocent persons who are endangered and being held illegally against their will. Officers may take direct and immediate action—up to and including deadly force—in situations where a hostage is at imminent risk and the officers’ reasonable actions have a high probability of neutralizing the deadly force threat or preventing the situation from escalating.

Definitions

Hostage Situation: A scenario in which a person is being held against his or her will by an armed, potentially armed, or otherwise dangerous suspect.

Triggering Point: Specific predetermined circumstances that will justify the initiation of direct action to prevent or stop a particular course of suspect behavior (such as physical or sexual assault on the hostage or setting the structure on fire).

Inner Perimeter: A close proximity boundary [REDACTED]

Outer Perimeter: A boundary outside the inner perimeter maintained by patrol officers and designed to prevent unauthorized persons from entering the area of the critical incident.

Positive progress in a hostage situation shall be defined as shall be defined as developments that increase the probability of the safe release of the hostages, as opposed to the mere passage of time. While it is true that the passage of time may increase the opportunity for such developments, it is also true that a viable rescue opportunity presented and ignored may be lost forever.

Response Procedures

INITIAL RESPONSE

Personnel initially responding to a hostage situation will assess the circumstances and request the appropriate resources. The initial priorities are to:

- Establish an inner perimeter and staging area.
- Isolate communications through use of a dedicated [REDACTED] radio channel and keep dispatch apprised of all relevant actions.
- Ensure that a supervisor is assigned to the incident.
- [REDACTED]
- Gather intelligence/information on the situation.
- Evacuate any uninvolved citizens who might be at risk and otherwise stabilize the scene.
- Ensure that the appropriate specialized resources have been requested (Special Weapons and Tactics (SWAT), Crisis Negotiation Team (CNT), paramedics, Rescue Vehicle, etc.).

The scene supervisor shall continuously evaluate the situation and determine whether the opportunity and need exists for immediate intervention [REDACTED]

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]

SECONDARY RESPONSE

SWAT should be activated for any confirmed hostage situations. Initial requests for SWAT activation should be made to the SWAT tactical team lieutenant. A full-team SWAT activation should generally be approved by the SWAT Commander and designated Assistant Chief. However, SWAT use may be approved by any MPD supervisor if no SWAT commander/supervisor can be contacted, or in case of extraordinary emergency where command approval would be impractical. The SWAT commander will be notified as soon as possible of any SWAT usage that did not have prior authorization.

On-duty SWAT personnel may respond to assist with tactical situations as needed. Where possible, a SWAT supervisor will respond to the scene to oversee the utilization of SWAT personnel. If used for on-duty tactical situations, SWAT personnel will only be used in a manner that is consistent with the Team's training and standard operating procedures.

The actions of SWAT will be consistent with MPD's Code of Conduct, standard operating procedures, and with standard professional practices in the area of police tactical response.

The scene supervisor shall ensure that a variety of tasks are addressed while awaiting the arrival of SWAT and negotiations negotiators, including but not limited to the following:

1. Establish an outer perimeter and initiate the evacuation and handling process for those inside. Special consideration must be given to the handling of those who refuse to be evacuated.

2. Establish a command post location [REDACTED]
3. Initiate an investigation to determine exactly what has occurred and locate, isolate, and debrief any witnesses.
4. [REDACTED]
5. Select a location for media response and designate a person to interact with them prior to the arrival of the agency public information officer.
6. Select a location for those responding on behalf of the hostage(s) or suspect and designate an officer to interact with them. Make outer-perimeter personnel aware of the presence of those responders and consider that they may attempt to enter the barricade location.
7. [REDACTED]
8. Establish and maintain a log that documents the activities that have occurred and the location and identification of the assigned personnel.
9. Ensure that the appropriate personnel have been notified and briefed (OIC, District Command, etc.).
10. Brief the SWAT and negotiations teams upon their arrival (if applicable).
11. Assist the SWAT team as it relieves the officers responsible for inner perimeter containment personnel (if applicable).
12. Ensure that all officers relieved report to the command post for reassignment.

SWAT RESPONSE

Once SWAT has arrived on scene and assumed responsibility for the incident, SWAT command will fill the role of the overall incident commander. In situations that do not demand immediate intervention, primary focus should be on the following:

1. Ensure that all appropriate steps have been taken prior to SWAT arrival (inner perimeter, intelligence gathering, etc.).
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. [REDACTED]
9. [REDACTED]
10. Maintain a log to document incident activity.
11. [REDACTED]
12. [REDACTED]

13. Initiate negotiations using the most appropriate communication method. The CNT commander will oversee the negotiation function and the gathering of all relevant intelligence. Information will be shared with perimeter units as appropriate, and CNT activity will be documented consistent with the SWAT Manual.
14. Continue negotiations as long as positive progress is being made.
15. Evaluate the viability, necessity, and appropriateness of a tactical resolution—including the long rifle option—in situations where negotiations prove unproductive and a tactical resolution would be reasonable and justified based on the totality of circumstances
16. Use a combination of techniques and tactics, in a manner consistent with approved training, until the situation is brought to a successful conclusion.

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CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE
Personnel File Contents and the
Process for Accessing These Records



Eff. Date ~~01/15/2020~~ 12/28/2020

Purpose

The Madison Police Department (MPD) maintains information on all current and past employees, commissioned and civilian, pursuant to State of Wisconsin Statutes and City of Madison Ordinance.

The purpose of this standard operating procedure is to identify and clarify specific categories of personnel information and to establish criteria to assure that this information is maintained and protected, allowing access only when provided by law. Accordingly, not all portions of an employee's employment file will be available to the employee. In addition, there may be a reasonable charge for providing copies of records.

The following categories are considered sections of an employee's overall Personnel File Record and the documents identified represent typical types of records that may be stored within. The documents listed within each category are not inclusive.

Files/Definitions

EMPLOYEE FILE (GREEN)

(Maintained by the Human Resources Coordinator)

This file is stored in the Master File room in the CCB in a green file folder. File contents are typically related to:

- Letter to Offer Position to Candidate
- Letter of Acceptance
- Letters of Recommendation (if turned in after employment began)
- Standards of Conduct Pledge
- Employee Status Information (rank, address, education, assignment)
- Commendations and Awards (Employee Recognition Form(s), Citizen Recognition Letters, Departmental Awards)
- Evaluations
- Employee Feedback Forms
- ~~Disciplinary Notice/Findings~~
- Employee Notification of Grant Funded Position

MEDICAL FILE (BLUE)

(Maintained by the Human Resources Coordinator)

This file is stored in the Master File Room in the CCB in a blue file folder. File contents are typically related to:

- Doctors Documents
- Workers Compensation Documents
- OSHA
- Any Medical Related Documents
- Family Leave Form
- Fitness to Use a Respirator
- Drug Test Results (Post-Employment Offer)

TRAINING

(Maintained by the Training Section)

These files are stored electronically by the Program Assistant assigned to the Training Team. Files earlier than 2013 are currently housed in a Green File Folder. File contents are typically related to:

- In-Service Specialized Training
- Remedial Training (non-discipline related)
- Field Training Officer/Sergeant
- Specialized Unit Training
- District/Section Training
- HR 218

PROFESSIONAL STANDARDS AND INTERNAL AFFAIRS¹

(Maintained by the Lieutenant of PS&IA)

Prior to 2014, some of the below listed files are stored in the Master File Room in the CCB and secured in a separate locked storage cabinet. After that date, all PS&IA files are stored electronically within the IA management software program designated by the Madison Police Department. File contents are typically related to:

- Internal and External Complaints
- Investigations by PSIA and District Command of SOP and Codes of Conduct Violations
- Documentation of Sanctions (discipline and non-discipline)
- Existing and expired Work Rules/Performance Improvement Plans
- Historic Disciplinary Records
- Pursuit Reviews
- Squad Crash Reviews, Arbitrator, MDC messages, Emails and Sick Leave Use Audits
- Disciplinary Notice/Findings
- Probationary Officer Extension Memos Crafted by District Captains (if not related to performance, an inquiry only file will be created)

PRE-SERVICE ACADEMY TRAINING FILE (YELLOW)

All pre-service records remain at the Training Center under the direction of the Lieutenant of Training until transferred to the Master File Room at Headquarters. The maintenance of these files is then the responsibility of the Human Resources Coordinator. Documents related to tests and performance measures of probationary commissioned personnel while attending the MPD Police Academy are housed electronically or on microfilm; certain paper files may also be housed in the Master File Room located at Headquarters.

FIELD TRAINING FILE (ORANGE)

Documents related to performance measures of probationary commissioned personnel while participating in MPD's Field Training and Experience program are housed electronically or on microfilm and maintained by Training until the employee is deployed to a field assignment. Certain paper files may also be housed in the Master File Room located at Headquarters.

¹ These files have restricted access. Access to portions of these files may be denied due to exceptions noted in Wisconsin State Statutes §§19.31-19.39 and §103.13.

PROMOTIONAL PROCESS FILE

(Maintained by the Human Resources Coordinator/Chief's Administrative Assistant)

Certain process documents, including those that are generated as the result of candidate interviews with the Chief, will be stored in the Master File Room. These documents are specific to the commissioned promotional process.

Rules and Guidelines

CRITERIA

- A current or former employee may review their personnel records once per calendar year, upon request. A review form indicating date of review and signature of employee will be maintained within the file.
- Employees must be notified and/or sign off on new documents placed within their personnel file pertaining to performance issues.
- All file entries should include the following specific dates when appropriate: the date the information was added to the file and/or the date the information was received by PS&IA.
- Documentation should occur each time someone accesses an employee personnel file. This documentation should consist of a short memo indicating the date of the review, who conducted the review, the reason for the review, and what sections of the personnel file were accessed. This memo shall be placed within the employee file.
- Personnel files are all to be housed within the locked Personnel File Room located at Headquarters. However, certain Pre-Service Field Training Files are stored electronically. In addition, certain PS&IA files are kept in this room through 2013 but are otherwise electronic (see above).
- Personnel Files are available to the employee, the employee's representative when involved in a grievance, an employee's physician (per medical record exception) and decision-maker (Human Resources Coordinator or their Commanding Officer).
- Employees may add to their files; i.e., when they receive direct commendations from the public.
- Copies. The right of the employee or the employee's representative to inspect records includes the right to copy or receive a copy of records. The employer may charge a reasonable fee for providing copies of records, which may not exceed the actual cost of reproduction.

RETENTION OF RECORDS

- No records are to be removed or purged at an employee's request. If an employee believes a record exists in error or disagrees with the content of a record, the employee can submit a memo stating they dispute the record and why. This memo will be stapled to the disputed record.
- All documents listed above that are placed in an employee's permanent file will be stored for at least eight (8) years after separation from service.

Wisconsin State Statutes §§19.31-19.39 and §103.13 clearly articulate exceptions related to employee access of their Personnel Records. These exceptions include:

- Records relating to the investigation of possible criminal offenses committed by that employee.
- Letters of reference provided through the background process.
- Any portion of a test document, except that the employee may see a cumulative total test score for either a section of the test document or for the entire test document.
- Materials used by the employer for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management

bonus plans, promotions and job assignment or other comments or ratings used for the employer's planning purposes.

- Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- An employer who does not maintain any personnel records.
- Records relevant to any other pending claim between the employer and the employee, which may be discovered in a judicial proceeding.

RECORDS APPEAL PROCESS

- Review processes initiated by the employee shall be in writing describing the disputed information and directed to the authority responsible for maintaining the record in question.
- The authorities designated to maintain the specific record will be responsible for the review process and may delegate the review to his/her designee. The designated authority will make a determination on the record in dispute. Appeals to this decision are to be directed to an Assistant Chief.
- The final decision on the disposition of the appeal shall be the responsibility of an Assistant Chief.
- If an agreement is not reached through the appeal process, an employee may submit a response to their written dispute articulating the employee's position. That response is to be attached to the original disputed document.

Original SOP: 05/11/2012

(Revised: 02/25/2015, 06/10/2015, 02/12/2016, 03/21/2016, 02/03/2017, 12/21/2017, 01/15/2020, 12/28/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Professional Standards and Internal Affairs Complaint Investigation

Eff. Date ~~05/31/2019~~ 11/06/2020

Complaint Acceptance and Investigation

1. General Purpose

It is essential that public and employee confidence be maintained in the ability of the Madison Police Department (MPD) to investigate and properly resolve complaints against its employees, policies or procedures. It is also essential that the rights of the employee, as well as those of the public, be preserved. Therefore, the MPD is committed to investigating complaints in a fair manner with the truth as the primary objective.

Citizen complaints of code of conduct or procedural violations or alleged officer misconduct will be entered into the Professional Standards & Internal Affairs (PSIA) records system, including service complaints. All complaints will be given a PSIA investigation number.

2. Employee's Responsibility

When involved in an investigation, employees are required to cooperate fully, answer questions truthfully, and to provide material and relevant statements to the investigating supervisor or commander officer.

3. Supervisory Responsibility

Supervisors assigned to investigate a complaint against an employee are responsible for conducting a thorough and fair investigation, and for respecting the dignity of all persons involved.

4. Guideline for Complaint Acceptance

All citizen complaints will be reviewed and/or investigated as appropriate. Where a significant time delay has elapsed from the time of the incident to the time of the complaint, the complaint will be reviewed/investigated as best as possible given the available information (witness recollection, physical evidence, etc.).

5. Prompt Disposition of Complaints

Investigations of complaints against employees will be prompt. The disposition of PSIA investigations will be within 90 days of the assignment of the complaint. An extension of these time limits may be granted by the Chief of Police.

6. False Complaints of Police Misconduct

Per WI Statute 946.66(2), whoever knowingly makes a false complaint regarding the conduct of a law enforcement officer is subject to a Class A forfeiture.

Responsibility For Accepting/Referring Complaints

Every employee has the responsibility to insure that a citizen complaint is received and referred to the appropriate unit or supervisor.

Methods Available For Receiving Citizen Complaints

The methods available for receiving complaints from citizens are listed below:

1. Verbal complaints can be tendered by a complainant either personally or by telephone.
2. A complainant may tender a complaint in writing or online on the MPD's website. Citizens will not be required to submit a complaint in writing.
3. A citizen may file a complaint against a commissioned employee with the Board of Police and Fire Commissioners, as provided in Wis. Statute Section 62.13.
4. Citizens who have complaints against any MPD Code of Conduct provision or standard operating procedure of MPD will be directed to submit their complaint in writing to the office of the Chief of Police.

Anonymous complaints will be accepted and investigated based on the available information.

Responsibility of Supervisor Receiving Citizen Complaints

1. Supervisors receiving citizen complaints will obtain the nature of the complaint and a description of the events in question.
2. If the incident in question can be readily resolved because there are no disputed facts, and there is not an allegation of a significant Code of Conduct violation (i.e., alleged criminal conduct, excessive use of force, or other violations that if sustained would result in a letter of reprimand or more severe disciplinary action), the supervisor may document the circumstances, and forward their investigative documentation/recommendation to their command staff for review. Command staff will review the investigation and forward to PSIA for final disposition.
3. A supervisor taking a complaint with an allegation of significant misconduct shall document the nature and description of the allegation, as well as the contact information for witnesses. This will be submitted to PSIA by entering it into the PSIA records system. The supervisor should then follow the appropriate command notification protocol.

Allegations of Criminal Activity, Serious Misconduct and Critical Incidents

1. In all cases where a felony or other serious misconduct is alleged, the following individuals will be contacted as soon as possible:
 - a. The Chief of Police.
 - b. The PSIA Lieutenant.
 - c. The employee's commanding officer.
2. The investigation into significant allegations will begin as soon as possible upon receipt of the complaint.
3. Employee statements will generally not be compelled until after review by the District Attorney's Office in any case with the potential for criminal liability.
4. If the investigating supervisor determines that there may be probable cause for a criminal violation, the case shall be forwarded to the District Attorney's Office for review. This does not preclude an immediate physical arrest if there is a threat to public safety.
5. Allegations of criminal conduct that are unclear may be taken to the District Attorney's Office for informal review at the investigator's discretion.
6. The same legal standards regarding Miranda warnings shall be applied to employees as would be applied to individuals not employed by the MPD.
7. Employees involved in significant misconduct, which could result in discipline, termination or criminal charges, shall be offered services from the City's Employee Assistance Program (EAP). This does not preclude offering employee assistance services in other disciplinary matters

Investigative Responsibility

1. PSIA will review, document and assign complaints.
2. PSIA will ensure that the Chief of Police and the employee's commanding officer have been notified of significant complaints.
3. **Category A** (as listed in PSIA Discipline Matrix (Matrix)) allegation investigations will generally be assigned to the employee's assigned work group supervisor or district command for investigation. Upon completion of the investigation, the investigating supervisor will contact PSIA to ensure consistency with similar investigations and that matrix guidelines have been followed.
4. **Category B** (as listed in the Matrix) allegation investigations **may** be sent to the assigned employee's work group supervisor or district command for investigation. PSIA will confer with the employee's commanding officer or supervisor to determine the most appropriate venue for investigation.
5. PSIA will typically investigate all **Category C, D and E** (as listed in the Matrix) allegations.
6. When the PSIA investigator is unavailable or unable to conduct an investigation, a commanding officer assigned by the Chief of Police or his/her designee will be responsible for the investigation.
7. The Chief of Police reserves the right to request PSIA investigate allegations at any category level when circumstances merit.
8. Notification of the involved employee will be completed at the discretion of the investigating supervisor in order to protect the integrity of the investigation.
9. In cases where citizen complaints are filed against arresting officers, the investigation of an allegation will generally be conducted promptly. However, the investigation may be suspended, only at the discretion of the Chief of Police, until the court proceedings are completed. In these cases, a notice will be placed in the case file and the involved employee and their commanding officer shall be notified.
10. In cases of potential criminal conduct when it is necessary to assign additional investigators, the PSIA unit will be kept informed as to the progress and details of the investigation and assigned investigators.
11. When there are allegations of insubordinate or disrespectful behavior towards a supervisor, the commanding officer of the involved employee will designate someone other than the directly involved supervisor to investigate. In other instances when the appearance of an interpersonal conflict exists, the commanding officer of the involved employee may designate a non-involved supervisor to conduct the investigation.
12. The investigating supervisor will forward the file to the employee's commander for review. PSIA will review all complaint investigations/dispositions, and brief the Chief (or designee) of final disposition.
13. For all internal investigations, PSIA will ensure that:
 - a. The investigation was conducted in a fair, dignified and thorough manner in accordance with Chapter 164 and Sec. 62.13, Wis. Stat.
 - b. All documents of a completed investigation shall be forwarded through the chain of command to the PSIA office for review and entry into the PSIA records system.
 - c. The investigation was completed within the allowable time period.

Steps in a Complaint Investigation

1. Complaint received.
2. Complaint entered into the PSIA records system. Contact PSIA to discuss the case and determine investigative venue.
3. Conduct investigation. Interview witnesses, review police reports, etc.
 - a. In all cases, the investigator shall review available information to determine if a Code of Conduct violation occurred. When a complainant or witness fails to follow through with the investigating supervisor, the attempts to contact the complainant/witness shall be documented in the record.
 - b. Interview notice should be sent to the employee(s) alleged to have committed the violation with at least 48 hours notice, when appropriate. An employee must be allowed to contact a representative in any interview if desired. Interview notice is not required for coaching, mentoring, training, feedback, interviews of employee witnesses or basic fact finding.
 - c. In cases where the allegations, if proven true, would likely result in discipline, interviews with the officer(s) alleged to have committed the violation will be audio recorded. This does not apply to instances where the factual circumstances of the incident are clear and undisputed, or if recording the interview is impractical. Interviews may also be recorded at the employee's request or if other circumstances indicated that recording is appropriate.
 - d. The decision to audio record interviews with victims, witnesses or complainants will take the following factors into account:
 - i. The severity of the allegation.
 - ii. The complexity of the allegation.
 - iii. The location of the interview.
 - iv. The relevance of the interview to the investigation/allegation.
 - v. The willingness of the interviewee to have the interview recorded.

When the allegations, if proven true, would likely result in discipline, complainant interviews should be recorded unless it is impractical to do so or the complainant declines to have the interview recorded.
 - e. Interviews of key witnesses in significant investigations should be recorded when possible.
 - f. Employees should be informed and referred to the City's EAP.
 - g. Employees may be ordered to not discuss their involvement in an investigation with others. Such an order should only be imposed for the length of time reasonably necessary. It is not the MPD's intent to restrict employee rights to prepare a defense to a complaint filed against them.
4. If the preliminary finding is a sustained SOP or Code of Conduct violation that may result in discipline, a pre-determination hearing will be scheduled.
 - a. A pre-determination notice should be sent to the employee (and representative if a representative has previously been involved) at least one (1) week before the hearing.
 - b. In lieu of a personal appearance/hearing, the employee can opt to submit a written response. **A written response may be submitted in addition to the hearing, but must be submitted before**

or at the time of the hearing. The employee is allowed to have a representative present during the hearing if so desired.

- c. Pre-determination findings should document any mitigating or aggravating factors that employee discussed in pre-determination response.
5. The district/section Captain of the employee shall conduct a command review of the final investigation. The Captain will review the investigation and may direct further investigative steps if warranted. Once reviewed, the district/section Captain will forward the investigation and recommended finding to PSIA for final review with the Chief.
6. A discipline meeting will be held with PSIA, the employee's command staff and the Chief of Police.
7. The Chief of Police has final authority on all discipline decisions.
8. The employee will be notified in writing of any discipline. The complainant will be notified of the final outcome of the case as well (in the manner in which they prefer to be contacted).
9. If a complainant is not satisfied with the outcome of the investigation, they should be advised that they have the option to pursue their complaint to the Police and Fire Commission.

Complaint Disposition

Upon completion of an investigation, the investigating supervisor will make a conclusion for each allegation from among the following dispositions:

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

Seven Tests For Just Cause

The Chief of Police must show "Just Cause" when issuing discipline to a sworn employee. In any internal investigation resulting in discipline, per Wis. Stat. Sec. 62.13, there are seven "Just Causes" that must be met:

1. Whether the subordinate could reasonably be expected to have had knowledge of the probable consequences of the alleged conduct.
2. Whether the rule or order that the subordinate allegedly violated is reasonable.
3. Whether the Chief of Police, before filing the charge against the subordinate, made a reasonable effort to discover whether the subordinate did, in fact, violate a rule or order.
4. Whether the effort described under sub. 3 was fair and objective.
5. Whether the Chief of Police discovered substantial evidence that the subordinate violated the rule or order as described in the charges filed against the subordinate.
6. Whether the Chief of Police is applying the rule or order fairly and without discrimination against the subordinate.

7. Whether the proposed discipline reasonably relates to the seriousness of the alleged violation and to the subordinate's record of service with the Chief of Police's department.

Police Bill of Rights

Wis. Stat. Sec. 164.02 provides guidance on police interviews as it relates to the Police Bill of Rights.

- (1) *If a law enforcement officer is under investigation and is subjected to interrogation for any reason which could lead to disciplinary action, demotion, dismissal or criminal charges, the interrogation shall comply with the following requirements:*
 - (a) *The law enforcement officer under investigation shall be informed of the nature of the investigation prior to any interrogation.*
 - (b) *At the request of any law enforcement officer under interrogation, he or she may be represented by a representative of his or her choice who, at the discretion of the officer, may be present at all times during the interrogation.*
- (2) *Evidence obtained during the course of any interrogation not conducted in accordance with sub. (1) may not be utilized in any subsequent disciplinary proceeding against the law enforcement officer.*

Civilian Employees

All employees are expected to adhere to MPD Code of Conduct, standard operating procedures, and City of Madison Administrative Procedure Memoranda (APM). This SOP describes the complaint investigation process for all employees; however, discipline matters resulting from a sustained finding involving non-commissioned personnel follow the overall City of Madison Personnel Rules.

Cooperation With Investigations Required Notice

In some cases where there is a possibility of criminal liability, and an employee is interviewed, the employee shall be given an MPD memo called "**Cooperation with Investigation Required.**"

This memo advises that although employees are required to cooperate in an internal investigation (Code of Conduct #20), that the employee's statement cannot be used against the employee in any subsequent criminal proceedings. If a statement is going to be ordered from an employee, the following procedure will be adhered to:

1. PSIA will order the officer(s) to provide a statement. The order will be documented in writing.
2. The interview will be audio recorded and transcribed.

Suspension

Should an employee be suspended without pay, the order shall be issued by the Chief of Police. Disciplinary actions against commissioned personnel requesting demotion or dismissal will be filed by the Chief of Police with the PFC, pursuant to Wis. Stat. Sec. 62.13.

Disciplinary actions against civilian employees will be in accordance with the relevant City Ordinances.

Notification/Documentation

After the imposition of a sanction or discipline, the imposing supervisor will direct a memorandum to the employee with a copy to PSIA indicating the complaint number, employee involved, policies violated, date and the type of sanction or discipline imposed. A copy of this memorandum will be placed in the employee's PSIA file.

Notification of Decision

Following completion of a complaint investigation, the employee who is the subject of the complaint, and the complainant(s), shall be informed in writing of the disposition by PSIA or the Commander/Manager of the employee. This notification should be made as soon as possible, but not later than 10 days following completion of the investigation and command review procedure. Notification to the complainant shall be documented and attached to the PSIA case file.

The Police and Fire Commission will be notified of any dispositions involving suspension of a sworn employee. Such notification will be made immediately upon issuing the suspension to the employee.

Professional Standards & Internal Affairs Records

1. PSIA will maintain secure, electronic records of:
 - a. All PSIA complaints.
 - b. All received complaints, including dispositions.
 - c. Complaints against civilian employees.
 - d. Expired work rules/performance improvement plans.
 - e. Documentation of verbal and documented counseling.
2. A record of dispositions of investigations finding a sustained violation resulting in a letter of reprimand or greater sanction will be maintained in an employee's personnel file.
3. No records of complaints resulting in the dispositions of unfounded, exonerated or not sustained will be maintained in an employee's personnel file.
4. PSIA records will not be released from the MPD without approval from the Chief of Police.

Administration of Sanctions/Discipline

Methods of correcting inappropriate behavior may range from counseling, where the immediate effect is on the individual, to corrective sanctions, or termination of employment, where the positive effect is in the reassurance to other employees and the community that unacceptable conduct will not be tolerated. In each case, care must be exercised to obtain a desired and just result and the uniform application of corrective action, including discipline, department-wide.

Role of the EAP

MPD recognizes that problems in the workplace may be related to alcoholism, other drug dependency, emotional disorders, or other personal problems. In order to address problems such as these, MPD has an EAP. Employees are encouraged to use the program as a prevention measure, as well as, a parallel system to the disciplinary process.

PSIA Summaries

Quarterly summaries will be sent out to all MPD personnel, as well as, to the local media on all PSIA cases regarding sustained complaints that result in discipline. Employees will not be named in these summaries. The summaries will include the PSIA case number, allegation, description, disposition and discipline.

An individual summary may be sent out in cases that are deemed to be significant in nature. If an employee's alleged conduct is serious and "public" in nature, and it is determined to be a sustained violation, the MPD may release the employee's name in a separate, individual summary. The Madison City Attorney's office will be consulted and will review the summary. This will be weighed on a case-by-case basis in determining the public's right to know about the conduct.

Rules of Wis. Stat. Sec. 19.356 "Notice to Record Subject" will be followed if employee's name is to be released. This statute requires that an employee be notified in writing if the employee's name is to be released. A copy of the record released will be provided at the time of the notification to the employee. The notification may occur in person or by certified mail. This statute also allows for an employee to challenge the records release in circuit court. The notice will be served on the employee according to statutory time requirements.

Original SOP: 02/25/2015

(Reviewed Only: 02/15/2016, 01/30/2019, 01/31/2020)

(Revised: 03/21/2016, 03/24/2016, 01/06/2017, 06/19/2017, 12/06/2017, 06/18/2018, 05/31/2019, 11/06/2020)



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



Professional Standards and Internal Affairs Discipline Matrix

Eff. Date ~~01/09/2020~~ 10/26/2020

Purpose

This procedure outlines the guidelines and expectations for the Madison Police Department’s (MPD) response to complaints and the steps involved in the investigation of complaints. Investigatory responsibilities, the Police Bill of Rights, and the Seven Steps for Just Cause are also detailed. This procedure begins with a description of the Discipline Matrix. A police discipline matrix aims to achieve consistency in discipline and to eliminate the appearance of disparity. This matrix does not remove discretion; it provides a range of possible sanctions, thus providing clarity.

Procedure

The matrix lists both code of conduct violations and Standard Operating Procedural (SOP) violations. It then provides sanction categories **A** through **E**. The least punitive sanctions are category **A**, with sanctions becoming more severe as the categories progress to category **E**.

In each category, there is a recommended guideline of sanctions. These guidelines are based on comparable sanctions for each violation from Professional Standards & Internal Affairs (PSIA) cases in years past.

This matrix captures most violation sanctions that have occurred in the past 25 years. There are code of conduct/procedural categories that are not covered in this matrix. There is the expectation that all policies and procedures will be followed. MPD understands that as times change, policies and expectations will change, and there will be violations that are not covered on the matrix. These violations shall be added to the matrix as deemed appropriate. For code of conduct violations not specified on the matrix, the sanction will be determined by the Chief of Police.

Sanction Categories

Category A	Category B	Category C	Category D	Category E
<p>Conduct violation in a single incident that has a minimal negative impact on the operations or reputation of the MPD. Sanctions listed in the below categories are not considered discipline. Sanction guidelines may include:</p> <ul style="list-style-type: none"> • Verbal Counseling • Mediation • Documented Counseling <p>A single sanction or a combination of the above listed sanctions may be deemed appropriate.</p> <p>Training and/or Work Rules can also be ordered in conjunction with any sanctions listed above.</p>	<p>Violations that have more than minimal impact on the operations or reputation of the MPD or that negatively impacts relationships with other officers, agencies, or the public. This includes repeated acts from Category A within time frames listed below. Sanction guidelines may include:</p> <ul style="list-style-type: none"> • Verbal Counseling • Mediation • Documented Counseling • Letter of Reprimand (First Level of Discipline) <p>A single sanction or a combination of the above listed sanctions may be deemed appropriate.</p> <p>Training and/or Work Rules can also be ordered in conjunction with any sanctions listed above.</p>	<p>Violations that have a pronounced negative impact on the operations or reputation of the MPD or on relationships with employees, other agencies, or the public. This includes repeated acts from Category B within time frames listed below. Sanction guidelines may include:</p> <ul style="list-style-type: none"> • Letter of Reprimand • Suspension without pay for one to five days <p>A single sanction or a combination of the above listed sanctions may be deemed appropriate. Training and/or Work Rules can also be ordered in conjunction with any sanctions listed above.</p>	<p>Violations that are contrary to the core values of the MPD or that involve a substantial risk of officer or public safety. This includes repeated acts from Category C within the time frames listed below. Sanctions guidelines may include:</p> <ul style="list-style-type: none"> • Suspension without pay for five to fifteen days <p>Training and/or Work Rules can also be ordered in conjunction with any sanctions listed above.</p>	<p>Violations that are contrary to the core values of the MPD. This includes acts of serious misconduct or acts of criminal conduct. This also involves any conduct that will effectively disqualify an employee from continued employment as a law enforcement officer. Sanction guidelines may include:</p> <ul style="list-style-type: none"> • Suspension without pay for fifteen days or more • Reduction in rank • Separation from service <p>Training and/or Work Rules can also be ordered in conjunction with any sanctions listed above.</p>

Repeated Acts

Repeated acts of category **A** violations within **one year** will increase the repeated violation into category **B**.

Repeated acts of category **B** within **two years** will increase the violation to category **C**.

Repeated acts of category **C** within **three years** will increase the violation to category **D**.

Repeated acts of category **D** within **five years** will result in **separation of service**.

This matrix does not apply to employees with a last chance agreement.

The matrix categories may not be sequentially followed in cases where there may be a number of violations or in cases where there are particularly egregious circumstances. The matrix is considered a guideline only and it is within the Chief of Police's discretion to deviate from the matrix based on the individual case.

Discipline Matrix

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
2.	Truthfulness					
	Failure to be truthful.					X
	Employees shall not make false reports or knowingly enter false information into any record.					X
3.	Performance of Duties					
	Failure to respond to dispatch.		X			
	Failure to properly perform duties assigned.		X			
	Failure to meet expectations of special initiatives.	X				
	Failure to notify supervisor of custodial arrest.	X				
	Failure to obtain supervisor approval for strip search.			X		
	Failure to assist as backup officer(s).			X		
	Failure to make an effort to check email and mailbox once per shift and respond accordingly.		X			
	Failure to pursue flagrant law violations that they are aware of.		X			
	Engaging in activity on duty that does not pertain to MPD business.		X			
	Employees shall not sleep, idle, or loaf while on duty.		X			
	Supervisors shall not knowingly allow employees to violate any law, code of conduct, or procedure.			X		
	All employees shall report fit for duty.				X	
All MPD members shall not be impaired as a result of any drug usage or alcohol. All employees are prohibited from having any measurable amount of alcohol in their system while on-duty. No MPD member shall consume or purchase any intoxicants while in uniform. No MPD member shall consume intoxicants while armed except with the approval of the Chief of Police. It is the responsibility of the employee to consult with their physician to determine their fitness for duty based on their medical condition and/or prescribed treatment.				X		
4.	Absence from Duty					
	Employees shall not be late or absent from duty without prior permission from a supervisor or the Officer in Charge (OIC).		X			
	Failure to respond to subpoena or scheduled training.		X			
5.	Unlawful Conduct					
	Employees shall not engage in conduct that constitutes a violation of criminal law, or ordinance corresponding to a state statute that constitutes a crime.				X	

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
	Employees convicted of first offense OWI.			X		
	Failure to immediately notify a supervisor whenever investigating an incident involving a law enforcement officer who is a suspect in any criminal activity or OMVWI.			X		
6.	Notification Required of Law Enforcement Contact					
	Failure to notify of contact by any law enforcement agency regarding their involvement as a suspect, witness, victim, or contact in criminal conduct, or violation of municipal ordinance for which a corresponding state statute exists (ex. OWI or Hit and Run). The employee SHALL report the incident to their commanding officer or the OIC within 24 hours of the contact, or their return to duty, whichever comes first. This must be done in person or via telephone.		X			
7.	Equal Protection					
	Employees shall not show bias based on relationships in investigative decisions, or assist in investigations or enforcement decisions.		X			
	Employees are prohibited from interfering in the normal processing of traffic/parking citations or otherwise disrupting enforcement of the law by other members of the MPD. If a supervisor orders a change in an enforcement decision and a subordinate feels it is wrong, it should be reported to a commanding officer.		X			
9.	Harassment					
	Employees shall not engage in harassment or to retaliate against an employee who reports such harassment. (For definition of harassment, see APM 3-5.)			X		
	Supervisors shall not allow employees under their command to engage in harassment or permit retaliation against an employee who reports such harassment.			X		
	Employees shall not engage in sexual harassment; this includes unwanted sexual advances.			X		
10.	Courtesy, Respect and Professional Conduct					
	Failure to be courteous to the public and to coworkers and shall avoid the use of profane language or gestures. Employees shall also avoid actions that would cause disrespect to the MPD.		X			
	Employees shall not act so as to exhibit disrespect for a supervisor.		X			
	Employees shall not speak derogatorily to others about orders or instructions issued by supervisors.		X			
	Employees shall use police communications systems, email, and radios only for official police business and shall exhibit courtesy during the transmission of all messages.		X			
11.	Public Criticism					
	Employees shall not publicly criticize the operations or personnel of the MPD if such criticism undermines the discipline, morale, or efficiency of the MPD. This applies both on duty and off duty.		X			
12.	Use of Force					
	9A Employees shall not use deadly force when a lesser degree of force was reasonable.					X
	9B Employees shall not use excessive force when a lesser degree of force was objectively reasonable.				X	
13.	Vehicle Operation					
	Employees shall operate city vehicles with due regard for safety.			X		

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
14.	Insubordination			X		
	Failure to promptly obey lawful orders from any supervisor. This includes violations of work rules. If these orders conflict with code of conduct or procedure, the ordered member shall call attention to this conflict. Any unlawful orders shall be promptly reported to the Chief of Police.			X		
16.	Criminal Association			X		
	Failure to avoid regular or continuous associations or dealings with persons known to be engaged in ongoing criminal activity, under indictment, on probation, parole, house arrest, or Huber. Association consists of more than a single occurrence.			X		
20.	Cooperation with Investigations Required					X
	Failure to cooperate in internal investigations of alleged misconduct, illegal activity, or code of conduct violations. This includes failure to answer questions or submit to proper investigative techniques.					X
21.	Access to Police Records			X		
	Employees shall not access MPD official records for any reason inconsistent with their professional duties.			X		
	Employees shall not release official records of the MPD for reasons inconsistent with their professional duties.			X		
	Employees shall not tamper with any MPD records system.			X		
STANDARD OPERATING PROCEDURES						
SOP	Transportation and Treatment of Prisoners		X			
	Failure to take all reasonable precautions necessary to secure and safely transport prisoners in accordance with SOP.		X			
SOP	Status Changes	X				
	Failure to report changes in address or telephone number within 24 hours after making such changes by submitting in writing the changes to the Chief of Police's Office, their commanding officer, and the shift OIC. All employees shall maintain a working telephone number. Officers shall promptly notify their commanding officer if their drivers license status changes.	X				
SOP	Search and Seizure		X			
	Failure to obtain Command Approval for search warrants for any building or dwelling. This does not include search warrants for property or vehicles that are already in MPD custody. Tactical execution of warrants will only be performed by personnel with appropriate training and who are in uniform or otherwise clearly identifiable as police officers.		X			
SOP	Police Weaponry		X			
	Failure to adhere to the specifics of this procedure as described in the SOP.		X			
SOP	Firearms Safety			X		
	Employees who have been trained in MPD firearms safety shall strictly adhere to all safety guidelines when handling firearms to prevent unintentional discharges. This applies both on and off duty.			X		
	Unintentional discharge on the range line (no injury or horseplay).		X			
	Failure to ensure the security and safe storage of MPD approved weapons. This applies both on and off duty.		X			

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
SOP	Use and Care of City-Owned Property		X			
	Failure to adhere to prescribed procedures for check out and use of any MPD owned property. Members of the MPD are responsible for the good care of MPD property and shall promptly report to their supervisor in writing the loss of, damage to, or unserviceable condition of such property.		X			
	Unintentional discharge of electronic control device if it occurs in the armory during the check out process and no injuries.	X				
	Failure to drive city owned vehicles with due regard for safety at all times.			X		
	Employees shall not use any MPD property for private purposes unless permission is first obtained from the Chief of Police.		X			
SOP	Property Handling		X			
	Failure to take all precautions necessary to guarantee proper handling of evidence and any property seized, received, or found and shall conform to MPD procedure for handling and disposition; a written record of the property disposition shall be included in the employee's report.		X			
	Destruction of property without following normal tagging procedures.			X		
	Failure to adhere to the specifics listed in detail in this SOP.		X			
SOP	Personal Appearance					
	Failure to adhere to personal appearance code of conduct described in the SOP.	X				
SOP	Identification of Employees					
	Failure to identify with name, rank, and employee number when requested to do so. Plain clothes officers will ID themselves with badge and ID card.		X			
SOP	Reporting					
	Failure to write accurate and complete reports and reports shall be completed promptly.		X			
	Failure to complete reports in all arrests, use of force, stops, frisks, criminal investigations, property/evidence handling, and other cases outlined in SOPs.		X			
SOP	TIME System Access					
	TIME system access will be in strict compliance with their procedures and information gleaned shall be disseminated in accordance with the SOP.		X			
SOP	Stop and Frisk					
	Failure to adhere to the specifics listed in this SOP.	X				
SOP	Searches					
	Failure to adhere to the specifics listed in this SOP.		X			
SOP	Handling of Evidence, Contraband, Found or Lost Property					
	Failure to adhere to the specifics listed in this SOP.	X				
SOP	Use of Mobile Data Computers					
	Failure to adhere to the specifics listed in this SOP.		X			
SOP	Off-Duty Officer Responsibilities					
	Failure to adhere to the specifics found in the SOP.		X			
SOP	Traffic/Parking Enforcement and Crash Investigation					
	Failure to promptly report to an on-duty supervisor any accident with damage to any city owned motor vehicle operated by them or in their charge. An employee shall request a field supervisor be dispatched to supervise any accident investigation.		X			
SOP	Outside Employment					
	Failure to adhere to the specifics as described in the SOP.	X				
SOP	In-Car Video System					
	Failure to log into squad video system		X			
	Failure to sync in-car video microphone		X			
	Failure to wear microphone		X			

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
SOP	Social Media – Off Duty Failure of personnel to appropriately represent MPD honestly, respectfully, and/or legally while on- or off-duty through the use of social media. Personnel are expected to represent the Core Values of the MPD at all times even when using the internet for personal purposes.		X			
SOP	Emergency Vehicle Operation					
	Unauthorized Pursuit.		X			
	Improper Use of Warning Devices and Other Safety Equipment.		X			
	Failure to Operate With Due Regard.			X		
	Improper or unsafe routine vehicle operation maneuver.		X			
SOP	Police Vehicle Parking					
	Failure to adhere to the specifics listed in this SOP.		X			
SOP	Domestic Abuse					
	Failure to Complete a Required Report Where No Arrest.		X			

See Code of Conduct manual and SOPs for detailed description of code of conduct/procedures. The above-described policies/procedures are general summaries and are not meant to be all inclusive.

Not all policies are listed in the matrix; however, all code of conduct/procedural violations will be enforced.

Sanction Options in Internal Investigations

These levels **are not considered formal discipline**:

1. Verbal Counseling.
2. Training.
3. Mediation: in minor complaints, if both parties are MPD employees and mutually agree, mediation will be arranged through Employee Assistance Program (EAP) using a professional mediator.
4. Work Rules.
5. Documented Counseling.

The levels covered below **are considered formal discipline** and are placed in the employee’s personnel file:

1. Letter of Reprimand.
2. Suspension without Pay.
3. Reduction in Rank.
4. Separation of Service.

Employees receiving formal discipline are not eligible for promotion or selection to a closed position for a period of one year from the date of the incident leading to discipline.

Restorative Performance Initiative

MPD employees who have received a Letter of Reprimand (considered discipline) may be eligible for Restorative Performance based on the Chief of Police’s discretion. By taking part in Restorative Performance, the Letter of Discipline may be reduced to Documented Counseling (not considered discipline).

The following are requirements for successful completion of the Restorative Performance Initiative:

- No prior sustained cases resulting in discipline and no recent (last five years) sustained violations
- Offered at the Letter of Reprimand level of discipline.
- Officer will attend training in a field related to what Code of Conduct, Standard Operating Procedure, or City APM was violated.
- Officer will provide a written summary of the training attended and demonstrate knowledge learned.

- No additional Code of Conduct, Standard Operating Procedure, or City APM violations that result in discipline within one year from date of agreement.

An employee who is participating in the Restorative Performance Initiative will have the PSIA case held in “open” status for one year. If the above listed requirements are met after one year, the Letter of Reprimand is amended to Documented Counseling and the case status will be removed from the employee’s personnel file.

If the employee is unsuccessful in completing the program, the discipline will be maintained as a “Letter of Reprimand.”

Multiple Violations

In cases where there may be multiple code of conduct/procedural violations involved with a single investigation, each violation may receive a separate and distinct sanction.

Police and Fire Commission (PFC)

The PFC is established by Wis. Stats. Sec. 62.13. The PFC appoints all commissioned officers and establishes hiring guidelines. Charges may be filed against an officer by the Chief of Police, member of the PFC, or by any aggrieved party. These charges may request that an officer be reduced in rank, suspended, or removed. Under the statute, the PFC shall hold a hearing on the charges and evidence shall be presented. After the presentation of evidence, the PFC must determine that the seven just causes (outlined in Wis. Stats. Sec. 62.13(5)(3m)) have been met. If the PFC determines there is just cause to sustain the charges, the PFC may suspend, reduce in rank, suspend and reduce in rank, or remove the officer.

Rights of the Chief of Police/Right of Deviation

The Chief of Police reserves the right of suspension, transfer of assignment and extension of probation, counseling, alcohol/drug assessment, psychiatric evaluation, fitness for duty evaluation, or any other training, treatment, or evaluation reasonably deemed necessary by the Chief of Police, in certain cases. The Chief of Police also reserves the right to file charges with the PFC as outlined above. The Chief of Police also reserves the right to terminate civilian employees **for with** just cause.

The Chief of Police or designee will approve all discipline.

The Chief of Police reserves the right to hold suspension days in abeyance.

The Chief of Police reserves the right to deviate outside the recommended Matrix guidelines. If a deviation occurs, the factors leading to the deviation shall be addressed in the discipline notice to the employee. Deviation may be based on mitigating or aggravating factors.

The Chief of Police will make the final determination of disposition.

EXAMPLES OF MITIGATING AND AGGRAVATING FACTORS

Mitigating factors include but are not limited to:

- Ordered by supervisor.
- Mistake of facts.
- Necessity.
- Unintentional.

Aggravating Factors include but are not limited to:

- Inappropriate use of force.
- Personal motive.
- Intoxication.
- Conspiracy.
- Criminal conduct.
- Deception.
- Intentional act.

Nothing in this code of conduct shall be construed to limit the management prerogative of the Chief of Police, nor any other supervisory officer, to take corrective action whenever appropriate.

The Chief of Police may file formal charges against an employee, with the appropriate authorities, irrespective of an internal investigation.

Civilian Employees

All employees are expected to adhere to the MPD code of conduct, SOPs, city administrative procedural memoranda (APMs), and the City of Madison Employee Benefits Handbooks. This discipline matrix is not meant to cover civilian employees of the MPD. Discipline matters resulting from a sustained finding involving non-commissioned personnel follow the overall City of Madison Personnel Rules.

In situations where there is a conflict between the MPD Code of Conduct, SOP, APM or the Employee Benefit Handbook, the most stringent rule, code, guideline shall apply.

Probationary Police Officers

This matrix SOP may not apply to probationary police officers whose employment status is subject to their probationary performance.

Original SOP: 02/27/2015

(Revised: 02/29/2016, 03/21/2016, 01/06/2017, 06/15/2017, 07/06/2017, 12/06/2017, 06/08/2018, 05/31/2019, 01/03/2020, 01/09/2020, 10/26/2020)

(Reviewed Only: 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Recording Suspect Interviews

Eff. Date ~~01/03/2020~~ 11/30/2020

Purpose

The purpose of this ~~policy standard operating procedure~~ is to establish guidelines for recording interviews of suspects. ~~It is the policy of the~~ The Madison Police Department (MPD) ~~to use~~s electronic recording systems to provide accurate documentation of events, actions, conditions, and statements made during law enforcement interviews. The use of ~~the~~ electronic recording systems shall be in accordance with applicable laws and MPD standard operating procedures.

Procedure

WHEN RECORDING IS REQUIRED

All custodial interviews of adults suspected of committing a felony shall be recorded. ~~All custodial interviews of juveniles shall be recorded when feasible, and without exception when questioning occurs at a place of detention. Any police facility, including MPD District Stations, the Juvenile Reception Center and any in-patient treatment facility, will be considered a "place of detention."~~ The MPD recognizes that in some circumstances, victim/witness statements may be electronically recorded. ~~If electing to do so, officers shall adhere to MPD standard operating procedures.~~

~~The recording may be audio, or both audio and video. Interviews requiring recording may occur in the field or in MPD facilities. Miranda warnings shall be provided in accordance with MPD policy.~~

All custodial interviews of juveniles shall be recorded when questioning occurs at a place of detention. Any police facility, including MPD District Stations, MPD vehicles equipped with in-car video systems, the Juvenile Reception Center, and any in-patient treatment facility will be considered a "place of detention." If a custodial interview of a juvenile occurs in the field and is not recorded, the officer shall document in a report the reason the interview was not recorded.

~~The recording may be audio only, or both audio and video. Interviews requiring recording may occur in the field or at MPD facilities. Miranda warnings shall be provided in accordance with MPD policy.~~

The law does not require that officers recording a custodial interview inform the subject that the questioning is being recorded. If asked, officers should ordinarily disclose whether recording is occurring.

Once a recording of an interview begins, the recording should not be stopped. Recordings, reasons for any interruptions/microphone muting, and times of the break(s) and resumed recordings shall be documented within official reports or narratives of citations. ~~If a break in the interview occurs, record the time the break starts and the time the interview resumes. Any stopping or resuming of recordings shall be articulated in the officer's report.~~

Custodial interviews taking place in an MPD facility can be recorded using the dictation ~~W~~inscribe system (with either a handheld ~~walkabout~~ device, or a landline speakerphone, or cell phone) or using the electronic video and audio recording systems available in the interview rooms. Upon completion of a recording in an interview room, it is necessary to preserve the interview video as evidence by completing a Lab Request Status Report and forwarding that report to the PD Lab Request email group.

Custodial interviews conducted within a squad car can be recorded using the squad's in-car ~~data capture~~ video system. Officers shall refer to the In-Car Video System SOP for protocols related to that system. Upon completion of a recording in a squad car using the in-car video system, **officers shall select the applicable classification tag** from the available menu of the Arbitrator program. Officers or sergeants shall not close the recording window on the MDC without making a selection from the classification choices.

Noncustodial interviews of suspects may be recorded in accordance with this policy.

EXCEPTIONS

The following are exceptions to the recording requirements listed above:

1. The suspect refuses to provide a statement if it is recorded. The officer must audibly record the refusal and/or document the refusal in a report.
2. The statement was part of routine prisoner processing.
3. The recording equipment did not function properly.
4. The statement was made spontaneously and not in response to questioning.
5. Exigent circumstances prevented recording or made recording not feasible.
6. The officer, at the outset of the interview, reasonably believed that the offense being investigated was not a felony.

Custodial interviews taking place in an MPD facility can be recorded using the Winscribe system (with either a handheld walkabout, landline speakerphone, or cell phone) or using the electronic video and audio recording systems available in the interview rooms. Custodial interviews conducted within a squad car can be recorded using the in-car data capture system. Officers shall refer to the In-Car Video System SOP for protocols related to that system.

Original SOP: 02/25/2015

(Reviewed Only: 01/22/2016, 11/01/2016)

(Revised: 11/09/2017, 01/03/2020, 11/30/2020)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Search Warrant Service

Eff. Date ~~11/27/2018~~ 12/01/2020

Search warrants will only be sought where probable cause exists to believe that evidence or contraband is in the location named in the warrant. Command approval is required prior to seeking a search warrant for any building, dwelling, or other occupied premises. Command approval is not required to apply for a search warrant for property or vehicles that are already in Madison Police Department (MPD) custody/control, or for premises that are already occupied and controlled by MPD personnel.

All search warrants requiring any type of tactical/forcible entry will be planned and executed by MPD SWAT personnel. The following process will be utilized:

1. The District/Team/Work Unit wanting to serve the search warrant obtains permission from their command staff to proceed with the search warrant planning process from their command staff. The appropriate Assistant Chief will be notified.
2. District/unit commander or designee contacts an MPD SWAT commander or supervisor to request assistance with warrant planning and service. A SWAT supervisor will be designated to coordinate the planning process.
3. The district/unit commander or designee will assist SWAT in the planning process as needed (providing intelligence/information, assisting with threat assessment, etc.).
4. SWAT personnel will plan and serve the warrant. District/unit personnel may be requested to assist with the tactical plan (stop cars, etc.); and will be responsible for the post-entry investigative aspect of the warrant. District command staff will coordinate post-warrant communication with the neighborhood/community as appropriate (based on investigative needs, impact on the area, visibility of the tactical operation, etc.).

The threat assessment/planning process will dictate the number of personnel, equipment, and tactics to be used during the warrant's service. All personnel directly involved in a search warrant operation will be in uniform or otherwise clearly identifiable as police. The operational plan and tactics utilized will be consistent with MPD SWAT training and procedures, and with best practices. Operational planning for search warrant service will focus on mitigating risk to officers, suspects, and community members.

Unknown Risk and High-Risk No-Knock Warrants

SWAT warrant service takes on two forms, unknown risk (aka knock and announce) and high-risk no-knock (aka high-risk).

High-Risk Warrant Service

The following factors should be considered when evaluating whether service of a particular warrant is high-risk:

- Presence of firearms at the location to be searched
- Presence of other weapons posing a risk to officers at the location to be searched
- History of firearm possession/use on the part of suspects or others who may be present at the location to be searched
- History of possession/use of other weapons on the part of suspects or others who may be present at the location to be searched

- History of violence on the part of suspects or others who may be present at the location to be searched (includes any history demonstrating a risk/threat to officers)
- History of resisting officers on the part of suspects or others who may be present at the location to be searched
- Presence of dangerous dogs at location to be searched
- Fortifications
- Look outs
- Other specific dwelling issues (size of dwelling, location, etc.)
- Video Surveillance

If a warrant is deemed to be high-risk and if reasonable suspicion exists that knocking and announcing prior to entry would be dangerous, futile, or would inhibit the effective investigation of the crime (by allowing for the destruction of evidence, for example), a no-knock warrant should generally be requested.

Even when serving a high-risk warrant for which a no-knock entry has been approved, officers will identify themselves and announce their presence prior to breaching an exterior door or entering a dwelling (unless officers reasonably believe that immediate entry without announcement is required to address an imminent safety risk to officers or others). This requirement can be fulfilled by knocking and announcing at the exterior door or by making an amplified announcement using a public address device.

A component of the planning/threat assessment process for search warrants includes a determination of whether a no-knock search warrant should be sought. A no-knock warrant should generally be requested if reasonable suspicion exists that knocking and announcing prior to entry would be dangerous, futile or would inhibit the effective investigation of the crime (by allowing for the destruction of evidence, for example). Factors to be considered include:

- Presence of firearms at the location to be searched
- Presence of other weapons posing a risk to officers at the location to be searched
- History of firearm possession/use on the part of suspects or others who may be present at the location to be searched
- History of possession/use of other weapons on the part of suspects or others who may be present at the location to be searched
- History of violence on the part of suspects or others who may be present at the location to be searched (includes any history demonstrating a risk/threat to officers)
- History of resisting officers on the part of suspects or others who may be present at the location to be searched
- Presence of dangerous dogs at location to be searched
- Fortifications
- Look outs
- Other specific dwelling issues (size of dwelling, location, etc.)
- Video Surveillance

The reasonableness of a no-knock entry depends on the circumstances that exist at the time of entry. If specific factors that support a no-knock warrant are no longer present at the time of entry, knocking and announcing is **legally** required.

Unknown-Risk Warrant Service

If the warrant to be served does not include a no-knock provision, officers must knock and announce prior to entering the dwelling. The team leader is responsible for performing the knock and announce function and notifying dispatch or the Command Post of such, or designating another officer to do so.

When knocking and announcing, officers must knock on the door to the dwelling and announce their purpose. The knock and announcement must be reasonably audible to persons inside the dwelling. It is only necessary to knock and announce once per dwelling.

After knocking and announcing, officers must wait a reasonable amount of time for the occupants to allow entry. If a reasonable time passes and officers are not allowed in, entry may be forced. What constitutes a reasonable time is primarily dependent on the time of day the warrant is served and the size of the residence.

If occupants refuse to allow officers to enter, entry may be forced without waiting. If unanticipated circumstances arise that justify a no-knock entry (such as the examples listed above), entry may be forced without waiting.

Original SOP: 03/04/2015
(Reviewed Only: 02/17/2016, 11/08/2017, 01/31/2020)
(Revised: 01/19/2017, 11/27/2018, 12/01/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Sexual Assault Investigations

Eff. Date 05/02/2018 10/05/2020

Purpose

To outline the procedure for investigating sexual assault and their attempts. To provide guidelines and expectations for the Madison Police Department response to Sexual Assault Investigations involving adult and child victims. Consistent with our MPD Core Values and Mission Statement, we strive to deliver the highest service possible while following a victim-centered, trauma-informed approach to the investigation of these crimes.

Sexual Assault allegations will be investigated in an unbiased manner, free of assumptions and stereotypes about victims. Personnel investigating sexual assault allegations will keep in mind that victims of these crimes may present with a wide range of potential reactions to sexual assault, some of which may not be in line with an officer's investigative objectives.

When investigating sexual assault allegations, officers should work to build rapport with the victim, use trauma-informed and victim-centered practices, treat the victim with respect and dignity, and document the victim's statement as provided by the victim, using exact quotes when possible.

Definitions

Victim-Centered: Placing the crime victim's priorities, needs, and interests at the center of the investigation. Ensuring that restoring victims' feelings of safety and security are a priority and safeguarding against practices that may inadvertently re-traumatize victims.

Trauma-Informed: Investigations are conducted with an understanding of the effects of trauma on survivors, including the many and varied emotional and physical responses victims may or may not have to a traumatic experience. Priority is placed on restoring the survivor's feelings of safety, choice, and control.

Procedure

INVESTIGATING CASES INVOLVING ADULT VICTIMS OF SEXUAL ASSAULT

1. Adults victims should be offered trauma-informed and culturally competent services and supports when possible
 - a. The initial responding officer shall advise the victim they may request to be interviewed by an officer of the gender of their choice. Should the victim request an officer of the gender opposite the initial officer, the officer shall immediately notify a supervisor and a reasonable attempt will be made to honor the victim's request.
 - i. Once follow up has been assigned to a Detective, the case will remain with the Detective regardless of gender.
~~Once follow up has been assigned to a Detective, the case will remain with the Detective regardless of gender.~~
 - b. If the victim has Limited English Proficiency (LEP), the initial responding officer shall take reasonable steps to provide free language assistance services to that victim in accordance with MPD's Language Access Services SOP.
 - i. Interviews of victims, particularly of sensitive crimes, should be done in the victim's primary language.
 - ii. Children or other family members or friends of the victim should not be used to interpret the victim's statement.
 - iii. Victim Advocates and Dane County Social Workers should not be used to interpret the victim's statement, as that may run contrary to their professional mission and ethos.
 - c. The initial responding officer shall, as soon as is practicable, offer to contact an advocate from the

Rape Crisis Center to respond to support the victim throughout the reporting and evidence collection process.

- b. d. In the event of a fresh occurrence, where a public danger exists, the initial responding officer shall make a reasonable attempt to obtain suspect, officer safety, and other relevant information to relay to other officers as soon as possible.
- e. e. The officer conducting the victim interview shall:
 - i. Spend time building rapport with the victim, assuring their physical safety and getting them medical care as soon as practicable. Interview the victim using open ended, narrative inviting questions.
 - ii. Allow the victim to provide their statement with as little interruption as possible. The officer should utilize natural breaks in the victim's statement to ask follow-up questions, recognizing that victims may not provide statements in chronological order due to the effects of trauma.
 - iii. Notify the Officer in Charge (OIC) of the circumstances of the incident. The OIC will determine if the incident is a 1st or 2nd degree sexual assault or if additional investigative resources or advice is needed, and if so, will ensure that the On Call Detective Lieutenant (if after normal business day) or District Detective Lieutenant is notified of the circumstances. The exception to notification is an incident involving consensual sex between teenagers within 3 years of age.
 - iv. Ensure the collection of evidence from the victim and scene(s), (e.g., photos, clothing, biological items, etc.), and also medical forensic hospital exam evidence if the assault occurred no more than 120 hours prior to the time it is reported. Meriter Hospital's Forensic Nurse Examiner (FNE) program should be used for collection of biological evidence from the victim.
 - 1. Any time an officer is dispatched for a sexual assault and the victim is reporting; the Officer should stand by outside the room while the exam is being done, in case the nurse needs to communicate with the Officer, and to then take the evidence for processing.
 - 2. Please see the SOP on Searches, specifically the Strip Search section for further details on the collection of evidence from the suspect.
 - 3. An Investigator, at the request of the interviewing officer or a supervisor, shall process the scene(s) of a sexual assault for evidence, including photos.
 - 4. All FNE evidence kits collected as part of sexual assault investigations will be transported to WSCL. All sexual assault FNE kits shall be physically or electronically submitted to the Wisconsin State Crime Lab (WSCL). The submission form can found on the WSCL website: <https://www.doj.state.wi.us/dfs/evidence-submission-information>.

The form is titled DFS Transmittal and can be electronically submitted via email to the Forensic Case Manager, Division of Forensic Sciences for WSCL (presently mahnkeka@doj.state.wi.us). Please call WSCL Milwaukee at 414-382-7500 with any submission questions.

Electronic submissions are permissible when the complexities and/or facts of the case may require WSCL input prior to transport. If submitted electronically and WSCL will accept the kit for analysis, the kit will then be physically submitted.

If WSCL denies the FNE kit, whether physically or electronically submitted, WSCL will provide the submitter a letter of refusal stating why the FNE kit is not being accepted. This letter shall be scanned as an attachment into the case file and a report shall be completed by the submitter.

This SOP does not pertain to FNE kits collected in any other type of criminal investigation (e.g. strangulation).

- 5. Even if the assault occurred more than 120 hours prior to the time of the report, victims should be told of the existence of the Meriter FNE program, specifically that the victim can be tested for sexually transmitted infections and/or treated for other injuries.

INVESTIGATING CASES INVOLVING CHILD VICTIMS (SEXUAL AND PHYSICAL ABUSE AND NEGLECT)

1. The primary officer shall notify Dane County Human Services (DCHS) within 12 hours of the report of a sexual assault of a juvenile per state statute 48.981(1)(2)&(3).
The primary officer shall notify the parents or guardians, if appropriate, of the juvenile victim within 24 hours.
2. When investigating a sexual assault of a child under the age of 16, the investigating officer shall collect as much information as possible without interviewing the victim. The officer shall notify the OIC of the circumstances. The OIC shall contact the On Call Detective Lieutenant (if after normal business day) or District Detective Lieutenant prior to conducting a detailed interview or physical exam. The subsequent investigation will be at the direction of the Detective Lieutenant or Detective assigned to the case.
3. When the investigating officer or detective for cases involving child victims determines that probable cause exists that the suspect has committed crimes in violation of the statutes listed below, the cases will routinely be referred to the district attorney for criminal prosecution:
 - a) Sexual intercourse or sexual contact under s. 940.225, 948.02, 948.025 or 948.085
 - b) Sexual exploitation of a child under s. 948.05
 - c) Permitting, allowing or encouraging a child to violate s. 944.30 (Prostitution)
 - d) Causing a child to view or listen to sexual activity s. 948.055
 - e) Causing a child to expose genitals or pubic area s. 948.10
1. Child victims should be offered trauma-informed and culturally competent services and supports when possible.
 - a. As with adult victims, if the child victim has Limited English Proficiency (LEP), the initial responding officer shall take reasonable steps to provide free language assistance services to that victim in accordance with MPD's Language Access Services SOP.
 - b. Family members, friends, Victim Advocates and Social Workers should not be used to interpret the child victim's statement.
2. The primary officer shall notify Dane County Human Services (DCHS) within 12 hours of the report of a sexual assault of a juvenile per state statute 48.981(1)(2)&(3).
3. The primary officer shall notify the parents or guardians, if appropriate, of the juvenile victim within 24 hours.
4. When investigating a sexual assault of a child under the age of 16, the investigating officer shall collect as much information as possible without interviewing the victim. The officer shall notify the OIC of the circumstances. The OIC shall contact the Special Victims Unit Lieutenant (if after normal business day) or Special Victims Unit Detective Sergeant prior to conducting a detailed interview or physical exam. The subsequent investigation will be at the direction of the SVU Lieutenant or Detective Sergeant assigned to the case.
5. When the investigating officer or detective for cases involving child victims determines that probable cause exists that the suspect has committed crimes in violation of the statutes listed below, the cases will routinely be referred to the district attorney for criminal prosecution:
 - a) Sexual intercourse or sexual contact under s. 940.225, 948.02, 948.025 or 948.085
 - b) Sexual exploitation of a child under s. 948.05
 - c) Permitting, allowing or encouraging a child to violate s. 944.30 (Prostitution)
 - d) Causing a child to view or listen to sexual activity s. 948.055
 - e) Causing a child to expose genitals or pubic area s. 948.10

INVESTIGATIONS INITIATED BY HUMAN SERVICES**Officer-in-Charge Information**

Child Protective Services (CPS) workers have been asked to make ~~Dispatch the OIC~~ the first point of contact for Madison Police Department (MPD) collaboration for the initial field investigation when responding to reports of child abuse and neglect. It is MPD's established procedure to respond with on-duty patrol officers in the initial response. ~~The OIC is able to evaluate available resources and timing, understanding that child protection workers may be under a timeline to initiate an investigation.~~

OIC Considerations

- Obtain basic information regarding the allegation under investigation.
- Obtain contact information for the responding worker to provide to the responding officer(s).
- Coordinate reasonable adjustments in timing (things like other significant ongoing events, or shift change may dictate an adjustment).
- Initiate contact with on-duty Detective supervisor or on-call as needed.

Responding Officer/Field Supervisor Considerations

- Determine who will lead the interview (Officer or DCHS worker).
 - If CPS leads the interview, officer should take *detailed* notes of interview.
 - Officer *can and should* ask questions pertaining to their investigation if those questions are not asked by CPS.
 - Officer must ensure they have explored the elements of alleged crime.
 - CPS is ultimately responsible for conducting a safety assessment for the child (making sure the child is safe).
 - Regardless of who leads the interview, officers shall complete a detailed report.
 - Note: If Children are alleged victims of abuse by a caregiver or unknown person, the children can be interviewed without parental consent at any location police are legally authorized to be present (see Wisconsin statute 48.981(3)(c)1.b.).
1. Determine who will lead the interview (Officer or DCHS worker).
 2. If CPS leads the interview, officer should take *detailed* notes of interview.
 - a) Officer should document the child victim's own words, in quotation marks, whenever possible.
 - b) Officer should document, in quotation marks, questions asked of the child by the DCHS worker.
 3. Officer *can and should* ask questions pertaining to their investigation if those questions are not asked by CPS.
 4. Officer must ensure they have explored the elements of alleged crime.
 5. CPS is ultimately responsible for conducting a safety assessment for the child (making sure the child is safe).
 6. Regardless of who leads the interview, officers shall complete a detailed report.
 7. Note: If Children are alleged victims of abuse by a caregiver or unknown person, the children can be interviewed without parental consent at any location police are legally authorized to be present (see Wisconsin statute 48.981(3)(c)1.b.).

INVESTIGATIONS CONDUCTED WITHOUT CPS PRESENT

- A CPS worker will not respond out to the field to make contact with a child victim in every case. In order to assist CPS in determining whether or not a worker will respond to the field, the responding officer should attempt to obtain as much collateral information as possible from parties other than the child to inform CPS' decision to respond or not. Gathering this collateral information from other sources will also allow the officer to make an educated decision as to whether or not an interview of the child victim in the field is necessary should CPS not respond.
- The responding officer should collect collateral information from the reporting party, the non-offending parent (if possible), any third parties that may have pertinent information (teachers, counselors, friends, etc.), and any witnesses to the alleged abuse.
- After collecting this collateral information from sources other than the child, the officer should make phone contact with the on-call CPS worker and provide all collateral information gained from these sources. The responding officer should ask the CPS worker to share any other pertinent information CPS may have regarding the child victim or other involved parties. The responding officer should inquire with CPS if there are current open cases involving this child victim and/or the alleged offender, or if there were prior cases and/or screen-outs involving this child victim and/or the alleged offender.

The responding officer should obtain any pertinent identification and contact information for the alleged offender and others involved in the present investigation.

- If, after this information sharing with the on-call CPS worker, the CPS worker indicates they will respond to the field, the responding officer shall wait to continue their investigation with the CPS worker. If the CPS worker responds, follow the considerations listed above. If the CPS worker advises they will not respond to the field, the responding officer must consider whether or not to interview the child.
- To assess the need to interview the child in the field, the responding officer must evaluate whether or not they have corroborated information of abuse, neglect, or that the child witnessed a serious crime (domestic violence, weapons offense, homicide) from their collateral information sources and their contact with CPS.
- If the responding officer has corroboration that the child is a victim of abuse or neglect, the officer must ensure the preservation and collection of pertinent evidence. The responding officer, in consultation with the OIC or the SVU Lieutenant/Detective Sergeant, should ensure that an FNE exam is done if circumstances warrant it. The responding officer must also ensure that photographs are taken that capture any visible injuries, whether they appear fresh or to have healed. The responding officer should ensure that any weapons or implements alleged to have been used to injure the child are seized as evidence.
- The responding officer should determine if the child is in need of immediate medical treatment and work with the non-offending parent or caregiver to obtain that treatment for the child. The officer should also make an assessment if the child is safe in its present placement situation.
- If the officer believes, based on their investigation, that the child victim is at risk of manipulation, threats, or pressure to recant their initial disclosure, or the officer can articulate that future access to the child victim may be limited by others, the officer may decide to interview the child in the field. If the officer determines an interview of the child in the field is necessary, the officer shall contact the OIC and provide them with the basis for this decision. The OIC shall contact the SVU Lieutenant for consultation and consideration of detective resources being called in.
- Should the responding officer interview the child in the field, the officer should not do a "truth/lie" assessment, nor should they use any body diagrams/drawings. The "truth/lie" assessment is only necessary for a recorded forensic interview, which a field interview is not. Body diagrams/drawings should only be used post-disclosure by a trained interviewer.
- The officer must use open ended questions that allow the child to answer in narrative form, in their own words. An officer should spend some time building rapport with the child prior to transitioning to the topic of concern. The officer can ask the child questions like: "Tell me all about it?" and "Do you know why I'm here to talk to you today?" The use of "tell me" questions will allow the officer to obtain the elements of the crime, identify potential evidence, determine jurisdiction, and identify any witnesses. If the "tell me" questions, coupled with collateral information have not given the timeframe of the incident, the responding officer should attempt to ascertain "when" from the child. The responding officer should attempt to determine timeframe using developmentally appropriate words and open ended questions.
- Officers should understand that a child's ability to sequence events and provide timelines varies based on their developmental abilities, their chronological age, and whether or not they encoded that detail of the abuse. Officers should not ask a child to guess as to timelines of events. If the child provides information that the incident was not recent enough to raise evidentiary concerns (i.e. the need for an FNE, visible injuries, scene preservation), an estimate by the child is sufficient.

- Responding officers can refer to the purple First Responder Contact Without CPS reference card for guidance when out in the field. The above information is summarized in the below outline, which is located on that reference card.

FIRST RESPONDER CONTACT WITHOUT CPS REFERENCE CARD OUTLINE

1. Collateral Information Collection from Others.
 - a. Reporting Party.
 - b. Non-offending parent (if possible).
 - c. 3rd Parties with information (teachers, counselors, friends, etc.).
 - d. Witnesses.
2. CPS Contact.
 - a. Provide CPS information obtained from #1.
 - b. Determine other collaborative information from CPS.
 - i. Other open/prior cases with subjects.
 - ii. Identification/contact information for offender and others.
 - c. Will CPS come out?
 - i. Yes - wait to continue investigation with CPS.
 - ii. No - proceed to #3.
 - d. If CPS responds, determine who will lead the interview (Officer or DCHS worker).
 - i. If CPS leads the interview, officer should take *detailed* notes of interview.
 - ii. Officer *can and should* ask questions pertaining to their investigation if those questions are not asked by CPS.
 1. Officer must ensure they have explored the elements of alleged crime.
 - iii. CPS is ultimately responsible for conducting a safety assessment for the child (making sure the child is safe).
3. Factors to Determine if Officer Should Conduct Child Interview.
 - a. Do we have corroborated information of abuse, neglect, or that child witnessed (CRIME) obtained by #1 and #2? No need for officer to interview child.
 - i. Preserve/collect pertinent evidence.
 1. SANE exam/photos/weapons/implements/etc.
 2. Determine if child is in need of immediate medical treatment.
 3. Determine if the child is safe in its present placement.
 - b. Even if 3.a. is present, officer articulates need for immediate child interview (manipulation of child's testimony, family dynamics/pressure, etc.).
4. Contact Sgt/OIC.
 - a. Provide information obtained from #1, #2, and #3.
 - b. Determine if on-call Det. Lt. will be contacted (and presumably a detective called in).
5. Officer Interview of the Child.
 - a. General guidelines.
 - i. Do NOT do truth/lie.
 - ii. Do NOT use body diagrams.
 - iii. Must use open-ended questions (i.e., "tell me all about it").
 1. "Tell me *what* happened?" (elements of crime).
 2. "Tell me *how* it happened?" (evidence - weapons, DNA).
 3. "Tell me *where* it happened?" (jurisdiction).
 4. "Tell me who else was there?" (witnesses).
 5. If the "tell me" questions, coupled with collateral information, have not given the "*when*," attempt to ascertain "*when*" from the child.
 - a. Developmentally appropriate words.
 - b. If not recent enough to raise evidentiary concerns, close is good enough.

See "Searches" SOP for guidance on suspect FNE exams.

Original SOP: 11/18/2015

(Revised: 04/05/2016, 12/06/2017, 05/02/2018, 10/05/2020)

(Name change only: 05/03/2016)

(Reviewed Only: 01/09/2017, 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Stop & Frisk

Eff. Date ~~11/19/2019~~ 10/27/2020

Purpose

It is the policy of the Madison Police Department (MPD) that field interrogations will be conducted in a manner which not only promotes public safety and safeguards law enforcement officers from harm, but also holds invasions of personal rights and privacy to a minimum.

Procedure

STOPS

A “stop” is the temporary detention of a person for investigation. A “stop” occurs whenever an officer uses his/her/their authority to make a person halt, or to keep a person in a certain place, or to compel a person to perform some act. If a person is under a reasonable impression that they are not free to leave or ignore the officer’s presence, a “stop” has occurred.

Basis for a Stop

An officer may stop a person in a public place, after having identified her/himself as a law enforcement officer, if s/he/they reasonably suspects that a person has committed, is committing, or is about to commit a criminal offense or ordinance violation. Both pedestrians and persons in vehicles may be stopped.

Reasonable Suspicion

The term “Reasonable Suspicion” is not capable of precise definition; however, it is more than a hunch or mere speculation on the part of an officer, but less than the probable cause necessary for an arrest. Every officer conducting a stop must be prepared to cite the existence of specific facts in support of that officer’s determination that a “reasonable suspicion” was present.

Police Conduct During a Stop

Proper justification for a stop does not permit unreasonable conduct during the stop. Every phase of the detention must be reasonable, for the United States Supreme Court has stated in *Terry v. Ohio*, 392 U.S. 1, 28 (1968), that the manner in which stops and frisks are conducted is “as vital a part of the inquiry as whether they were warranted at all.”

1. Identification

Officers conducting a stop, if not in uniform, shall clearly identify themselves as police officers by announcing identity and displaying MPD badge/ID.

2. Duration of Stop

A person stopped pursuant to these rules may be detained at or near the scene of the stop for a reasonable period of time. Officers should detain a person only for the length of time necessary to obtain or verify the person’s identification, or an account of the person’s presence or conduct, or an account of the offense, or otherwise determine if the person should be arrested or released.

3. Explanation to Detained Person

Officers shall act with courtesy towards the person stopped. At some point during the stop the officer shall, in every case, give the person stopped an explanation of the purpose of the stop.

4. Rights of Detained Person

The officer may direct questions to the detained person for the purpose of obtaining their name, address and an explanation of the conduct. The detained person may not be compelled to answer questions or to produce identification documents for examination by the officer; however, the officer may request the person to produce identification and may demand the production of an operator's license if the person has been operating a vehicle.

5. Effect of Refusal to Cooperate

Refusal to answer questions or to produce identification does not by itself yield probable cause to arrest, but such refusal may be considered along with other facts as an element adding to probable cause.

6. Use of Force

An officer may use only the amount of non-deadly force that is reasonably necessary to stop and detain a person pursuant to these guidelines. MPD's Non-Deadly Force Guidelines shall be followed. If an officer is attacked, or circumstances exist that create probable cause to arrest, the officer may use that amount of force necessary for defense or to effect a full-custody arrest.

Stopping Witnesses Near the Scene of a Crime

A police officer who has probable cause to believe that any violent crime has just been committed, and who has probable cause to believe that a person found near the scene of such offense has knowledge of significant value to the investigation of the offense, may order that person to stop. The sole purpose of the stop authorized by this section is the obtaining of the witness' identification so that the witness may later be contacted by the officer's agency. Officers shall not use force to obtain this information, and will effect the detention with minimal intrusiveness.

Stopping Vehicle at Roadblocks

If authorized to do so by a commanding officer, a police officer may order the drivers of vehicles moving in a particular direction to stop. Authority to make such stops may be given only in those situations where such action is necessary to apprehend the perpetrator of a crime who, if not apprehended, poses a significant and imminent public safety threat, or to discover the victim of a crime whose physical safety is presently or potentially in danger. Roadblocks established for this purpose will only be implemented in limited geographic areas (where there is a reason to believe the suspect/victim will be discovered) and for a reasonable period of time. Once a vehicle is stopped pursuant to this section, it may be searched only to the extent necessary to determine if the perpetrator or victim is present in the vehicle, and such search shall be made as soon as possible after the stop.

FRISKS

A frisk is a limited protective search for concealed weapons or dangerous instruments.

When to Frisk

A police officer may frisk any person whom that officer has stopped when the officer reasonably suspects that the person is carrying a concealed weapon or dangerous instrument. The frisk may be conducted at any time during the stop if reasonable suspicion develops.

Reasonable Suspicion for Frisk

“Reasonable suspicion” for a valid frisk is more than a vague hunch and less than probable cause. If a reasonably prudent police officer under the circumstances would be warranted in believing anyone in the vicinity was in danger, a frisk is justified. Every officer conducting a frisk must be prepared to cite the existence of such factors in support of the determination that “reasonable suspicion” for a frisk was present.

General Procedure

1. The officer should begin the frisk at the area of the person’s clothing most likely to contain a concealed weapon or dangerous instrument. Usually, an officer should begin the frisk with a pat-down of the outside of the person’s outer clothing, and the officer should not reach inside the clothing unless an object is felt which the officer reasonably believes to be a weapon or dangerous instrument. If the outer clothing is too bulky to allow the officer to determine if a weapon or dangerous instrument is concealed underneath, then the outer clothing may be opened to allow a pat-down directly on the inner clothing. If the officer has a reasonable belief, based on reliable information or personal knowledge and observations, that a weapon or dangerous instrument is concealed at a particular location on the person, such as a pocket, waistband, or sleeve, then the officer may reach directly into the suspected area. This is an unusual procedure and any officer so proceeding must be prepared to cite the precise factors which led the officer to forego the normal pat-down procedure.
2. An officer may also frisk those areas that the person could reach to obtain an object that could be used to harm the officer, if the officer reasonably suspects personal harm should the object not be obtained. This includes vehicles. If an officer possesses reasonable suspicion that a vehicle driver or passenger is armed, the “frisk” may be extended to the vehicle. This “frisk” is a protective search and is limited to places in the vehicle’s passenger compartment that could contain a weapon.
3. If during the course of a frisk, the officer discovers an object which is a container capable of holding a weapon or dangerous instrument and if the officer reasonably believes that it does contain such an item, the officer may look inside the object and briefly examine the contents.
4. An officer may use only the amount of non-deadly force that is reasonably necessary to effect a frisk pursuant to these guidelines. MPD’s Non-Deadly Force Guidelines shall be followed. If an officer is attacked, or circumstances exist that create probable cause to arrest, the officer may use that amount of force necessary for defense or to effect a full-custody arrest.

Discovery of Weapon, Instrument, or other Property

If a frisk or search discloses a weapon or instrument, or any other property, possession of which the officer reasonably believes may constitute the commission of a crime, or which may constitute a threat to personal safety, the officer may take it and keep it until the completion of the questioning, at which time it shall either be returned, if lawfully possessed, or seized by the officer.

Discovery of Incriminating Evidence

If, while conducting a frisk, an officer feels an object which is reasonably believed not to be a weapon or dangerous instrument, but the officer does believe it to be a seizable item, the officer may not—on the basis of the officer’s authority to frisk—take further steps to examine the object. However, if the nature of the object felt—alone or in combination with other factors—provides probable cause to arrest, the officer should tell the person they are under arrest. The officer may then conduct a full-custody search incidental to arrest, but must not take any step to examine the object before making the arrest. If a seizable item is not found, the person should be released.

Procedure Following Unproductive Frisk

If the frisk discloses nothing justifying removal or seizure, and nothing providing probable cause for arrest, an officer may continue to detain while concluding the investigation.

RECORDKEEPING

Adequate records of stop and frisk activity will serve to ensure the proper exercise of police authority. They will also greatly enhance an officer's ability to reconstruct what occasioned a stop or frisk, and what took place during this contact. Such records are vital, not only when the stop and frisk results in immediate arrest; they also may be valuable as "leads" in other investigations. Further, such records serve as protection against groundless civil suits.

1. Recording

Officers must file a report any time there is a stop and subsequent frisk to protect themselves, the MPD, and the community.

2. Stop Based on Informant's Tip

If the stop or frisk was based in whole or partly upon an informant's tip, the officer making the stop or frisk shall make every reasonable effort under the particular circumstances to obtain and record the identity of the informant. Further, the officer shall record the facts concerning such tip, e.g., how it was received, the basis of the informant's reliability, and the origin of the informant's information.

Original SOP: 03/04/2015
(Revised: 02/05/2016, 11/19/2019, 10/27/2020)
(Reviewed Only: 01/09/2017, 12/26/2017, 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



System Audits

Eff. Date ~~04/02/2018~~ 11/20/2020

Purpose

Routine audits of Madison Police Department (MPD) systems and process will be conducted to verify compliance with the Code of Conduct and Standard Operating Procedures.

Procedure

Oversight of departmental audits rests with Professional Standards & Internal Affairs (PSIA). Systems/processes/inventories that will be regularly audited include:

- City email
- Mobile Data Computer (MDC) communications
- Arbitrator squad video/audio
- Property/evidence
- Juvenile arrest custody data
- K9 training aids
- Dane County Narcotics Task Force (DCNTF) training aids
- Federally regulated materials
- Recordable force database entries
- City enterprise camera system

Other systems/processes may be audited or reviewed with the approval of the Chief or designee. PSIA personnel may conduct individual audits or designate other MPD command/supervisory personnel to do so.

Results of each audit will be reviewed by the Assistant Chief of Investigative and Specialized Services. Documentation of each audit will be maintained by PSIA.

Violations of MPD's Code of Conduct or Standard Operating Procedures discovered during an audit will be assigned for further investigation or other follow-up through PSIA as appropriate.

Original SOP: 04/28/2017
(Reviewed Only: 12/26/2017)
(Revised: 04/02/2018, 11/20/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Uniform Standards

Eff. Date ~~10/08/2019~~ 10/19/2020

Purpose

All officers shall possess a serviceable military style uniform and the necessary equipment to perform uniformed field duty. If an officer's regular job duties do not require the wearing of the military style uniform, it is necessary for them to have the uniform immediately available.

Procedure

MILITARY STYLE UNIFORM GUIDELINES

1. No uniforms or equipment may be worn or carried on-duty unless it has been approved by the Chief of Police. Lists shall be maintained of approved uniform and equipment items. These lists will include items for specialized units and assignments.
2. Officers shall wear the military style uniform while on duty unless their assignment allows otherwise.
3. The uniform shall be kept clean and pressed and be worn complete with silver or gold (rank appropriate) buttons, insignias, badge, and name tag in place. It should not be torn, faded, or frayed, although it is understood that this situation can occur during regular job duties. The name tag will be worn by all uniformed personnel and will have the first name or initial and last name of the officers (no nicknames). The name tag will be worn above the right pocket, centered and even with the pocket. (See Addendum A for correct placement of insignia.)
4. The full military style uniform consists of a uniform shirt with Madison Police Department (MPD) patches on both shoulders, and uniform trousers. An employee shall wear the uniform shirt and trousers that are approved for their particular assignment.
5. Long-sleeve uniform shirts may be worn with a uniform tie or open at the collar without a tie. Short-sleeve uniform shirts will be worn open at the collar without a tie. When the uniform shirt is worn open at the collar, all but the top button will be buttoned.
6. When any uniform shirt is worn open at the collar, officers may wear only t-shirts which are white, navy blue, or black in color. When wearing a long-sleeve uniform shirt, a mock or turtle neck, navy blue or black in color, may be worn with the collar folded once. No visible insignia of a commercial nature is allowed.
7. Uniform shirt sleeves will not be worn rolled up when in public view. SET and SWAT officers are exempted from this rule while wearing their specialized BDU shirts, unless their Commander rules otherwise.
8. Uniform sweaters authorized for use as an outer garment may be worn over the military style uniform.
9. No pins, flags, tie tacks, tie bars (other than the approved silver or gold tie bar) or other such paraphernalia will be worn with the military style uniform unless approved by the Chief of Police. The Purchasing Clerk shall keep the list of authorized pins.
10. Members of the Field Training Cadre may wear the field training pin with the military style uniform. The pin will be worn centered and directly above the name tag.
11. Members of the SET, SWAT and Honor Guard teams may wear their respective team pins with the military style uniform. The pin will be worn centered and directly above the name tag, or centered directly above the field training pin, if worn. The Chief may authorize the wearing of any other pins at his discretion.

12. Officers who have received certain awards (Valor, Meritorious Conduct, Meritorious Lifesaving, Blue Star, Lifesaving) may wear the approved award pin with the military uniform. If only one award pin is worn, the pin will be worn centered above the highest other pin (name tag, Field Training, SET or SWAT). If two award pins are worn, the pins will be worn side-by-side, above the name tag or Field Training pin (if worn), but below the SET or SWAT pin (if worn).
13. Service bars may be worn on long-sleeve uniform shirts, jackets and coats. One bar is authorized at the completion of each four years of service. (See Addendum A for correct placement.)
14. Approved footwear worn with the military style uniform will be black and must be kept clean and polished.
15. When long uniform pants are worn, socks should also be worn that cover the ankle, specifically at least a mid-calf or crew sock. Shorter socks such as anklets, no-show, or low cut are only authorized to be worn with uniform shorts. Socks shall be black or navy in color, except when a medical waiver is granted and approved by the Chief of Police.
16. Wearing of the uniform hat is optional, unless a commanding or supervisory officer requires that a hat be worn for a particular assignment. An approved MPD baseball cap, trooper hat, or stocking cap may also be worn.
17. Officers may wear an authorized outer jacket with the military style uniform. Chevrons and bars will be worn on the epaulets, not the collar. MPD raid jackets approved for plainclothes use will not be worn with the military style uniform.
18. When a uniformed officer directs traffic, the safety vest or reflective side of the spring/fall jacket shall be worn, whether in an on-duty or special employment status. The department-issued raincoat, with the reflective side out may be worn instead of the traffic vest.
19. The following supplemental equipment is required while wearing the military style uniform:
 - a. A plain black belt with gold or silver closure.
 - b. Authorized weaponry as per the Police Weaponry Policy.
 - c. Authorized leather or nylon goods.
 - d. Any equipment as may be required by the officer's commander.
20. The full military style uniform will be classified as follows:

Dress Class A	Class A	Class B	Class C
Commander Overcoat (if purchased)	Approved Outer Garment	Approved Outer Garment	Approved Outer Garment
8 point hat (outdoors, optional)	Approved Hear Gear (outdoors)	Approved Head Gear (optional)	Approved Head Gear (optional)
Dress Blouse			
White Long-Sleeve Uniform Shirt, Navy tie	Approved Class A Uniform Shirt, long-sleeve, (tie required) or short-sleeve	Approved Class A Uniform Shirt, long-sleeve (tie optional) or short-sleeve	Approved Tactical Uniform Shirt
Body armor (if worn) will be concealed under the uniform shirt	Body armor (if worn) will be concealed under the uniform shirt	Approved external body armor carrier or body armor (if worn) concealed under the uniform shirt	Approved external body armor carrier or body armor (if worn) concealed under the uniform shirt
Approved Class A Uniform Trousers (4 pocket)	Approved Class A Uniform Trousers (no cargo or TDU style)	Approved Uniform Trousers	Approved Tactical Trousers
Black Shoes (non-athletic)	Black approved (non-athletic) Footwear	Approved Black Footwear	Approved Black Footwear
No Name Tag on Outside of Commander Overcoat	Duty Belt	Duty Belt	Duty Belt

21. Officers with the rank of Police Captain and above shall maintain a Class "A" Dress uniform. Officers with the rank of Police Lieutenant shall have the option of maintaining a Class "A" Dress uniform. Dress Class A uniforms shall be worn at official ceremonies of the MPD (e.g. funerals, memorial services, graduations), or as directed by the Chief of Police.
22. Officers should wear a Class A uniform to all court appearances (including probation and parole revocation hearings), to special assignments, or any other time as directed by a supervisor. It is expected that officers who have court scheduled during their regular work hours will wear a Class A uniform to the court appearance, though it is understood that in limited circumstances it may not be possible to change into a Class A uniform prior to the court appearance. The Class A uniform is required for uniformed personnel testifying at a jury trial unless it is impractical to do so or upon specific request from the prosecuting attorney.
23. Officers shall have the option of wearing Class A or Class B uniforms for their daily assignments unless otherwise directed by MPD policy or a MPD Supervisor.
24. Rank Insignia
 - a. Rank insignia shall be worn on the epaulets of the outer most garment (including Dress Blouse), except rainwear.
 - b. All insignias shall be worn on the shirt collar.
25. The approved Honor Guard uniform may only be worn by Honor Guard members or auxiliary team members, as approved by Honor Guard Command.
26. Bike Uniform

Officers may wear the approved bike uniform only when assigned to ride MPD bicycles for the duration of their shift. The bike uniform will consist of:

 - a. Approved MPD bicycle shirt.
 - b. Approved athletic shorts, pants, shoes, and black or navy blue socks.
 - c. Protective helmet.
 - d. Full duty belt, including weaponry as required in the Police Weaponry guide.
 - e. Approved MPD bicycle jacket.
 - f. Officers may also wear the military style uniform while using the bicycle, but in that situation must wear a protective helmet and yellow reflective vest over their uniform for greater visibility. With supervisor's approval for tactical reasons, an officer may refrain from wearing the yellow reflective vest.
27. Mounted Patrol Uniform

Mounted Patrol officers may wear the Mounted Patrol uniform while assigned to Mounted Patrol activities. The Mounted Patrol uniform will consist of:

 - a. Approved MPD Mounted Patrol shirt. The approved Class A MPD uniform shirt may be worn for ceremonial activities.
 - b. Approved MPD riding pants.
 - c. Approved MPD riding boots.
 - d. Approved MPD Mounted Patrol jacket.
 - e. Protective helmet.
 - f. Full duty belt.
28. Canine Officer Duty Uniform

Canine officers may wear the approved Canine BDU/Class C uniform only when engaged/assigned to Canine duties. The Canine BDU uniform will not be worn for any other assignment/purpose.
29. Alternative Uniform Attire

Alternative uniform attire may be approved for certain activities/assignments where a uniform would not be appropriate. These include MPD polo shirts, t-shirts, etc. These alternative items

are not a substitute for the standard uniform, and may only be worn for specific assignments/activities with the approval of the Chief.

31. External Body Armor Carrier

An approved external body armor carrier may be worn over the uniform shirt with the Class B or Class C uniform. All other uniform requirements (visible badge, name tag, collar brass, etc.) apply when the external body armor carrier is worn.

An approved medical/load-bearing external body armor carrier may be worn over the uniform shirt with the Class B or Class C uniform. Officers electing to wear the medical/load-bearing external body armor carrier will have their equipment carrying configuration approved by the Training Section prior to field deployment.

The medical/load-bearing external body armor carrier should appear as similar to the standard uniform shirt as possible, though a single "Police" patch may be worn on the rear of the carrier. All other uniform requirements (visible badge, approved name tag, collar brass, etc.) apply when the medical/load-bearing external body armor carrier is worn.

IN-SERVICE DRESS/EMPLOYEE DEVELOPMENT

Officers shall dress in clothing and gear consistent with their regular assignment unless notified otherwise by a member of the Training staff.

SPECIAL DUTY JOB

Officers working "special duty" jobs in uniform shall adhere to the military style uniform guidelines in this policy. If the assignment requires a non-military style uniform dress, officers shall dress in clothing consistent with the non-uniform clothing standards in this policy.

BODY ARMOR

It is the policy of the MPD to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

If the officer's assignment is uniform field work in an enforcement capacity rather than administrative or support capacities, body armor shall be worn. Officers are responsible to ensure that body armor is functional and does not interfere with the performance of their duties. Exceptions will be at the discretion of the commanding officer.

HEAVY BODY ARMOR

Officers may utilize personally owned, MPD approved supplemental heavy body armor while on duty in accordance with these provisions:

1. Only approved heavy body armor and accessories will be utilized. Heavy body armor carriers will indicate "POLICE" on the front and back, and may not be modified without approval of the Captain of the Personnel and Training Team.
2. Officers will ensure that their individually owned heavy body armor is properly maintained and regularly inspected.
3. Officer must complete training and firearms qualification (as established by the Captain of the Personnel and Training Team) while wearing heavy body armor prior to using it in the field. All use of supplemental heavy body armor will be in accordance with departmental training.

4. Supplemental heavy body armor is not authorized for full-time wear. It may be utilized anytime an officer reasonably believes the potential for a deadly force threat from a firearm exists.
5. Officers will not utilize heavy body armor not assigned to them unless exigent circumstances are present.

BADGES

Officers on duty must carry their assigned badge and departmental identification card on their person. Officers wearing the military style uniform will have their badge displayed on the outermost garment worn. Officers not wearing the military style uniform who have their primary handgun visible must have their badge displayed either on the front of their waistband or on their chest area.

PARKING ENFORCEMENT OFFICER UNIFORM

1. Parking Enforcement Officers shall wear the prescribed uniform while on duty, unless their assignment allows otherwise. The prescribed uniform shall consist of items that have been authorized by the Chief of Police.
2. The uniform shall be kept neat and clean at all times. MPD Command Staff shall determine the wearability of the uniforms.
3. The uniform will consist of authorized pants, shorts, short- or long-sleeve polo shirts, short- or long-sleeve military style shirts, authorized jackets or sweaters and approved footwear and headgear.
4. Long- and short-sleeve uniform shirts may be worn open at the collar, with all but the top button buttoned.
5. When any authorized uniform shirt is worn open at the collar, officers may wear approved undershirts. These undershirts shall be black, white or navy blue in color. It is not authorized to wear long-sleeve undershirts with short-sleeve gray uniform shirts.
6. Authorized uniform sweaters (with MPD patch) may be used as an acceptable outer garment over an approved undershirt (turtleneck).
7. A Madison Parking Enforcement authorized ANSI Safety Vest must be worn as the outer most garment at all times. When wearing uniform jackets and coats the ANSI Safety vest must be worn and it is required that a uniform shirt, uniform sweater, or authorized turtleneck be worn underneath at all times.
8. The approved footwear shall consist of black boots or shoes, when wearing uniform pants, and must be kept clean and polished. Approved footwear when wearing uniform shorts shall consist of gray shoes with black or white socks; or black shoes with black socks.
9. Parking Enforcement Officers wishing to purchase tennis shoes for duty use may do so. These shoes must be gray or black in color, free of bright colors, overly graphic designs or lights; must be made from an approved vendor (if purchased with uniform account funds); and must be an approved brand (Nike, Brooks, Asics, New Balance, Adidas, or Reebok). The purchase and exact shoe model must be pre-approved by the parking supervisor.
10. Wearing authorized headgear is optional.
11. Any items that Parking Enforcement Officers wish to incorporate into the approved uniform list must be brought to the attention of the Parking Uniform Committee.

UNIFORM ACCOUNT

1. Existing agreements between the City of Madison and the labor unions which represent uniformed personnel of the MPD spell out current provisions for use and administration of uniform accounts.
2. Under no circumstances are employees permitted to exceed the amount available in their account. It is the employee's responsibility to track their account balance, and they are responsible for any applicable tax.
3. All uniform and equipment purchases for use on-duty by personnel on the monthly clothing allowance must be approved items consistent with this policy.

Original SOP: 02/25/2015

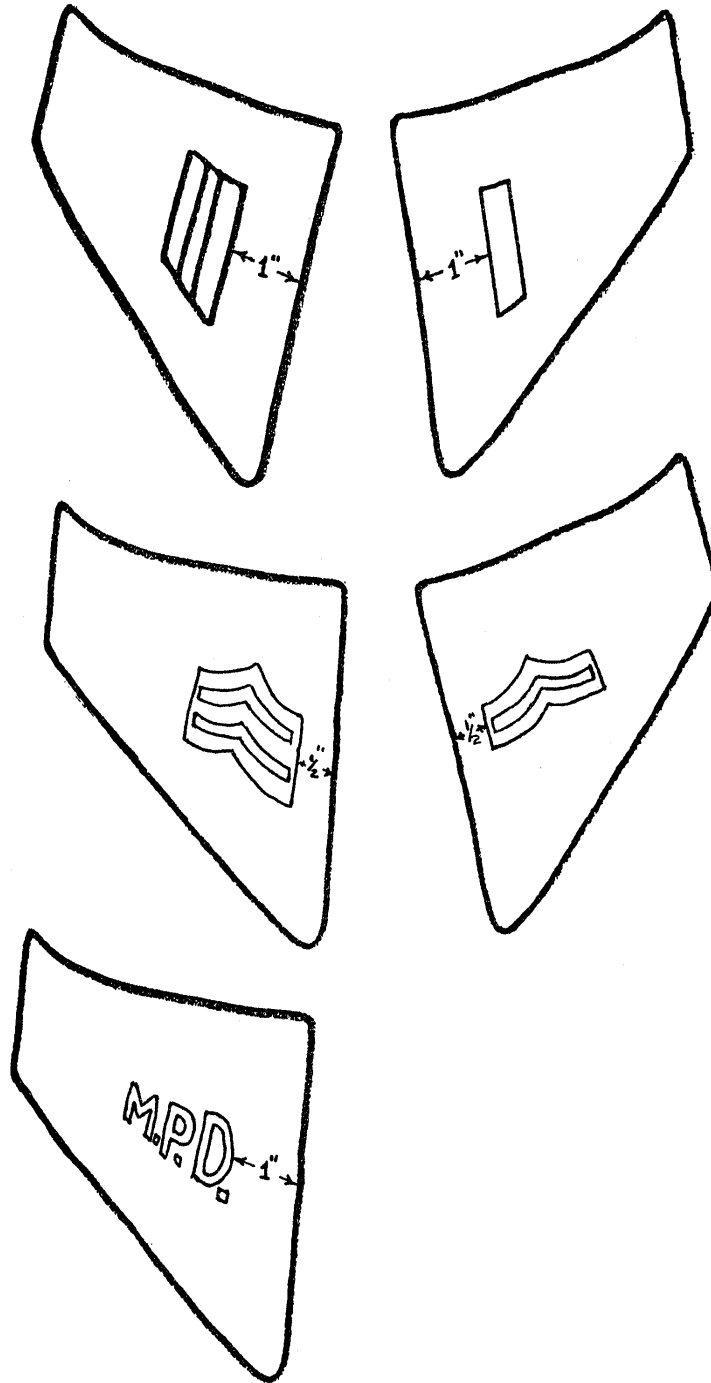
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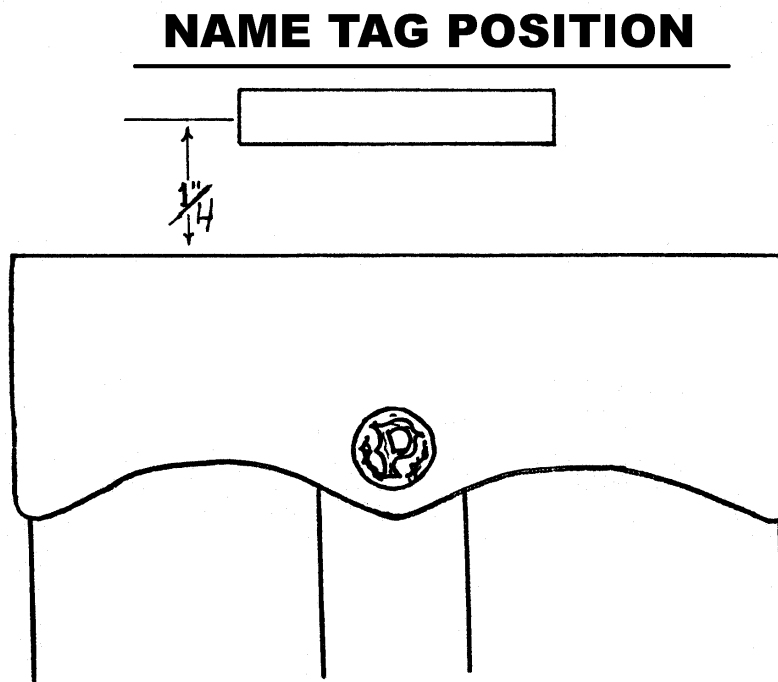
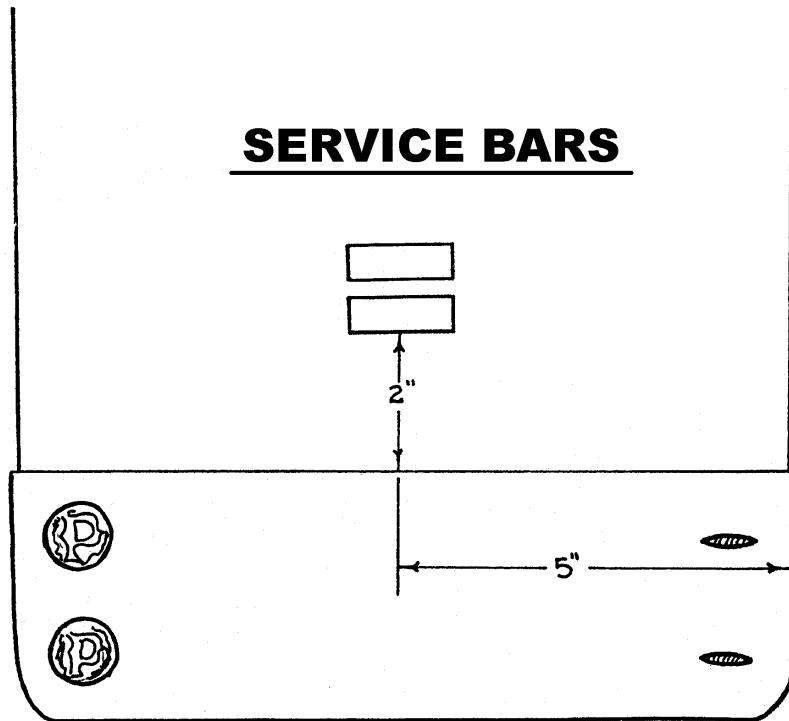
(Revised: 09/13/2016, 02/18/2018, 04/16/2018, 4/30/2019, 10/08/2019, 10/19/2020)

ADDENDUM A

COLLAR INSIGNIAS

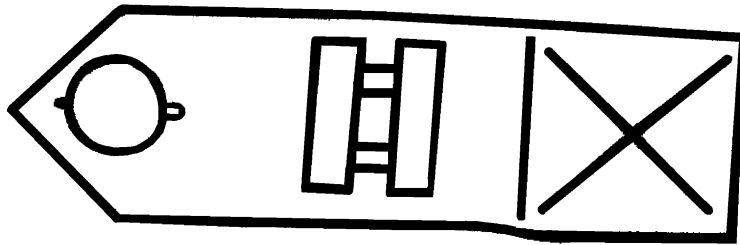
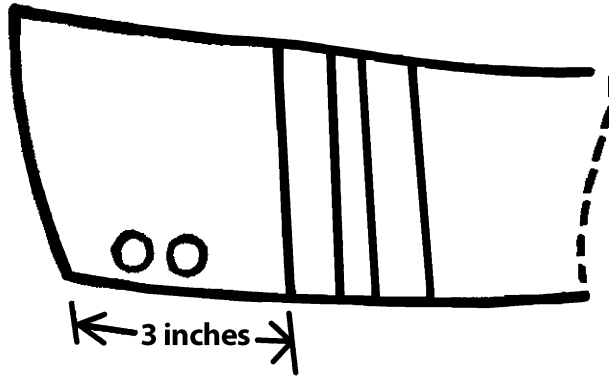
All insignias are to be centered between top and bottom of collar.





COMMANDER'S OVERCOAT

- Sleeve Bars: 4 bars: Chief of Police
- 3 bars: Assistant Chief of Police
- 2 bars: Captain
- 1 bar: Lieutenant





CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Video and Audio Surveillance

Eff. Date ~~10/09/2018~~ 10/09/2020

Purpose

The Madison Police Department (MPD) recognizes the use of video and audio surveillance technology can significantly aid MPD investigative efforts and promote greater public safety in our community. Yet the use of surveillance technology must also be balanced with the need to protect the privacy rights of the public and MPD employees when and where applicable. MPD use of surveillance technology will be consistent with any applicable City of Madison APMs and ordinances.

MPD routinely utilizes the City Enterprise Camera System. MPD will also deploy and utilize other, stand alone, covert video or audio surveillance technology when appropriate. These deployments are generally limited in duration and part of an on-going investigation of specific criminal activity for purposes of collecting evidence necessary for criminal prosecution.

Use of City of Madison Enterprise Camera System

All commissioned employees are authorized to use the City Enterprise Camera System as outlined in this SOP. Civilian employees may be authorized by the Chief to access the system where there is a job-related need. No employee will access or utilize the system prior to receiving training in its use.

MPD Information Management and Technology (IMAT) is responsible for administration and maintenance of appropriate user/access lists. Any complaints about use of the system will be routed through Professional Standards and Internal Affairs (PS&IA), consistent with department SOP.

Signage will be posted at appropriate MPD locations alerting the public to the use and deployment of video recording.

Authorized Use

Employees are only permitted to access the City Enterprise Camera System for official law enforcement business, under any of the following conditions:

- To assist with the investigation of criminal or otherwise unlawful activity.
- Internal investigations as appropriate by the Chief or designee.
- To protect and secure MPD/City facilities.
- To maintain order during planned and unplanned events.
- Proactive review of a tactical incident, or for internal training opportunities with prior supervisory approval.
- To remotely monitor environmental conditions or other non-investigative circumstances necessary to perform an employee's duties (i.e., weather or traffic conditions, safety hazards, management of resources, etc.).
- To preserve previously-discovered items or view/retrieve preserved evidence.

Prohibited Uses

MPD use of the City Enterprise Camera System is intended to monitor publicly available spaces. Employees will not use the system to view any area where a reasonable expectation of privacy exists (i.e., through a window into a private residence) without a warrant or other lawful justification (i.e., exigent circumstances).

Employees will not utilize the system to track or surveil any individual or vehicle without a specific and articulable law enforcement purpose. Cameras will not be accessed for any personal use.

MPD use of the City Enterprise Camera System is subject to audit, consistent with the *System Audits* SOP.

Retention/Evidence

City Information Technology (IT) is responsible for maintenance of the City Enterprise Camera System and for storage of video captured by the system. Video is generally retained for fourteen (14) days, unless a recording is requested under the Wisconsin Public Records law, it contains evidence, or is determined to have other value in being preserved. Cameras on the City Enterprise Camera System deployed to sensitive areas within MPD facilities are retained for a one-year period.

Requests to preserve video on the City server should be directed to the Forensic Services Unit (FSU). The request shall be completed in a timely manner and include case number(s), camera name(s), date(s), and time frame(s) to be preserved for evidentiary purposes. This information shall also be documented within an official police report.

If a record is created through the preservation of video from the City Enterprise Camera System, that record will be maintained in accordance with MPD's records retention schedule. If the video contains evidence of unlawful activity, it will be maintained in accordance with MPD's digital evidence policies and procedures.

The capture and preservation of video stills ("screen shots") is permissible in instances where the full video is not necessary or required for evidentiary purposes or to supplement retention of the video. Video stills are not an equivalent substitution for proper video evidence identification and retention.

Pursuant to the State's "Recording Custodial Interrogations" statutes (Wis. S.S. 938.195 and 968.073), MPD has installed in all district stations video and audio recording equipment for purposes of recording custodial interrogations of individuals under seventeen years of age and of adults involved in felonious incidents. MPD in-car audio/video systems may also be used to record custodial interrogations when necessary. All video and audio records associated with custodial interviews are maintained in accordance with applicable MPD departmental procedure.

Any requests to add or move cameras on the City Enterprise Camera System will be forwarded to the Chief's office.

MPD Video/Audio Systems

MPD deploys additional video/audio systems on a regular basis (in-car video, body worn cameras, unmanned aircraft systems, etc.). MPD personnel will only utilize or access those systems for official law enforcement purposes. Video/audio collected through those systems will be retained for 180 days unless a recording is requested under the Wisconsin Public Records law, it contains evidence, or is determined to have other value in being preserved.

Use of Other Video/Audio Surveillance Systems

MPD may deploy additional surveillance technology (i.e., covert cameras) as part of an active investigation. Such deployment will be of a limited duration and only done with approval as outlined below. MPD will not reveal the deployment or location of covert surveillance technology used in conjunction with criminal investigations unless the harm to the integrity and success of the investigation is outweighed by other public interests (i.e., the identification and apprehension of a fugitive). Access to covert video/audio surveillance deployed as part of an active investigation is limited to personnel authorized by the MPD commander in charge of the investigation.

MPD personnel may be provided with access to third-party video systems. MPD personnel will only utilize third-party systems for official police business.

The procedures outlined below serve to clarify and establish guidelines for further deployment of video and audio surveillance technology by MPD. As noted earlier, MPD uses overt and covert surveillance strategies depending upon the situation. Overt surveillance for purposes of this SOP shall be defined as video or audio

surveillance where the subject(s) being recorded are aware they are being recorded. Covert surveillance is defined as video or audio surveillance where the subject(s) is not aware they are being recorded.

Prior to the use and deployment of video and audio surveillance technology, MPD employees shall adhere to the following:

1. All requests for the new use and deployment of video or audio surveillance will be directed to an MPD Command Officer. The Command Officer shall review the request and ensure the request is compliant with this SOP and that the anticipated installation/use of the video or audio surveillance is compliant with all applicable legal requirements.
2. The reviewing Command Officer will then review the request in light of the below matrix seeking higher level approval for the request if necessary:

Type of Surveillance	To be Authorized by
Covert video (only) surveillance related to criminal investigations	Chief of Police with Commander recommendation
Covert audio (only) surveillance related to criminal investigations (e.g., suspect telephone recording, etc.)	Chief of Police with Commander recommendation
Covert video or audio surveillance related to any internal, PS&IA employee investigation	Chief of Police Only
Access to third-party video systems	Command approval; notice to Chief of Police

Original SOP: 11/11/2015
 (Revised: 03/04/2016, 11/15/2016, 11/30/2017, 10/09/2018, 10/09/2020)
 (Reviewed Only: 01/30/2019, 01/31/2020)

**CITY OF MADISON
INTRA-DEPARTMENTAL
CORRESPONDENCE**

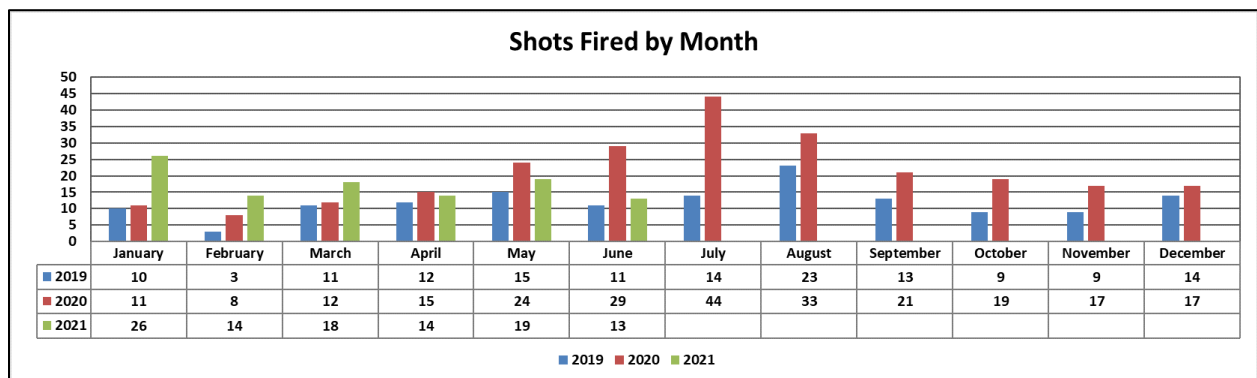
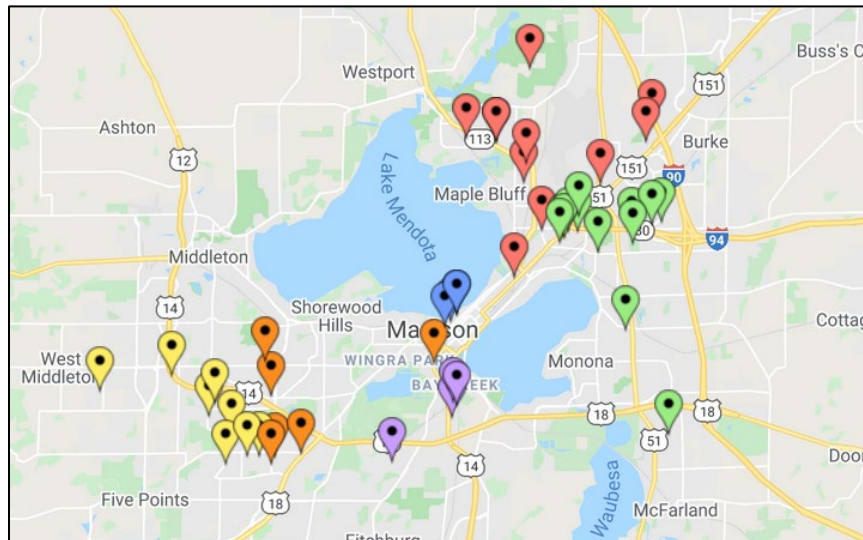
DATE: July 20, 2021

TO: All Alders
FROM: Shon F. Barnes, Chief of Police
SUBJECT: Quarterly Report

This document provides an update on selected MPD topics for the second quarter (April, May, and June) of 2021. **Please consider the data included in this update as preliminary and subject to modification.**

Significant Incident Types

Shots Fired – there were forty-six (46) shots fired incidents in the City from April 1st through June 30th (2021). This is a **32%** decrease from the second quarter of 2020. Twenty (20) shots fired incidents were reported during the 4pm – midnight period; seventeen (17) were reported during the midnight – 8am time period; and nine (9) were reported during the 8am – 4pm time period.

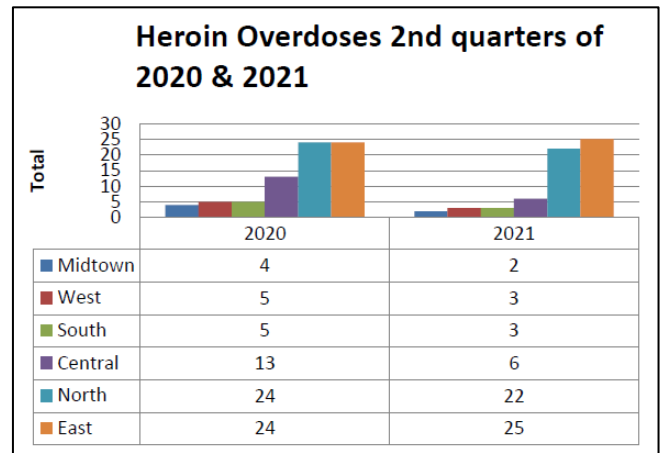
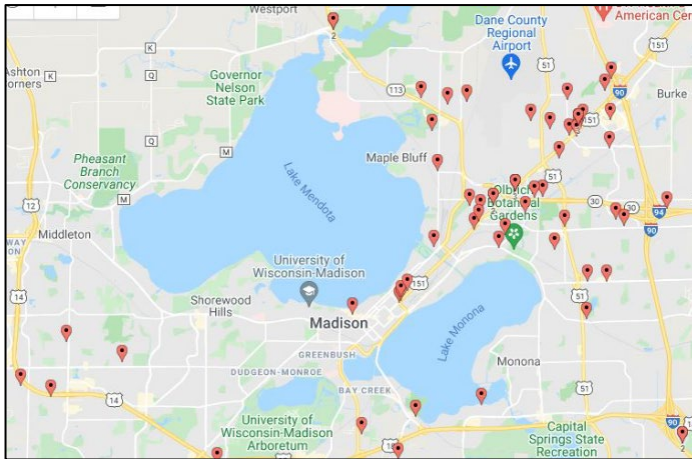


	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Total
Property Damage	15	22			37
Subjects Struck by Gunfire*	9	8			17
Accidental Discharge	0	1			1
Self-Inflicted (intentional)	4	3			7
Casings Recovered	124	231			355

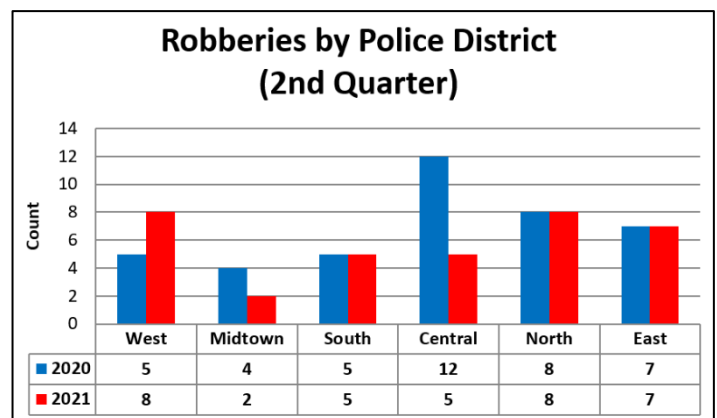
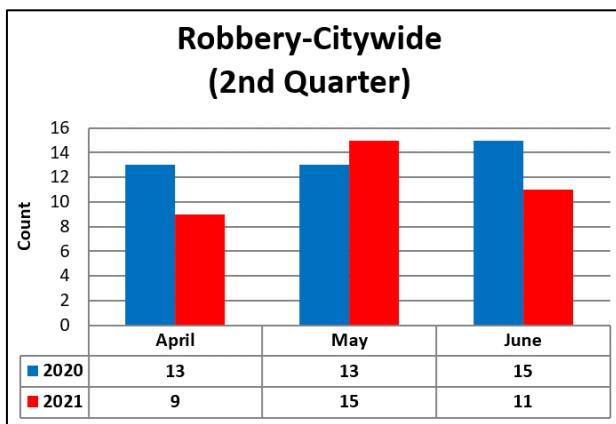
*Excludes accidental discharge & self-inflicted

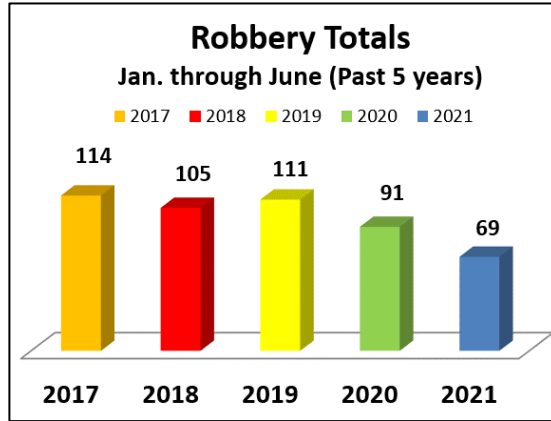
Heroin Overdoses – MPD responded to sixty-one (61) known heroin overdoses during the second quarter of 2021. This is a 19% decrease from the second quarter of 2020. Note that these figures refer to known overdoses...it is likely that many overdoses are occurring without any report to MPD or MFD.

There were seven (7) overdose deaths during the second quarter of 2021. This is a 30% decrease from the second quarter in 2020 [note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

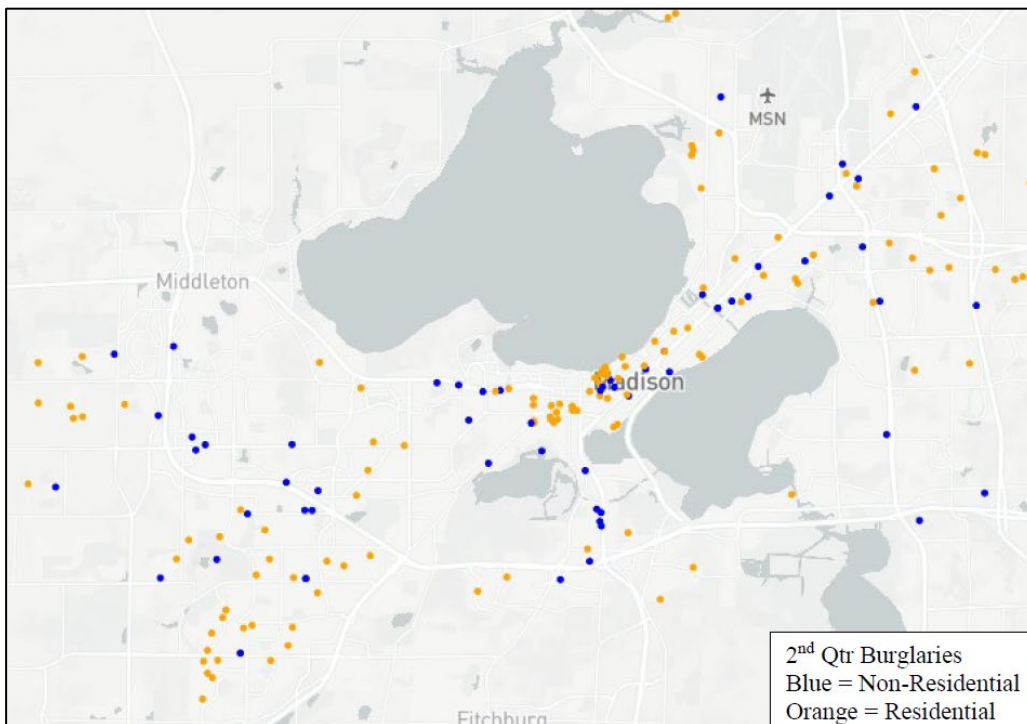
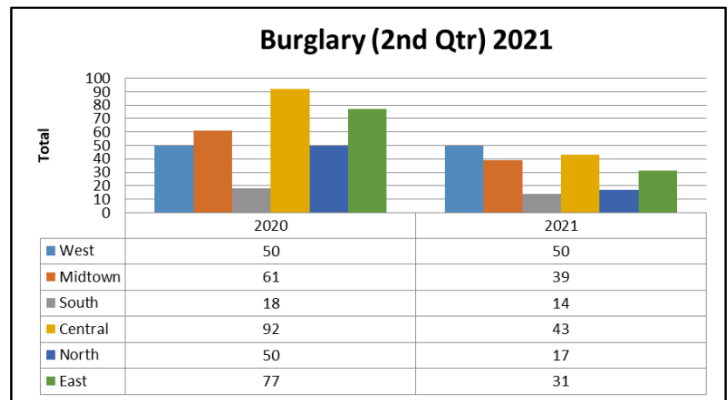
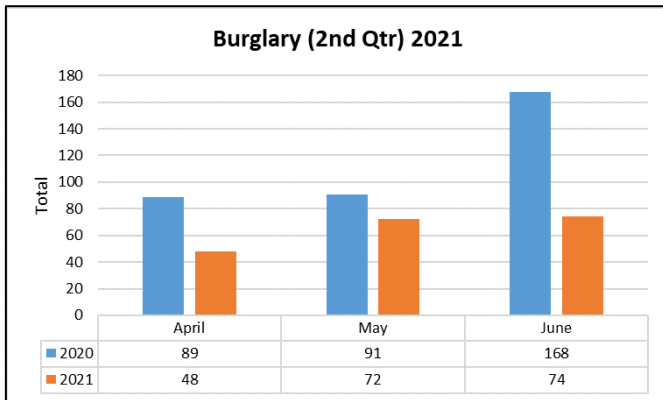


Robberies – Thirty-five (35) robberies occurred in the City during the second quarter of 2021. This is a 15% decrease from the second quarter of 2020.

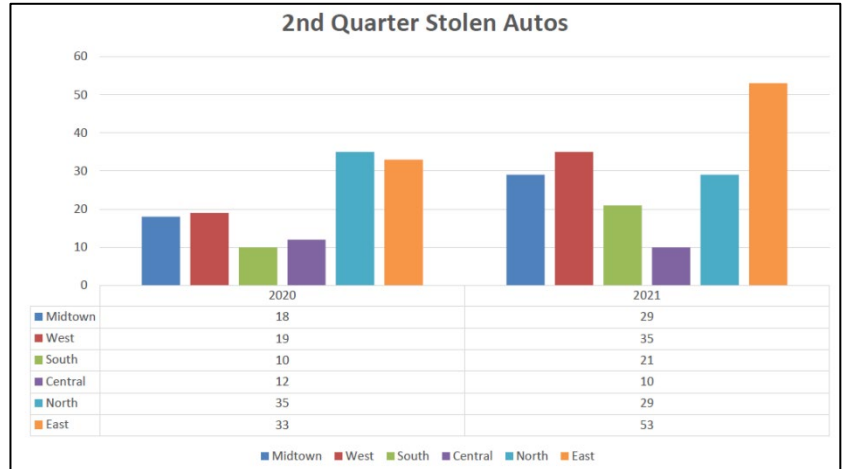




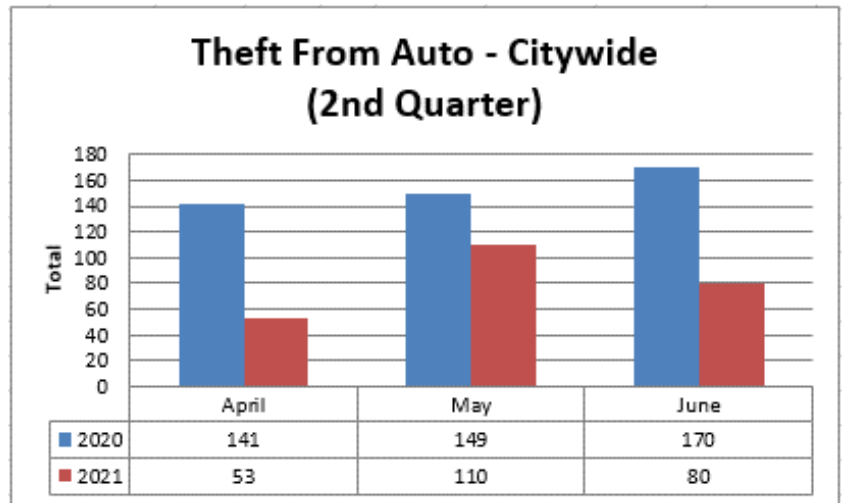
Burglaries – MPD responded to 194 burglaries during the second quarter of 2021. This is a 44% decrease from the second quarter in 2020.



Stolen Autos – MPD investigated 177 stolen autos during the second quarter of 2021. This is a 39% increase from the second quarter in 2020.



Thefts from Vehicles – MPD investigated 293 thefts from vehicles during the second quarter of 2021. This is a 47% decrease from the second quarter in 2020.



Arrest Data

Second quarter arrest data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	980	1,118			2,098	74.7%
Female	310	402			712	25.3%
Unknown	0	0			0	0.0%
Total	1,290	1,520			2,810	100.0%

Race	Q1	Q2	Q3	Q4	Total	%
Asian	21	19			40	1.4%
African-American	683	736			1,419	50.5%
Native American	10	8			18	0.6%
Other	24	23			47	1.7%
Caucasian	552	734			1,286	45.8%
Total	1,290	1,520			2,810	100.0%
Hispanic*	90	100			190	6.8%

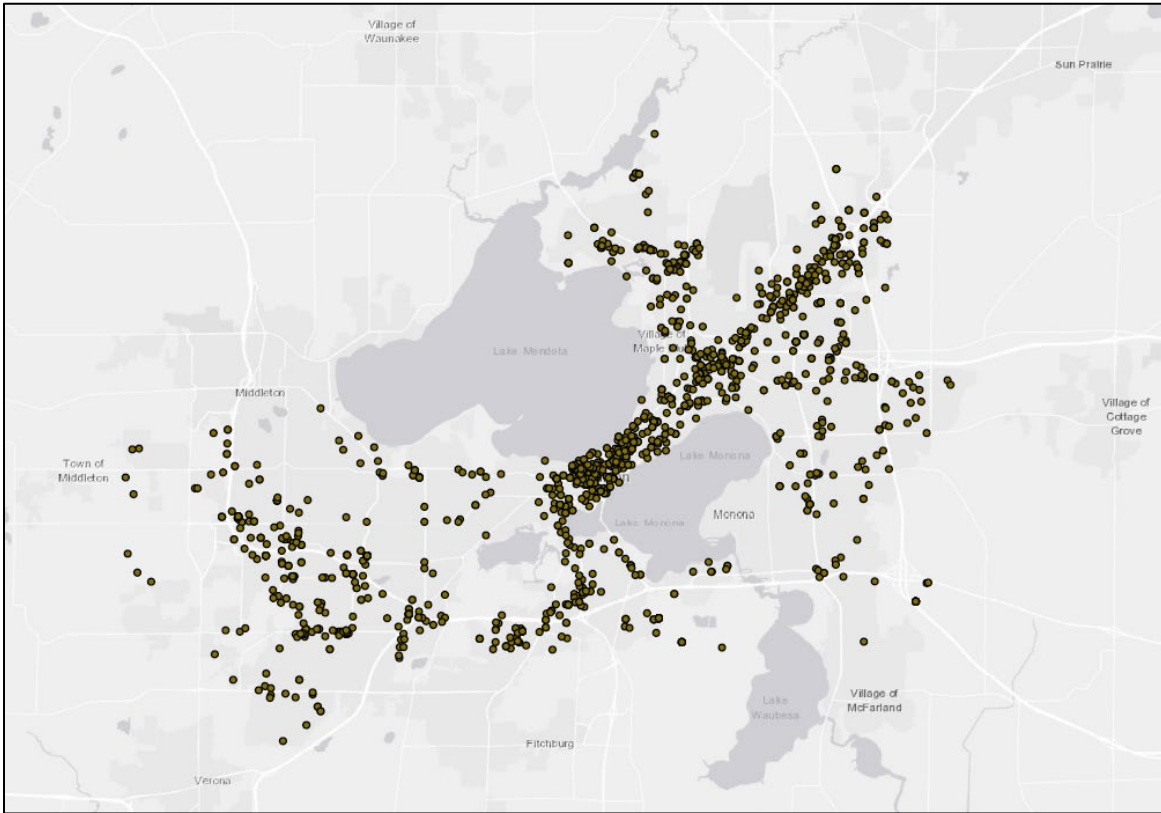
*“Hispanic” is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD’s records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD’s crime reporting.

IBR Arrest Charges						
Group A Offenses	Q1	Q2	Q3	Q4	Total	%
Animal Cruelty	1	2			3	0.1%
Arson	0	2			2	0.0%
Assault Offenses	262	290			552	11.5%
Bribery	0	0			0	0.0%
Burglary	14	16			30	0.6%
Counterfeiting/Forgery	6	3			9	0.2%
Damage to Property	79	99			178	3.7%
Drug/Narcotic Offenses	138	126			264	5.5%
Embezzlement	5	2			7	0.1%
Extortion	2	1			3	0.1%
Fraud Offenses	16	25			41	0.9%
Gambling Offenses	0	0			0	0.0%
Homicide Offenses	1	1			2	0.0%
Human Trafficking Offenses	0	1			1	0.0%
Kidnapping/Abduction	23	16			39	0.8%
Larceny/Theft Offenses	131	134			265	5.5%
Motor Vehicle Theft	41	26			67	1.4%
Pornography/Obscene Material	3	2			5	0.1%
Prostitution Offenses	0	0			0	0.0%
Robbery	18	13			31	0.6%
Sex Offenses, Forcible	15	31			46	1.0%
Sex Offenses, Non-Forcible	0	2			2	0.0%
Stolen Property Offenses	7	2			9	0.2%
Weapon Law Violations	33	35			68	1.4%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	0	2			2	0.0%
Curfew/Loitering/Vagrancy Violations	0	0			0	0.0%
Disorderly Conduct	462	581			1043	21.7%
Driving Under the Influence	104	106			210	4.4%
Drunkenness	0	0			0	0.0%
Family Offenses, Nonviolent	15	13			28	0.6%
Liquor Law Violations	11	45			56	1.2%
Peeping Tom	0	0			0	0.0%
Runaway	0	0			0	0.0%
Trespass of Real Property	111	78			189	3.9%
All Other Offenses	764	889			1653	34.4%
Total	2,262	2,543	0	0	4,805	100.0%

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

Note that the first table reflect persons arrested, and the second table reflects charges. Some arrested persons are charged with multiple offenses, so the totals will not match.

Second quarter arrests reflected geographically:



Comparison of 2020 to 2021 second quarter arrest data:

Sex	2020 (Q2)	2021 (Q2)
Male	1,222	1,118
Female	407	402
Unknown	0	0
Total	1,629	1,520

Race	2020 (Q2)	2021 (Q2)
Asian	27	19
African-American	754	736
Native American	10	8
Other	42	23
Caucasian	796	734
Total	1,629	1,520

Hispanic* **111** **100**

*"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.

Use of Force Overview

During the second quarter of 2021, MPD officers responded to 35,754 incidents. In that time, there were forty-seven (47) citizen contacts in which officers used recordable force during the encounter. Each of these force incidents was reviewed for compliance with MPD standard operating procedures.

Description	Q1	Q2	Q3	Q4	Total
Calls for Service	28,637	35,754			64,121
Citizen Contacts Where Force Was Used	55	47			102
% of CFS Where Force Was Used	0.19%	0.13%			0.16%
Force					
Decentralization/Takedown	49	40			89
Active Counter Measures	6	4			10
Taser Deployment	7	12			19
Hobble Restraints	4	4			8
OC (i.e. Pepper) Spray Deployment	0	1			1
Baton Strike	0	0			0
K9 Bite	1	2			3
Firearm Discharged Toward Suspect	1	0			1
Impact Munition	1	0			1
Specialty	0	0			0
Total	69	63			132
Firearm Discharged to Put Down a Sick or Suffering Animal	10	16			26

*Please refer to the MPD SOP on use of force data collection for the definition of recordable force and distinction between reportable and recordable use of force:

<http://www.cityofmadison.com/police/documents/sop/UseOfForceData.pdf>

Second quarter use of force data by MPD district and time of day:

District*	Q1	Q2	Q3	Q4	Total	%
West	6	6			12	11.8%
Midtown	6	5			11	10.8%
South	6	5			11	10.8%
Central	8	6			14	13.7%
North	12	14			26	25.5%
East	16	11			27	26.5%
Out of County	0	0			0	0.0%
Within County - Assist	1	0			1	1.0%
Total	55	47			102	100.0%

Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
1st Detail (7am – 3pm)	10	16			26	25.5%
3rd Detail (3pm – 11pm)	32	20			52	51.0%
5th Detail (11pm – 7am)	13	11			24	23.5%
Total	55	47			102	100.0%

Comparison of second quarter 2020 with second quarter 2021 use of force data:

Force	2020 (Q2)	2021 (Q2)
Decentralization/Takedown	44	40
Active Counter Measures	13	4
Taser Deployment	9	12
Hobble Restraints	10	4
OC (i.e. Pepper) Spray Deployment	3	1
Baton Strike	0	0
K9 Bite	1	2
Firearm Discharged Toward Suspect	0	0
Impact Munition	0	0
Specialty (SWAT/SET)	0	0
Total	80	63

Note: use of force incidents associated with civil unrest in 2020 were counted separately and are not reflected here. 2020 data showing these totals can be located here:

<https://www.cityofmadison.com/police/data/archived-quarterly-data.cfm>

More information is also available in the MPD 2020 Accountability Report:

<https://www.cityofmadison.com/police/documents/AccountabilityRpt2020.pdf>

Training

MPD's new recruit class started pre-service training on June 1st. Eighteen new officers are in the early stages of training; they will complete the academy this fall and move on to several months of field training.

All MPD personnel completed in-service training during the second quarter. One of the topics was the Police Executive Research Forum (PERF) ICAT (Integrating Communications, Assessment, and Tactics) training. This is a nationally recognized curriculum to improve officers' response to critical incidents. The training focuses on critical thinking, communications, and tactics to improve opportunities for positive outcomes in use-of-force encounters. ICAT is being introduced to all personnel during this training, and an additional session (focusing on scenario training) will follow later this year. Providing ICAT training to all MPD commissioned personnel was a recommendation from the Madison Police Department Policy & Procedure Review Ad Hoc Committee.

SOP Updates

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

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

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

MPD did not acquire any property through DLA/LESO during the second quarter of 2021.

Priority/emergency call response

During the second quarter, there were eighty (80) instances where MPD's patrol response was limited to emergency and priority calls. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the City.

The eighty (80) instances occurred on sixty (60) dates (some days required limited call response multiple times); this means that at some point on about **66%** of the days during the second quarter MPD patrol response was limited. The eighty (80) instances spanned about **148.3** total hours of limited call response, an average of 1.9 hours per instance. In terms of total hours during the second quarter, MPD patrol response was limited to emergency and priority calls about **7%** of the time.

Promotions

2022 – Second Quarter Promotions

Police Officer Joseph Weberpal to Sergeant
Sergeant Daniel Perez to Lieutenant
Police Officer Amanda Poli to Sergeant
Police Officer Ricardo Franco to Sergeant
Police Officer Justin Nelsen to Sergeant
Detective Paul Bauman to Lieutenant
Police Officer Christopher Keys to Sergeant

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

<https://www.cityofmadison.com/police/documents/psiaSummary2021AprJun.pdf>

<https://www.cityofmadison.com/police/documents/psiaRecognition2021AprJun.pdf>

Updated/New SOPs for MPD: April-June, 2021

Civilian Hiring Process: 04/02/2021

Enforcement of Marijuana Laws: 04/02/2021 - NEW

In-Car Video System: 04/09/2021

Departmental Awards and Recognition: 05/28/2021

Donation of Vacation and Compensatory Time: 06/01/2021

Domestic Abuse: 06/14/2021



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Civilian Hiring Process

Eff. Date ~~06/08/2018~~ 04/02/2021

Purpose

The City of Madison Police Department utilizes a standardized hiring process in order to ensure compliance with all federal and state laws, as well as City of Madison General Ordinances and relevant collective bargaining agreements.

Procedure

The following outlines the procedures MPD will follow when making civilian hires.

1. When a Captain/Manager is notified of a civilian retirement or resignation and would like to hire to fill that opening, they should:
 - a. Contact the Finance Manager for information regarding salary savings.
 - b. Contact the Assistant Chief of Support and Community Outreach with request for authorization to hire.
 - c. Contact the Department's Civil Rights Coordinator (~~Lieutenant of Personnel~~ Human Resources Coordinator) to assure compliance with the Department's Equitable Workforce Plan and RESJI process.
2. The Assistant Chief of Support and Community Outreach determines when to submit the "Request to Fill Vacancy."
3. If approved, the Captain/Manager completes the:
 - a. "Request to Fill Vacancy" form – Detailed information used in filling out this form can be obtained from the MPD Payroll Clerk.
 - b. Position Description – A new Position Description document must be completed each time, even if previously done for a position. A prior Position Description document can be used in updating for a new hire.
 - c. Once these are completed they should be forwarded to the MPD Payroll Clerk with an email request to enter the forms into the NEOGOV system. This email should also include the name of the Hiring Manager, who is the person coordinating the hire and the Department's Civil Rights Coordinator (~~Lieutenant of Personnel~~ Human Resources Coordinator).
4. The Hiring Manager will receive a notification from City Human resources identifying the City Human Resources contact for the hiring process. The Hiring Manager should contact the ~~Lieutenant of Personnel~~ Human Resources Coordinator (as the Department's Civil Rights Coordinator) to assure compliance with the Department's Equitable Workforce (Affirmative Action) Plan.
5. The Captain/Manager or the Hiring Manager will contact the City Human Resources contact to finalize the following information:
 - a. Whether the process will be open/competitive or restrictive. Generally the decision will be based on the skill set needed for the position, the anticipated candidate pool, and any requirements related to the current employee handbook. City Human Resources has the final say on the process.
 - b. How the position will be advertised – If there is a financial cost for the advertising plan, approval for the expenditure must be obtained from the Finance Manager prior to moving forward.
 - c. Dates of opening and closing for receipt of applications.
 - d. Date and type of examination – The Hiring Manager should review any City examinations to determine the appropriateness of the questions in relation to the position.

- e. The Hiring Manager will be contacted by the City Department of Civil Rights if the position is underrepresented. This will then be discussed and taken into consideration during the hiring process.
6. City Human Resources posts the job announcement on the City of Madison website. City Human Resources does not accept paper applications and all applications must be completed online.
7. After the application period closes, minimally qualified candidates will move to the testing phase, which is conducted by City Human Resources. A list of referred candidates will be made available through the NEOGOV system. Every referred candidate must be offered an interview.
8. The Hiring Manager develops an interview panel with approval of the Captain/Manager.
 - a. The interview panel must be balanced and diverse (gender, race, and commissioned/non-commissioned) and usually has at least three people on it.
 - b. The names of the panel members should be kept confidential until the candidates appear for the interview. The Hiring Manager should remind the panel members the names of the people that appear before them are confidential and should not be discussed until after the process.
 - c. A list of job-related interview questions should be established along with benchmarks for scoring candidate responses.
 - d. All panel members should interview each candidate. However, if a panel member feels they cannot provide an impartial evaluation of a candidate due to a personal relationship with the individual, they should recuse themselves from that particular interview and any panel discussion of this candidate at the conclusion of the interview process. It is best to avoid any perception of impropriety in the selection process.
9. The interview panel ranks the top candidates for the position based on their responses to the interview questions and established benchmarks.
10. The Hiring Manager meets with the Captain/Manager to determine the number of backgrounds to be completed and whether there will be second interviews.
11. Background checks should be performed on those candidates who are to be considered for a final interview with the Captain/Manager. The Captain/Manager shall review the background check to determine if a candidate will be given a second interview.
12. The second interview may be less formal, and consist of the Captain/Manager and at least one other person. This less structured interview is a final check for alignment with MPD Mission, Values and Goals.
13. The Hiring Manager and Captain/Manager determine the recommendation for hire.
14. The Captain/Manager provides the recommendation to the Assistant Chief of Support and Community Outreach, who shares the recommendation with the Chief of Police. The Chief of Police then determines whether to approve the hire.
15. Upon approval, the Hiring Manager contacts the prospective hire with the official job offer.
 - a. The job offer must include the proposed start date, which should coincide with the first day of a pay period.
 - b. Any potential start date which is after November 1 must be discussed with the Finance Manager prior to making the job offer.
16. Once the candidate accepts the job offer, the Hiring Manager:
 - a. Completes the hiring personnel action form in the NEOGOV system.
 - b. Contacts City Human Resources to schedule the City Orientation training.

- c. Contacts the MPD Human Resources Coordinator Lieutenant of Personnel to schedule the MPD Orientation training.
 - d. Completes the New Employee Setup Information form on the intranet. It is preferred that this form be completed at least two weeks before the new employee starts. Information from this form is routed by the Chief's Office to set up the employee's payroll, TeleStaff, email account, seniority information, IBM, and add the employee to the internal phone list. This form is then placed in the employee's personnel file.
17. The Hiring Manager mails or emails ~~(not email)~~ rejection letters to candidates not selected. Refer to and utilize the Civilian Hiring Process Orientation Checklist. When appropriate, the Civil Rights Coordinator should be consulted to assure compliance with the Department's Equitable Workforce Plan.
 18. When a vacancy occurs at a Manager level, the Assistant Chief of Support and Community Outreach is the ultimate hiring authority and will follow the above steps as would a Captain/Manager.

Original SOP: 07/25/2012

(Revised: 03/26/2015, 04/08/2015, 03/04/2016, 01/13/2017, 12/21/2017, 06/08/2018, 04/02/2021)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Enforcement of Marijuana Laws

Eff. Date: 04/02/2021

Madison City Ordinance

Madison General Ordinance 23.20 prohibits possession of marijuana under certain circumstances:

- Possession of more than twenty-eight (28) grams of marijuana
- Possession of marijuana (any amount) by someone under the age of eighteen
- Possession of marijuana (any amount) within 1,000 feet of a school
- Possession of marijuana (any amount) on a school bus
- Possession of marijuana (any amount) on property open to the public without the permission of the property owner, landlord, or tenant
- Smoking marijuana anywhere smoking is prohibited (bars, restaurants, etc.)
- Consuming marijuana in a motor vehicle which is in operation

While simple possession of marijuana remains illegal under state law, the Dane County District Attorney's Office will not prosecute simple possession cases unless extenuating circumstances are present (see below).

The City ordinance prohibiting possession of drug paraphernalia now excludes marijuana-related paraphernalia, and the Dane County District Attorney's Office will not prosecute these cases.

Investigative Expectations

The following guidelines apply to marijuana-related investigations (using marijuana as reasonable suspicion or probable cause):

- Investigative action (contacts, stops, arrests, etc.) should not be taken when an officer simply has suspicion that someone is in possession of marijuana under circumstances permitted by City ordinance.
- Investigative action (contacts, stops, arrests, etc.) should not be taken when an officer simply has suspicion that someone is in possession of marijuana-related drug paraphernalia.
- If circumstances provide suspicion that an individual is possessing or consuming marijuana in a manner not permitted by City ordinance (near a school, etc.) then appropriate investigative steps are permitted.
- If circumstances provide suspicion that an individual is possessing or consuming marijuana under circumstances permitted by City ordinance, but that person is engaged in additional behavior impacting public safety or creating a significant nuisance or disturbance, appropriate investigative steps are permitted (based on violation of state law).
- If circumstances provide suspicion that an individual is in possession of a large amount of marijuana, is in possession of marijuana with intent to deliver, or has delivered marijuana (as prohibited by state law), appropriate investigative steps are permitted.

These expectations apply when the basis for an investigative action (contact, stop, arrest, etc.) is marijuana-related. Reasonable suspicion of other unlawful activity permits investigative actions consistent with Madison Police Department Standard Operating Procedures.

Enforcement Expectations

Officers may only issue City ordinance citations for marijuana-related offenses consistent with ordinance changes as described above. State criminal charges related to marijuana should only result in arrest or referral under the following circumstances:

- Delivery or possession with intent to deliver charges.
- Simple possession when a significant quantity (50+ grams) is located, and when there is another criminal charge being referred or when the possession is directly related to behavior impacting public safety.

Officers should not make arrests or issue citations for marijuana-related drug paraphernalia.

Contraband

Officers may encounter marijuana during the course of a marijuana-related investigation (as outlined/approved above) or during the course of some other investigation. If marijuana is located but criteria for a marijuana-related arrest or citation is not met, the marijuana should not be returned but must be seized and property tagged for destruction.



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



In-Car Video System

Eff. Date ~~11/30/2017~~ 04/09/2021

Purpose

Madison Police Department (MPD) in-car video system utilization can provide accurate documentation of events, actions, conditions, and statements made during law enforcement contacts. The use of the in-car video system shall be limited to trained employees and be in accordance with applicable laws and MPD procedures. All video files recorded by MPD in-car video systems are official police records subject to Wisconsin Open Records laws. Officers are required to select a video type in the Classify Tag field and enter the correct case number (or "none" when applicable) in the Case File Number field of the video recording window after an in-car video has been recorded.

For the purpose of this Standard Operating Procedure (SOP), the term "officer" means any MPD commissioned employee who has been trained in the use of the in-car video system installed in MPD vehicles.

Procedure

USE AND CARE OF IN-CAR VIDEO EQUIPMENT

1. Officers shall be responsible for the proper care and operation of the in-car video equipment installed in MPD vehicles and of individually assigned wireless microphone(s).
2. Officers shall not remove, dismantle, or tamper with in-car video equipment and/or microphone(s).
3. At the beginning of each shift or assignment, officers operating a squad equipped with an in-car video system shall ensure the in-car video equipment is functioning properly by completing the following procedures:
 - a. System power up upon starting the vehicle.
 - b. Confirm the correct date and time in the in in-car video application.
 - c. The officer shall be logged into the in in-car video application throughout the duration of the shift.
 - d. If assigned a wireless microphone, it shall be properly charged and Ssynchronized the wireless microphone to the in in-car video system. In the event two officers are assigned to a single squad (i.e. Field Training, Special Events), only one officer will be is required to synchronize their his or her wireless microphone.
 - e. The officer shall Wwearing the synchronized wireless microphone (and optional lapel microphone) in a position where it can effectively record audio throughout the duration of the shift.
 - f. Confirm video and audio recording.
4. Officers who are operating a squad in a non-operational capacity (training, etc.) where they are not logging into Mobile/Computer Aided Dispatch (CAD) are not required to utilize the in-car video system.
5. When previously undocumented problems with the in-car video system arise, officers are required to do the following to report the issue:
 - a. Call the Information Management and Technology (IMAT) support line Monday-Friday 0800-1630 8:00am-4:30pm at 261-9655 or send an email containing the vehicle number and problem to the IMAT support email address: imat@cityofmadison.com.
 - b. Record the squad number and problem on the appropriate Police District vehicle dry marker board.

Officers may operate squads with non-functional in-car video systems when no other squad is reasonably available, provided that if the issues have been properly documented as outlined above.

OPERATION OF THE IN-CAR VIDEO SYSTEM

1. Video recordings (including a 30 second video only pre-event) are initiated when:
 - a. The squad's emergency lights are activated.
 - b. The wireless microphone's record (REC) button or auxiliary (AUX) button is depressed.
 - c. The record button is depressed on the back of the front camera.
 - d. The record button is selected in the in-car video software on the **Mobile Data Computer (MDC)**.
 - e. The vehicle crash sensor is triggered.
 - f. The vehicle speed trigger threshold has been exceeded.
2. In-car video equipment shall be used to record the following:
 - a. All emergency vehicle operations.
 - b. All traffic stops.
 - c. All transports of persons **either in or out of** custody.
 - d. All interviews as required by Wisconsin State Statutes when other established recording facilities are not available, practical, or preferred.
 - e. **When approaching an individual the officer reasonably anticipates may be taken into custody.**
3. In-car video equipment may also be utilized to record ~~the following:~~ any other official police contacts beyond those listed in point #2 above. An officer should make reasonable efforts to begin recording any police contact as soon as the officer believes the contact may turn into a criminal investigation or ordinance violation.
 - a. ~~Official police contacts.~~
 - b. ~~Person(s) the officer reasonably suspects has committed, is committing, or is about to commit a criminal offense or ordinance violation.~~
 - c. ~~When transporting persons not in custody.~~
4. Officers should make every reasonable effort to position the front **squad** camera to accurately capture events.
- ~~5. Officers may temporarily mute audio recording of conversations between police personnel when such discussions involve strategy, tactics, or supervisor's directives.~~
- ~~6. 5. Once initiated, video and audio recordings should not be terminated until the incident or event is complete except has concluded or until deactivation is permissible. The conclusion of an incident or event has occurred when any arrest(s) related to the incident have been made and arrestee(s) have been transported, after a stopped motor vehicle driver is released from a traffic stop, or when no further law enforcement action is likely to occur related to the incident or event. Deactivation of video and audio recordings prior to the conclusion of the incident or event is permissible:~~
 - a. **When the incident or event is of such duration that recording needs to be deactivated to conserve power or storage capacity and the officer is not directly involved in activity relating to the incident or event (i.e., blocking traffic at a position not near the scene of an incident)**
 - b. **When an officer reasonably believes there is no evidentiary value in collecting further video and audio; officers shall document in a police report their assessment for the cessation of any recording, or**
 - c. **When a supervisor authorizes the cessation of the recording, or,**
 - d. ~~When, in the officer's assessment, there is no evidentiary value in collecting further video; officers shall document in a police report their assessment for the cessation of any recording.~~
- ~~7. 6. Officers may temporarily mute audio recording of conversations between police personnel for administrative reasons including, but not limited to, the following:~~
 - e. **Employee to employee training (e.g., during Field Training, incident debriefings, etc.);**
 - f. **Officer to supervisor discussions about incident dispositions and/or charging decisions;**
 - g. **Employee to employee discussions involving response strategy or tactics; or**
 - h. **Personal conversations unrelated to the incident or event being investigated**
- ~~8. 7. Reasons for any interruptions/microphone muting during video recordings shall be audibly noted prior to the muting and then further documented within official reports or narrative sections of citations. After the purpose of a temporary mute of an audio recording has concluded, officers shall reactivate the audio recording.~~
- ~~9. 8. Upon completion of a recording, the officer shall select the applicable classification tag from the available menu options listed in the "Classify Tag" field of the recording window. Officers shall not close the~~

recording window on the MDC without making a selection from the classification choices. The current classification tag options include the following: Non-Evidence, Traffic Stop, Arrest/Transport, OWI, Evidence, and Crash/Pursuit.

10-9. ~~Officers shall will enter the case number in the appropriate~~ ensure that the “Classify Tag” and “Case File Number” fields of the recording window are filled out properly for each recording. If there is no case number associated with the recording, officers shall type “none” in the Case File Field. ~~It is highly recommended to that officers~~ Officers should enter any additional information (e.g., license plate, name, suspect information, etc.) deemed pertinent to the investigation in the “Note” field. The classification tag, case file number, and additional information entered by the officer, will serve as the initial selection for the duration of video retention of each video recording.

VIDEO TRANSFER AND DOCUMENTATION

1. Officers are responsible for ensuring that video recording(s) are transferred at least once during the course of each work shift. Exceptions to this must be approved by the OIC or other supervisor. Transfer of video may be accomplished by:
 - a. Wireless transfer at any MPD district stations, ~~other identified wireless~~ or other identified wireless access points.
 - b. Wired transfer at ~~any of the download stations available at~~ MPD district download stations.
 - c. If the video recorded during the shift is more than two hours in length, then wired transfer is recommended. If video does not transfer, ~~call the contact~~ IMAT through the support line ~~Monday-Friday 0800-1630 8:00am-4:30pm~~ at 261-9655 or send an email containing the vehicle number and problem to the IMAT support email address: imat@cityofmadison.com.
2. Officers must ensure that video recording(s) deemed to be evidence of a crime are transferred prior to the end of their shift. If the video transfer process requires the employee to be on overtime, the officer shall ~~contact~~ obtain prior approval for the overtime from a supervisor or from the OIC ~~to obtain approval~~.
3. ~~In car video recordings and reasons for any interruptions/microphone muting shall be documented within official reports and citations.~~

IN-CAR VIDEO MANAGEMENT

1. Evidentiary recording submitted by officers will be maintained on a secure server within the City of Madison computer network until the case has been adjudicated and/or in accordance with existing MPD policies and procedures for the handling and disposition of evidence. Secondary images or video of any recordings shall not be captured at any time through any other application, system or device.
2. Recordings will be maintained based upon the retention schedule designated for each classification tag.
3. Designated members of the Forensic Services Unit (FSU) and IMAT will be responsible for system administration of all captured and stored recordings.
4. Video recording may be placed on an administrative hold, preventing their disposal by:
 - a. The Chief of Police or his/her designee.
 - b. Professional Standards and Internal Affairs Lieutenant.
 - c. A Command Officer.Any later removal of this hold must be submitted in writing to FSU.
5. If upon receipt of a complaint concerning the conduct of an officer or other employee, the supervisor receiving the complaint determines that the event in question has been recorded, that information shall be forwarded to the District Command Officer, and the Professional Standards and Internal Affairs Lieutenant outlining the details of the complaint.

All in-car video system recordings are subject to Wisconsin Open Records Law.

Original SOP: 02/25/2015
(Reviewed Only: 02/04/2016)
(Revised: 12/22/2016, 06/15/2017, 11/30/2017, 04/09/2021)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Departmental Awards and Recognition

Eff. Date ~~10/19/2020~~ 05/28/2021

Purpose

The Madison Police Department (MPD) on an annual basis hosts a ceremony where MPD personnel and members of the public are recognized for actions and efforts that are deemed exemplary.

The purpose of this procedure is to clarify the definitions and criteria under which an employee or community member may receive such recognition and the underlying process to recommend and select those individuals.

In no way does the lack of formal recognition through this process intend to dismiss the hard work, sacrifice, and dedication that our employees and our public routinely display. Rather, this process also honors their efforts in our collective service to the City of Madison and our constituents.

Definitions/Criteria

DEPARTMENTAL AWARDS

The number of awards given are not restricted to a certain number (i.e., only one Lifesaving Award, etc.). **However, the Awards Committee will make the determination as to how many people will receive a particular award.**

1. **Medal of Valor Award:** The Medal of Valor is the highest recognition of achievement presented by the Madison Police Department. The Medal of Valor shall be awarded to department personnel who distinguish themselves with extraordinary individual acts of bravery or heroism above and beyond that which is normally expected in the line of duty and potentially at extreme, life-threatening, personal risk. Personnel must have displayed extreme courage by placing their own safety in immediate peril in the pursuit of their duties. The actions must clearly be so undoubtedly outstanding that it they clearly distinguishes above the call of duty actions from lesser forms of bravery. If a department member uses poor judgment or procedures that which created the necessity for their action, they will not be eligible for this award. **Recipients of the Medal of Valor Award will receive a medal, a certificate suitable for framing signed by the Chief of Police, and a uniform ribbon (pin).**
2. **Meritorious Conduct Award Medal:** The Meritorious Conduct Award Medal shall be awarded to department personnel who distinguish themselves by meritorious achievement or meritorious service. Meritorious actions are those action that which clearly surpass that which is normally required or expected. The degree of merit need not be unique but must be exceptional and superior. Acts of courage which do not meet the voluntary risk of life requirements for the Medal of Valor Award may be considered for the Meritorious Conduct Award Medal. **Recipients of the Meritorious Conduct Award Medal will receive a medal, a certificate suitable for framing signed by the Chief of Police, and a uniform ribbon (pin).**
3. **Meritorious Lifesaving Award:** The Meritorious Lifesaving Award shall be awarded to department personnel or a community member(s) for saving a human life under circumstances in during which the recipient exposed themselves to either personal risk and/or significant or prolonged hardship. **Recipients of the Meritorious Lifesaving Award will receive a medal, a challenge coin, a certificate suitable for framing, and a uniform ribbon (pin). Community member recipients of a Meritorious Lifesaving Award will receive a challenge coin, along with and a certificate that is suitable for framing signed by the Chief of Police.**
4. **Lifesaving Award:** The Lifesaving Award shall be awarded to recognize the actions of department personnel or a community member(s) that resulted in the saving or preservation of human life that otherwise would have been lost without the involvement of the department member/community member. **Recipients of the Lifesaving Award will receive a medal, a challenge coin, a certificate suitable for framing signed by the Chief of Police, and a uniform ribbon (pin).**

- Community member recipients of a Lifesaving Award will receive a challenge coin, along with and a certificate that is suitable for framing signed by the Chief of Police.**
5. **Blue Star Award:** The Blue Star shall be awarded to department personnel who receive an injury of a degree necessitating hospitalization or the immediate care of a physician. This injury must be of a serious nature, capable of causing death or extended disability. To qualify for this award, the injury must be attributable to the deliberate actions of another, directed toward the recipient or another person, or during the commission of a crime or attempted apprehension of the perpetrator, or in an attempt to save a human life placing oneself in immediate peril. **Recipients of the Blue Star Award will receive a medal, a certificate suitable for framing signed by the Chief of Police, and a uniform ribbon (pin).**
 6. **Community Member Recognition Award:** The Community Member Recognition Award is awarded for acts of service to the department and community under circumstances involving bravery, personal risk, or significant hardship on the part of a community member. **Recipients of the Community Member Recognition Award will receive a challenge coin and a certificate suitable for framing signed by the Chief of Police.**
 7. **Outstanding Service Award:** Outstanding service represents performance by a department employee during a period of 12 months or more that which demonstrates a quality and/or quantity of work clearly and significantly exceeding the requirements of a position. This would also include work-related act(s) by an employee that which results in exceptional performance on a special project, or occurrences in which the employee has demonstrated exceptional knowledge, skills, or ability within the scope of assigned duties and responsibilities. An employee who has demonstrated sustained community service, either on or off duty, is eligible for this award, including an employee who has shown exceptional creativity, initiative, and/or determination in finding solutions to a problem utilizing a problem solving approach. Problem-Solving efforts that will be recognized through this award will have had a significant impact on either the community and/or the department. **Recipients of the Outstanding Service Award will receive a challenge coin and a certificate suitable for framing signed by the Chief of Police.**
 8. **Outstanding Support Award:** This award is intended for an individual who is not employed by the Madison Police Department, but who, in their profession, has supported the Madison Police Department in an extraordinary effort. This would include, but not be limited to, other police agencies, Probation and Parole, Human Services, or other agencies that through a collaborative effort work with the police department. Individuals who volunteer their time to the Madison Police Department are eligible for this award. **Recipients of the Outstanding Support Award will receive a challenge coin and a certificate suitable for framing signed by the Chief of Police.**

CHIEF'S CITATIONS

There are circumstances when an employee or community member engages in behavior or activity that does not meet the criteria for a departmental award, but exceeds the level and scope of conduct normally acknowledged through a supervisory commendation or performance recognition. Those occurrences should be submitted to the Chief and Awards Committee for consideration for a Chief's Citation. The following four categories are the most common application of the Chief's Citation, although other circumstances may be considered at the discretion of the Chief of Police.

1. **Lifesaving Citation:** Lifesaving efforts which do not involve personal risk, prolonged direct exposure, or significant hardship still have a dramatic impact on those constituents who are recipients of that assistance, and should be recognized. Those department members and/or community members who engage in lifesaving efforts that do not meet the criteria for a Lifesaving Award should be considered for a Chief's Citation for Lifesaving. **Recipients of the Chief's Citation for Lifesaving will receive a certificate, suitable for framing, signed by the Chief of Police.**
2. **Community Member Assistance Citation:** Community Member action which does not meet the criteria for a Community Member Recognition Award, but still involves a significant level of assistance by a community member that benefits the community and the department, should be considered for a Chief's Citation for Community Member Assistance. **Recipients of the Chief's Citation for**

- Community Member Assistance will receive a certificate, suitable for framing, signed by the Chief of Police.**
3. **Problem-Solving Citation:** Awarded to a Madison Police Department employee who has shown creativity, initiative, and/or determination to find solutions to a problem utilizing a problem solving approach to identify and effectively deal with a problem(s) that if not addressed, would continue to negatively impact the department and/or community. **Recipients of the Chief's Citation for Problem-Solving will receive a certificate, suitable for framing, signed by the Chief of Police.**
 4. **Exemplary Performance Citation:** Awarded to a Madison Police Department employee who has demonstrated exemplary performance in their service to the department and/or the community through work on a specific project(s) or performance during a specific incident(s). This citation should be considered when the employee's contributions do not meet the criteria for an Outstanding Service Award or Meritorious Conduct Medal. **Recipients of the Chief's Citation for Exemplary Performance will receive a certificate, suitable for framing, signed by the Chief of Police.**

COMMENDATIONS/RECOGNITIONS

There are occasions when community members, co-workers, supervisors, and commanders recognize the work and performance of commissioned and civilian employees.

When this occurs, an Employee Recognition form should be completed. If the personnel listed should be considered for an award, the "Consider for Department Award" area of checkbox on the employee recognition form should to be considered for an award shall be completed checked. Completing this portion of the form This will route the recognition form to the awards committee through the Public Information Officer.

Should a Community Member Commendation meet the criteria for either a Departmental Award or Chief's Citation, a Departmental Award/Chief's Citation Nomination Form must be completed and the related process followed as prescribed below.

A copy of the letter, with explanation of the award/recognition, will be placed in the employee's personnel file.

Procedure

ELIGIBILITY

Any commissioned or non-commissioned member of the MPD is eligible for a Departmental Award or Chief's Citation, except the Community Member Recognition Award and the Outstanding Support Award. A recipient can only obtain one award for each recognized event, except for the Blue Star Award. The recipient should be given the highest award for which they are eligible.

Community members are eligible for the Community Member Recognition, Meritorious Lifesaving, Lifesaving, and Outstanding Support Awards. Community members may also be eligible for a Chief's Citation for Lifesaving and Community Member Assistance.

Any MPD employee is eligible for an Employee Commendation/Recognition. Community members may be issued a Commendation letter in those circumstances where a Chief's Citation is not appropriate.

The incident that is being nominated for an award/citation must have taken place in the calendar year prior to the awards ceremony (example: incident occurred January 1-December 31, 2019, is only eligible for nomination in the 2020 process).

NOMINATION PROCESS

A nomination can come from any source. However, if a supervisor/commander becomes aware of an event or performance that would make an individual eligible for a Departmental Award or a Chief's Citation, that

supervisor/commander shall complete a nomination form or direct a person with the most direct knowledge of the event to submit a nomination form with assistance from the supervisor/commander.

NOMINATION COMMITTEE

Each year, the MPD Human Resources Coordinator or Chief's designee will be responsible for selecting members of the Nomination Committee. The committee will be comprised of at least twelve (12) members as designated below. Additional members can be added to ensure assure the integrity of the selection process. The purpose of the committee is to review all nomination forms collected by the Public Information Officer. The MPD Human Resources Coordinator will select all the members of the Nomination Committee, except for the Madison Professional Police Officers Association (MPPOA) Representative, who will be designated by the MPPOA President.

Committee members will serve between three and five years, There will be a minimum of a three-year term for all committee members, except for the MPD Human Resources Coordinator or Chief's designee. The MPD Human Resources Coordinator will ensure assure "continuity of experience" when establishing the committee.

The committee will meet once a year (or as needed) to make recommendations as to which individuals qualify for the above-mentioned awards. The MPD Human Resource Coordinator will provide the committee's recommendations to the Assistant Chief of Support and Community Outreach for review. The Assistant Chief of Support and Community Outreach will take any necessary declined awards/citations to the Chief of Police for their final review. The Chief of Police has final approval rights.

The MPD Human Resource Coordinator will contact the nominator of the individual(s) who were not selected for a Departmental Award after they have been provided the approved recommendations from the Chief. The nominator and will be advised why recommendation(s) notified their nomination was were not approved. After notification, the decision can be appealed within a ten (10) day period. That appeal consists of an email should be sent to the Chief of Police and to the Administrative Assistant to the Chief of Police. The Chief of Police will have final decision on the appeal.

The awards presentation will coincide with National Law Enforcement Week in May of each year. The Awards Committee will consist of:

1. Officer Advisory Committee Representative
2. MPPOA Board Representative
3. Public Information Officer
4. MPD Human Resources Coordinator (or Chief's designee)
5. Community Representative (non-City MPD employee)
6. Local 6000 member of MPD
7. Civilian Advisory Committee Representative
8. Sergeant
9. Detective
10. Investigator
11. Lieutenant
12. Civilian member of MPD
13. Civilian Supervisor
14. Alternate Member (optional)

The MPD Human Resources Coordinator will make every effort to ensure assure that the Awards Committee has a diverse membership, consistent with other MPD processes.

WEARING OF RIBBONS

An officer has the option to wear the approved uniform ribbon (pin) for the Medal of Valor, Meritorious Lifesaving Award, Lifesaving Award, Meritorious Conduct Medal, and the Blue Star Award.

NOMINATION FORM

A specific form (Departmental Award/Chief's Citation Nomination Form) has been developed to be utilized by all personnel for the purpose of recommending an employee or community member for either a Departmental Award or a Chief's Citation. An Employee Recognition form could alternatively be completed and the checkbox on the employee recognition form to be considered for an award shall be checked. This will route the recognition form to the awards committee through the Public Information Officer. Both forms can be located on MPD's intranet.

Original SOP: 04/08/2015

(Revised: 03/04/2016, 04/07/2016, 01/13/2017, 10/19/2020, 05/28/2021)

(Reviewed Only: 12/26/2017, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Donation of Vacation and Compensatory Time (Civilian Process)

Eff. Date 01/13/2017-06/01/2021

Purpose

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

Procedure

NOTIFICATION/DOCUMENTATION

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

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

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

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

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

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

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

DONATION OF EARNED VACATION & COMPENSATORY TIME

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

Employee Donating Leave: _____

Work Unit: _____

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

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

_____ Hours of Vacation (Civilian, AMPS & MPPOA)
_____ Hours of Compensatory Time (MPPOA only)

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

SIGNATURE OF EMPLOYEE DONATING LEAVE: _____

DATE: _____

FOR ADMINISTRATIVE USE ONLY

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

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

Transfer approved by: _____
COORDINATOR LIEUTENANT OF PERSONNEL MPD HUMAN RESOURCES DATE

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

City Finance Payroll to _____
Process: _____
MPD PAYROLL CLERK DATE

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



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Domestic Abuse

Eff. Date ~~01/15/2021~~ 06/14/2021

Purpose

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

Procedure

MANDATORY ARREST (WI STATE STATUTE 968.075)

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

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

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

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

AT LARGE SUSPECTS

1. Officers should attempt to locate and take domestic abuse suspects into custody.
2. If the suspect cannot be located, then the officer shall complete a probable cause affidavit, booking sheet, and 72-Hour No Contact Provision. The date and time of arrest should be left blank on the 72-Hour No Contact Provision if the suspect is not in custody.
3. The PC affidavit, booking sheet, and 72-Hour No Contact Provision shall be forwarded to the OIC's office.

4. When the suspect is taken into custody, the officer will read the probable cause affidavit and attempt to interview the suspect regarding the incident. If probable cause still exists after this interview, the suspect shall be taken to the Dane County Jail (DCJ) and booked into jail.
5. Once the suspect is taken into custody, the date and time of arrest should be completed on the 72-Hour No Contact Provision. The victim should be notified of the date and time of arrest, and this notification should be documented on the 72-Hour No Contact Provision. If unable to contact victim to make this notification, then the officer should document the attempt to contact the victim in the officer's police report.

ARREST FACTORS

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

DISCRETIONARY ARREST (INTIMATE PARTNER VIOLENCE)

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

REPORT REQUIRED WHERE NO ARREST

1. Officers shall complete a report on all domestic violence abuse calls for service. The report shall be completed prior to the end of their shift unless a supervisor approves for the report to be held. Calls for service dispatched as a domestic abuse incident shall not be changed to a call type that requires no report without the authorization of a supervisor.
2. The domestic abuse arrest law requires a law enforcement officer who does not make an arrest in a domestic abuse incident, but has probable cause to make an arrest, to prepare a written report prior to the end of his or her tour of duty stating why the person was not able to be taken into custody.
3. The report will be sent to the Dane County District Attorney's Office for review to determine whether the person involved in the incident should be charged with the commission of a crime.
4. Please refer to the "AT LARGE SUSPECTS" portion for procedure.
5. While Wisconsin State Statute 968.075 (Domestic Abuse Incidents) compels reasonable efforts to locate and arrest suspects who have committed acts of domestic abuse, there will be limited instances when this is not possible (hence, the need to forward a copy of the officer's incident report to the Dane County District Attorney's Office). Examples where an arrest may not be immediately plausible include the following:
 - a. Reasonable efforts to locate and arrest the suspect are unsuccessful.
 - b. The suspect is located, but due to incapacitation from alcohol and/or drug use, the suspect is placed under protective custody and is conveyed to Detox.
 - c. The suspect has been committed under the standard for an emergency detention.
 - d. The suspect has received injuries necessitating an overnight admission to a hospital. Consult with the Officer-in-Charge (OIC) to determine whether a guard should be posted.
6. When probable cause exists to arrest a domestic abuse suspect who is at large, the reporting officer will:
 - a. Enter suspect information and charges into SharePoint.

- b. Complete a probable cause affidavit and **consider having if practical**, a sergeant or commander review the probable cause affidavit. **The OIC is to be contacted to review the charging decision and the incident will be posted in the OIC Notes if the suspect remains at large.**
- c. Complete the 72 Hour No-Contact paperwork.
- d. Complete a Dane County Booking form.
- e. Complete the required LEAP Referral Form and Danger Assessment Form in instances of Intimate Partner Violence (IPV) (See below).
- f. Forward the Booking form and Probable Cause Affidavit to the OIC.

MUTUAL DOMESTIC ABUSE

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

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

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

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

PAPERWORK

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

72-HOUR NO CONTACT PROVISION

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

VIOLATION OF 72-HOUR NO CONTACT PROVISION

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

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

NOTIFICATION TO VICTIMS-VICTIM RIGHTS' INFORMATION FORM

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

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

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

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

LEAP REFERRAL

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

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

DANGER ASSESSMENT

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

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

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

INCREASED PENALTY FOR CERTAIN DOMESTIC ABUSE OFFENSES 939.621

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

CHILDREN PRESENT DURING DOMESTIC ABUSE CRIMES

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

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

WEAPONS SEIZURE

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

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

FEDERAL GUN VIOLATIONS

It is a federal offense for a person, **convicted** of a crime classified as a crime of domestic violence, to possess a firearm; Federal Regulations 18USC911 (g)(9).

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

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

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

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

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

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

LAW ENFORCEMENT INVOLVED DOMESTIC VIOLENCE

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

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

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

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

TEMPORARY RESTRAINING ORDERS AND INJUNCTIONS (WI STATE STATUTE 813.12)

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

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

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

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

STALKING (WI STATE STATUTE 940.32(2))

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

STALKING WARNING LETTER

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

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

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

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

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

STRANGULATION/SUFFOCATION (WI STATE STATUTE 940.235)

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

Procedure

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

MANDATORY DOMESTIC ARREST AND EMERGENCY DETENTION

Responsibilities of the Investigating officer/detective:

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

1. Determine if the probable cause exists for a crime of domestic abuse as outlined above.
2. Evaluate/Assess the potential for an Emergency Detention (see Mental Health Incidents/Crises SOP).
3. If probable cause exists for an otherwise mandatory arrest for a crime of domestic abuse and Journey Mental Health supports an Emergency Detention for the suspect/patient, officers shall:
 - a. Process the Emergency Detention and transport the suspect/patient to the appropriate medical facility.
 - b. 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).
 - c. Complete the required domestic paper work to include the Probable Cause affidavit, the 72-hour No Contact Provision, the Domestic Violence Danger Assessment Form, and the LEAP referral.

- d. Complete the necessary paperwork and police report before the end of the officer's tour of duty, unless an MPD commander approves the reports being held.
- e. Request that the destination facility where the subject is conveyed contact MPD when the subject is released to facilitate conveyance/booking.

Responsibilities of the Criminal Intake Unit:

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

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

Responsibilities of the Officer-In-Charge:

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

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

Original SOP: 07/01/2015
(Revised: 02/24/2016, 03/31/2016, 01/15/2019, 02/28/2020, 01/15/2021, 06/14/2021)
(Reviewed Only: 01/09/2017, 12/26/2017)

**CITY OF MADISON
INTRA-DEPARTMENTAL
CORRESPONDENCE**

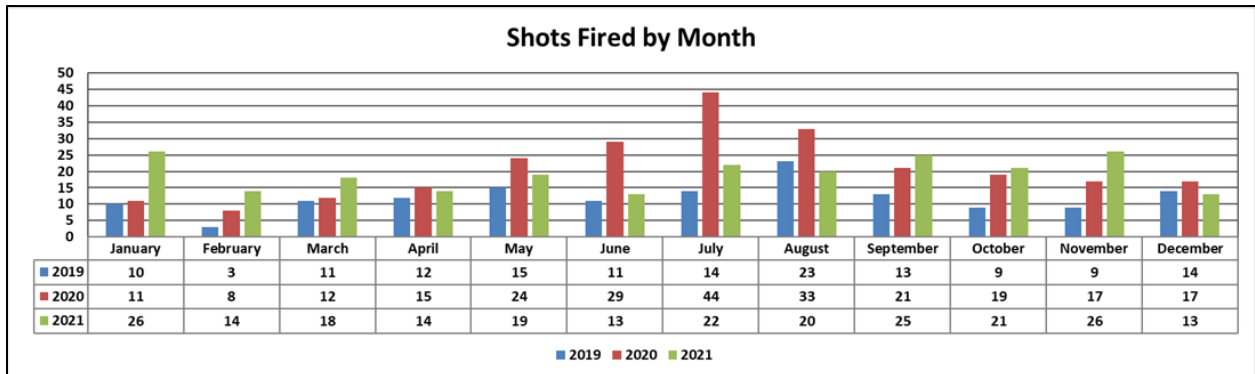
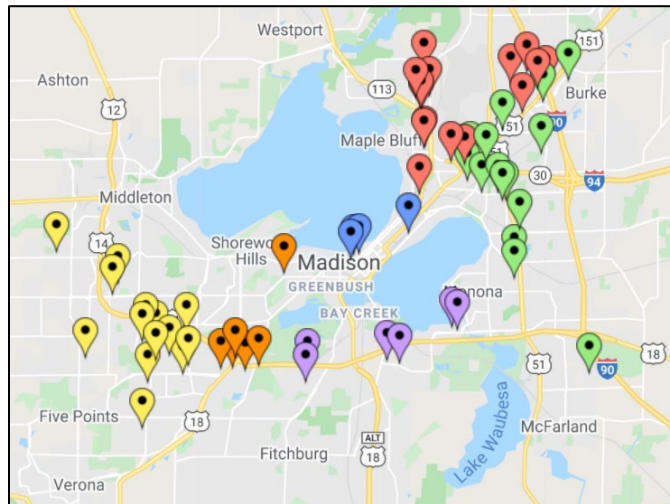
DATE: January 18, 2022

TO: All Alders
FROM: Shon F. Barnes, Chief of Police
SUBJECT: Quarterly Report

This document provides an update on selected MPD topics for the fourth quarter (October, November, and December) of 2021. **Please consider the data included in this update as preliminary and subject to modification.**

Significant Incident Types

Shots Fired – there were sixty (60) shots fired incidents in the City from October 1st through December 31st (2021). This is a **13%** increase from the fourth quarter of 2020. Twenty-eight (28) shots fired incidents were reported during the 4pm – midnight period; twenty (20) were reported during the midnight – 8am time period; and twelve (12) were reported during the 8am – 4pm time period.

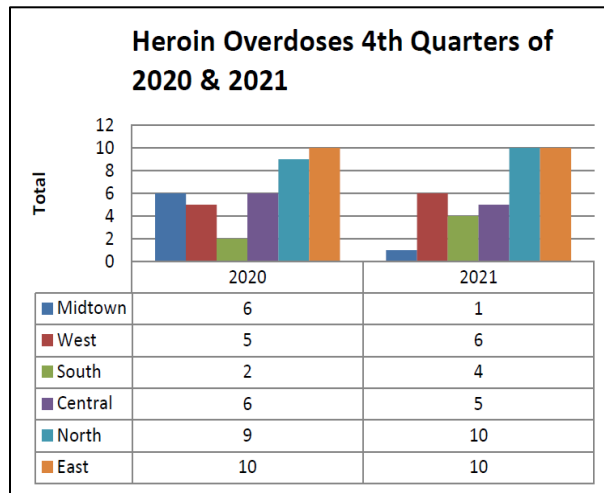


	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Total
Property Damage	15	22	38	20	75
Subjects Struck by Gunfire*	9	8	13	9	30
Accidental Discharge	0	1	1	0	2
Self-Inflicted (intentional)	4	3	5	5	12
Casings Recovered	124	231	258	263	613

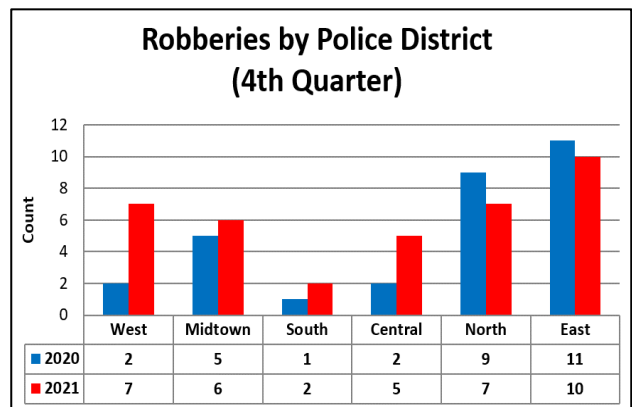
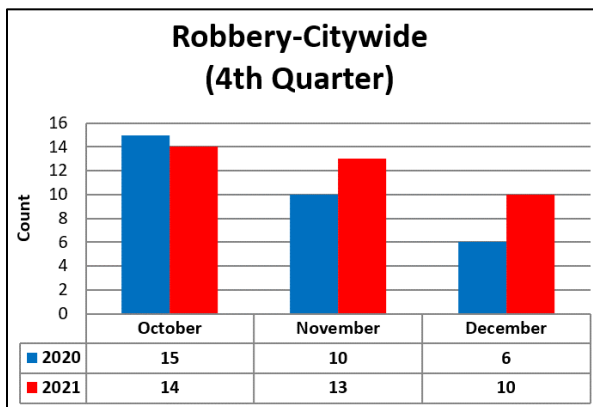
*Excludes accidental discharge & self-inflicted

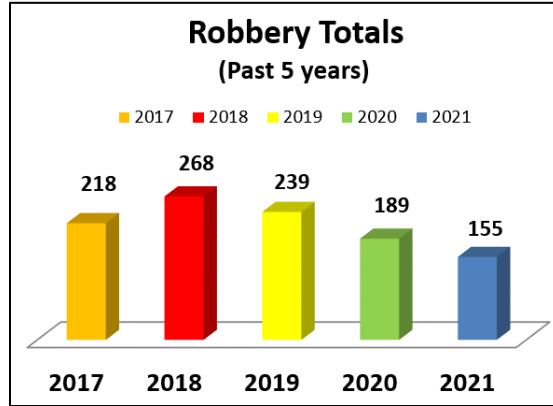
Heroin Overdoses – MPD responded to thirty-six (36) known heroin overdoses during the fourth quarter of 2021. This is an 8% decrease from the fourth quarter of 2020. Note that these figures refer to known overdoses...it is likely that many overdoses are occurring without any report to MPD or MFD.

There were six (6) overdose deaths during the fourth quarter of 2021. This does not reflect any change from the fourth quarter in 2020 where there were also six (6) overdose deaths [note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

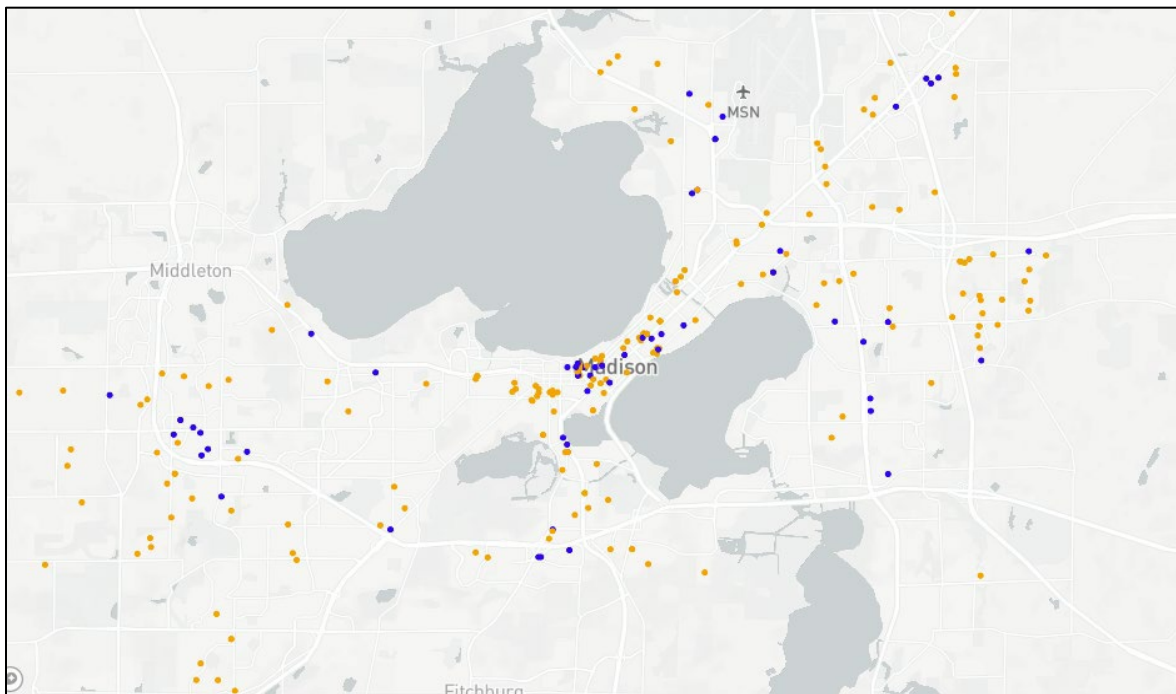
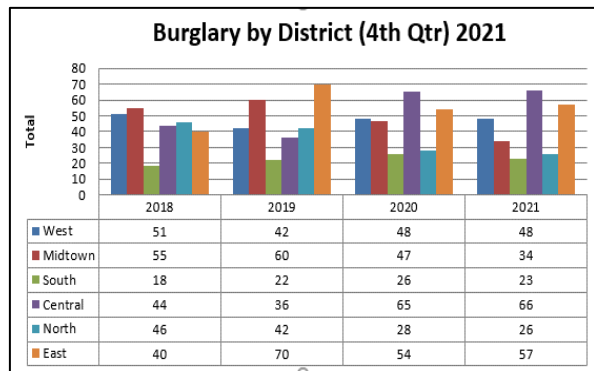
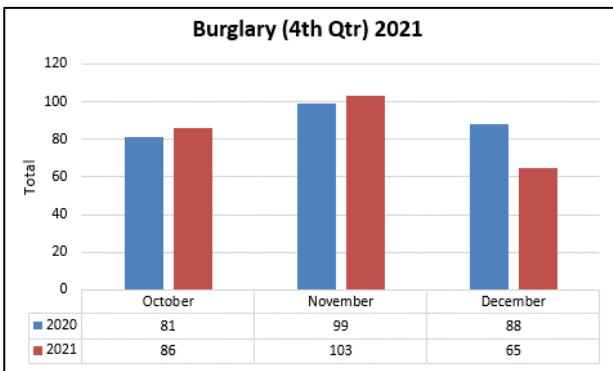


Robberies – Thirty-seven (37) robberies occurred in the City during the fourth quarter of 2021. This is a 19% increase from the fourth quarter of 2020.



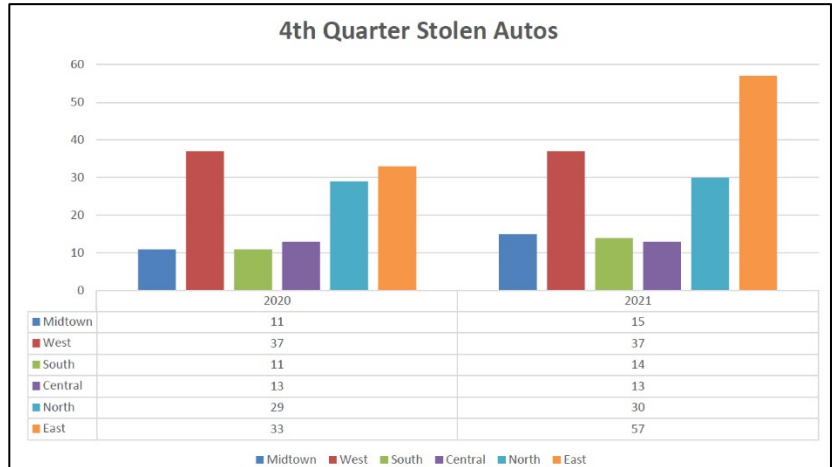


Burglaries – MPD responded to 254 burglaries during the fourth quarter of 2021. This is a 5% decrease from the fourth quarter in 2020.

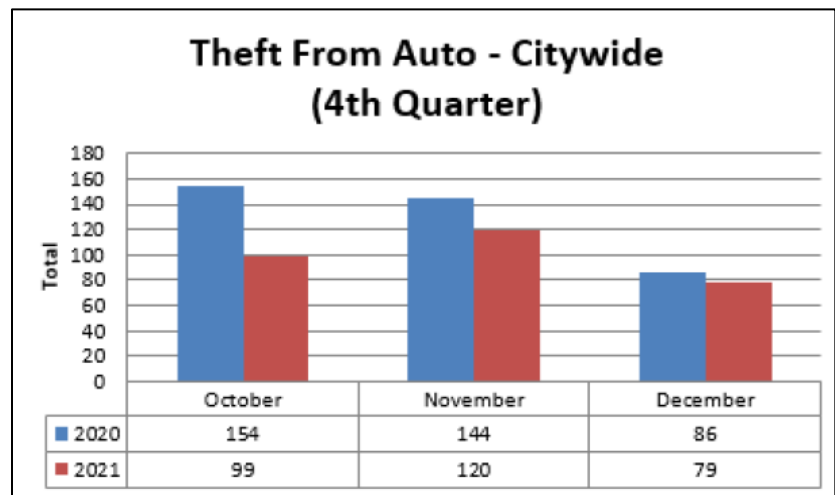


3rd Qtr Burglaries
 Blue = Non-Residential
 Orange = Residential

Stolen Autos – MPD investigated 166 stolen autos during the fourth quarter of 2021. This is a 17% increase from the fourth quarter in 2020.



Thefts from Vehicles – MPD investigated 298 thefts from vehicles during the fourth quarter of 2021. This is a 22% decrease from the fourth quarter in 2020.



Arrest Data

Fourth quarter arrest data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	980	1,118	1,332	1,189	4,619	74.7%
Female	310	402	440	413	1,565	25.3%
Unknown	0	0	0	0	0	0.0%
Total	1,290	1,520	1,772	1,602	6,184	100.0%
Race	Q1	Q2	Q3	Q4	Total	%
Asian	21	19	16	22	78	1.3%
African-American	683	736	844	815	3,078	49.8%
Native American	10	8	8	11	37	0.6%
Other	24	23	34	26	107	1.7%
Caucasian	552	734	870	728	2,884	46.6%
Total	1,290	1,520	1,772	1,602	6,184	100.0%
Hispanic*	90	100	141	112	443	7.2%

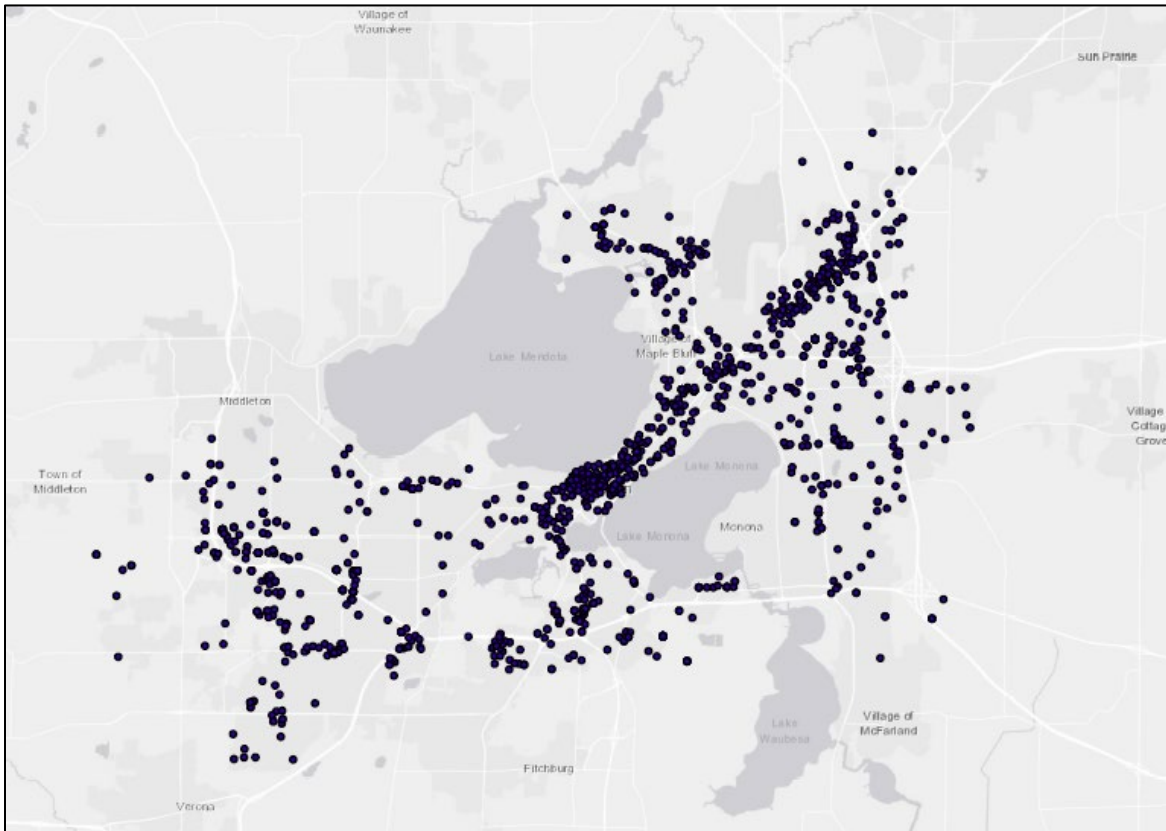
*“Hispanic” is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD’s records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD’s crime reporting.

IBR Arrest Charges						
Group A Offenses	Q1	Q2	Q3	Q4	Total	%
Animal Cruelty	1	2	0	1	4	0.0%
Arson	0	2	1	1	4	0.0%
Assault Offenses	262	290	309	335	1,196	11.4%
Bribery	0	0	0	0	0	0.0%
Burglary	14	16	48	11	89	0.8%
Counterfeiting/Forgery	6	3	5	6	20	0.2%
Damage to Property	79	99	105	86	369	3.5%
Drug/Narcotic Offenses	138	126	173	124	561	5.3%
Embezzlement	5	2	5	5	17	0.2%
Extortion	2	1	4	1	8	0.1%
Fraud Offenses	16	25	27	18	86	0.8%
Gambling Offenses	0	0	0	0	0	0.0%
Homicide Offenses	1	1	5	2	9	0.1%
Human Trafficking Offenses	0	1	0	0	1	0.0%
Kidnapping/Abduction	23	16	9	20	68	0.6%
Larceny/Theft Offenses	131	134	126	158	549	5.2%
Motor Vehicle Theft	41	26	58	69	194	1.8%
Pornography/Obscene Material	3	2	2	6	13	0.1%
Prostitution Offenses	0	0	2	1	3	0.0%
Robbery	18	13	19	9	59	0.6%
Sex Offenses, Forcible	15	31	32	26	104	1.0%
Sex Offenses, Non-Forcible	0	2	1	3	6	0.1%
Stolen Property Offenses	7	2	4	10	23	0.2%
Weapon Law Violations	33	35	47	43	158	1.5%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	0	2	1	0	3	0.0%
Curfew/Loitering/Vagrancy Violations	0	0	0	0	0	0.0%
Disorderly Conduct	462	581	657	560	2,260	21.5%
Driving Under the Influence	104	106	116	63	389	3.7%
Drunkenness	0	0	0	0	0	0.0%
Family Offenses, Nonviolent	15	13	15	14	57	0.5%
Liquor Law Violations	11	45	57	60	173	1.6%
Peeping Tom	0	0	0	0	0	0.0%
Runaway	0	0	0	0	0	0.0%
Trespass of Real Property	111	78	145	110	444	4.2%
All Other Offenses	764	889	1,022	966	3,641	34.6%
Total	2,262	2,543	2,995	2,708	10,508	100.0%

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

Note that the first table reflect persons arrested, and the second table reflects charges. Some arrested persons are charged with multiple offenses, so the totals will not match.

Fourth quarter arrests reflected geographically:



Comparison of 2020 to 2021 fourth quarter arrest data:

Sex	2020 (Q4)	2021 (Q4)
Male	969	1,189
Female	337	413
Unknown	0	0
Total	1,306	1,602

Race	2020 (Q4)	2021 (Q4)
Asian	19	22
African-American	657	815
Native American	11	11
Other	10	26
Caucasian	609	726
Total	1,306	1,602
Hispanic*	69	112

*"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.

Use of Force Overview

During the fourth quarter of 2021, MPD officers responded to 32,425. In that time, there were seventy-eight (78) citizen contacts in which officers used recordable force during the encounter. Each of these force incidents was reviewed for compliance with MPD standard operating procedures.

Description	Q1	Q2	Q3	Q4	Total
Calls for Service	28,637	35,754	40,910	32,425	137,456
Citizen Contacts Where Force Was Used	55	47	71	78	251
% of CFS Where Force Was Used	0.19%	0.13%	0.17%	0.24%	0.18%
Force					
Decentralization/Takedown	49	40	56	54	199
Active Counter Measures	6	4	8	6	24
Taser Deployment	7	12	2	10	31
Hobble Restraints	4	4	7	10	25
OC (i.e. Pepper) Spray Deployment	0	1	16	13	30
Baton Strike	0	0	0	0	0
K9 Bite	1	2	1	4	8
Firearm Discharged Toward Suspect	1	0	0	2	3
Impact Munition	1	0	1	2	4
Specialty	0	0	0	0	0
Total	69	63	91	101	324
Firearm Discharged to Put Down a Sick or Suffering Animal	10	16	3	15	44

*Please refer to the MPD SOP on use of force data collection for the definition of recordable force and distinction between reportable and recordable use of force:

<http://www.cityofmadison.com/police/documents/sop/UseOfForceData.pdf>

Fourth quarter use of force data by MPD district and time of day:

District*	Q1	Q2	Q3	Q4	Total	%
West	6	6	2	9	23	9.2%
Midtown	6	5	9	16	36	14.3%
South	6	5	7	4	22	8.8%
Central	8	6	27	15	56	22.3%
North	12	14	12	16	54	21.5%
East	16	11	14	17	58	23.1%
Out of County	0	0	0	0	0	0.0%
Within County - Assist	1	0	0	1	2	0.8%
Total	55	47	71	78	251	100.0%

Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
1st Detail (7am – 3pm)	10	16	17	19	62	24.7%
3rd Detail (3pm – 11pm)	32	20	23	38	113	45.0%
5th Detail (11pm – 7am)	13	11	31	21	76	30.3%
Total	55	47	71	78	251	100.0%

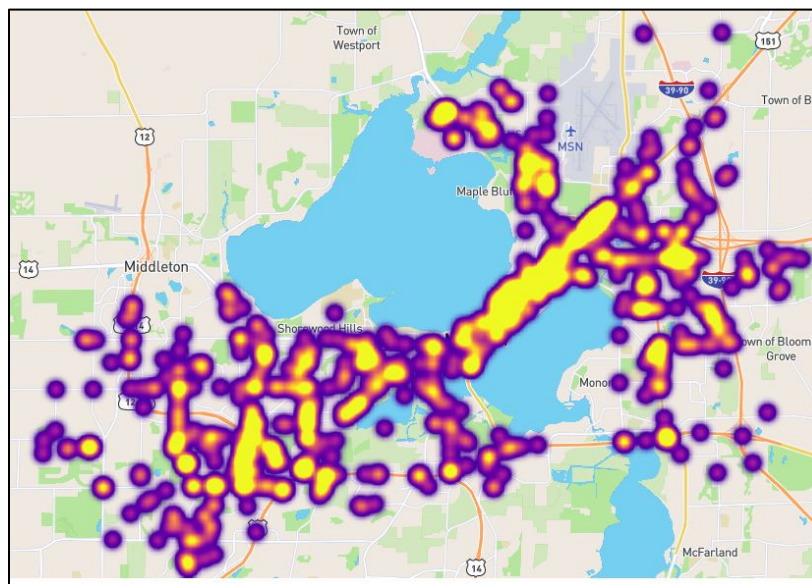
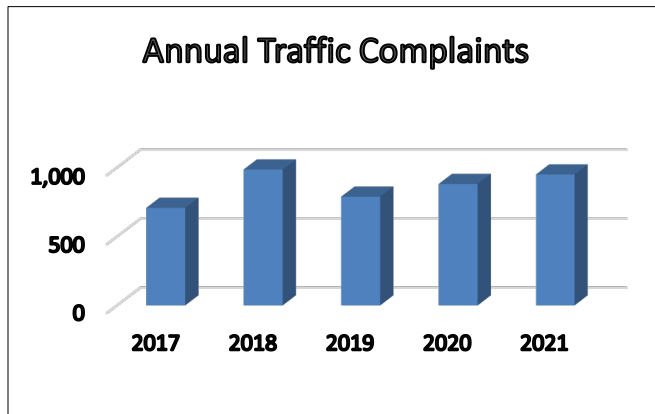
Comparison of fourth quarter 2020 with fourth quarter 2021 use of force data:

Force	2020 (Q4)	2021 (Q4)
Decentralization/Takedown	29	54
Active Counter Measures	8	6
Taser Deployment	5	10
Hobble Restraints	6	10
OC (i.e. Pepper) Spray Deployment	1	13
Baton Strike	0	0
K9 Bite	2	4
Firearm Discharged Toward Suspect	0	2
Impact Munition	1	2
Specialty (SWAT/SET)	0	0
Total	52	101

Traffic

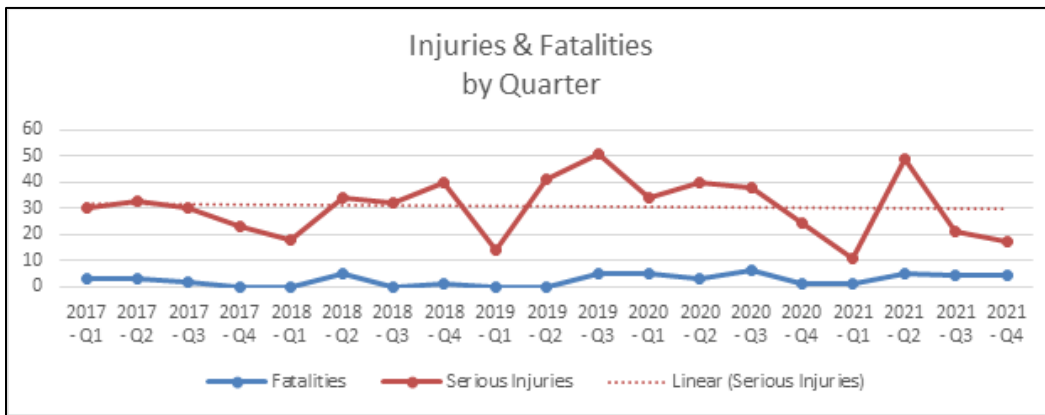
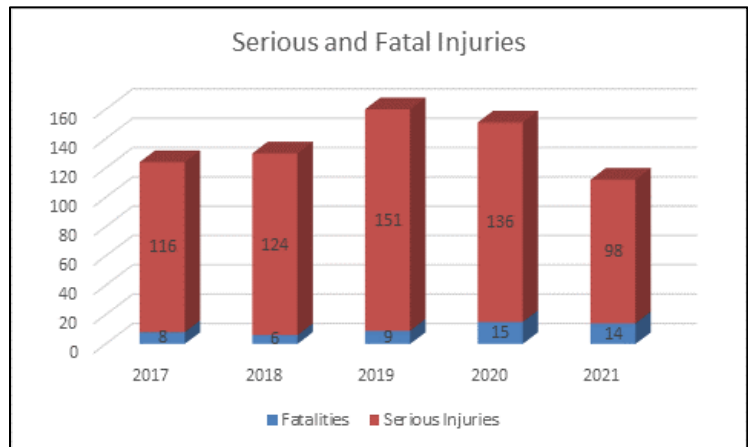
Traffic Complaints –

Community members may submit a traffic complaint or concern to the Madison Police Department (MPD) by utilizing [online submissions](#) or by calling the speeder hotline (608-266-4624). Since 2017, MPD receives an average of 841 complaints annually. In 2021, MPD received 950 complaints, or 13% above the annual average.



Serious/Fatal Crashes –

Annually, on average, the Madison Police Department investigates traffic crashes that result in approximately 131 serious injuries and 10 fatalities. In 2021, MPD investigated crashes that resulted in 14 fatalities (40% above average) and 98 serious injuries (25% below average).



Factors involved in most serious or fatal crashes remain relatively consistent each year. Pedestrian or bicyclist involvement in the crash results in the highest percentage of crashes with serious or fatal injuries. Driver factors that lead to serious or fatal crashes include impaired driving through the use of drugs and/or alcohol, speeding, and failure to use restraint devices.

	Historical Averages	2021 Quarter 4
Speed	24%	41%
Alcohol/Drug	26%	18%
Seatbelt	23%	24%
Distracted	10%	24%
Pedestrian/Bike	32%	59%

Enforcement

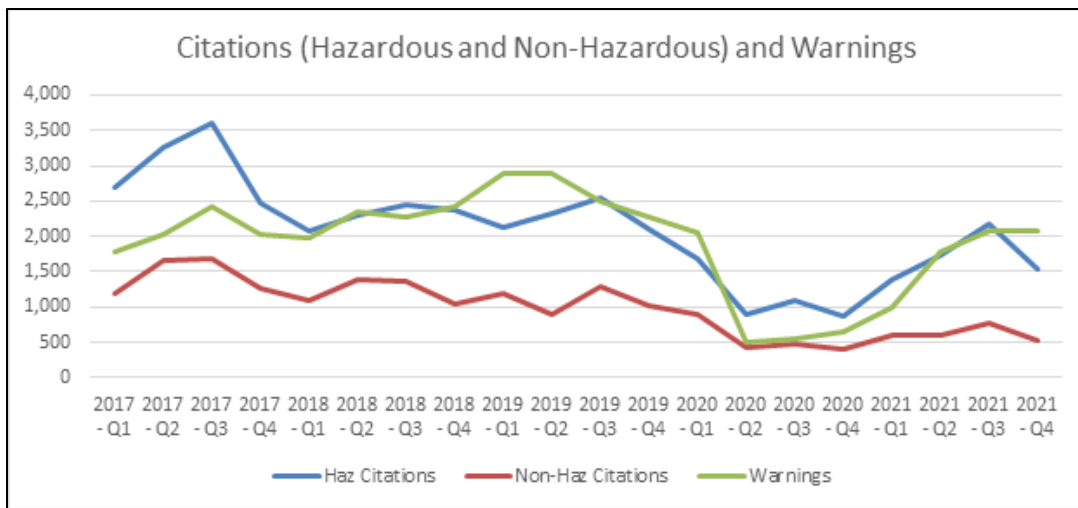
Overall traffic citation figures include those citations issued by MPD personnel as part of crash investigations, by Traffic Enforcement Safety Team (TEST) members, and as part of traffic grant overtime deployments. MPD has four primary goals in traffic enforcement:

1. Focus on Hazardous Moving Violations
 - a. De-emphasize non-hazardous violations and support alternative outcomes (i.e., issuing warnings)

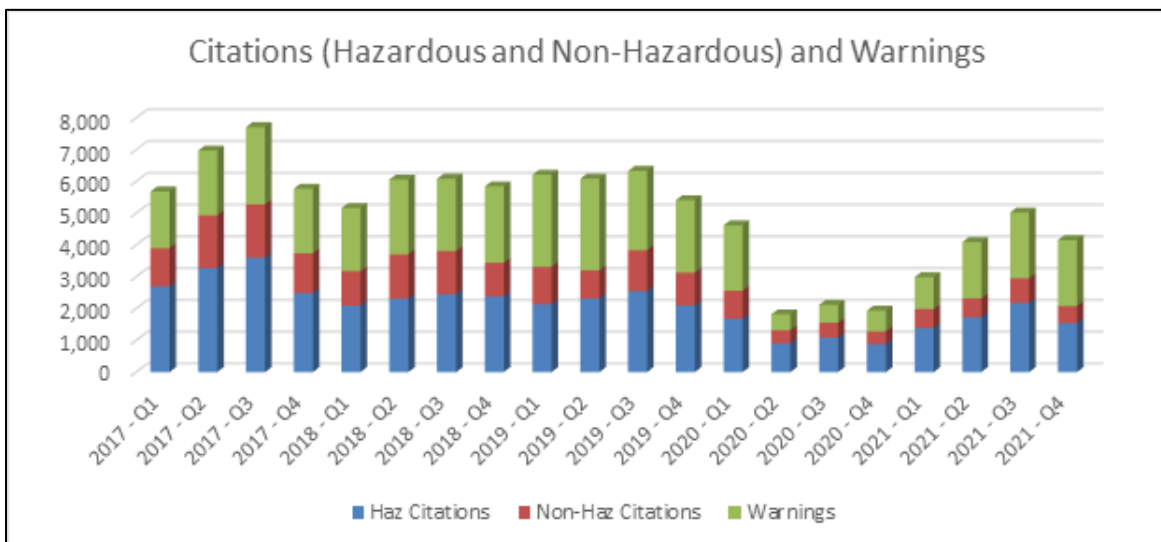
2. Focus on High Injury Network
3. Supporting school zone safety
4. Responsiveness to citizen complaints

Annually, MPD issues, on average, approximately 20,015 citations and warnings (average of 4 previous years). In 2021, MPD issued approximately 16,256 citations and warnings.

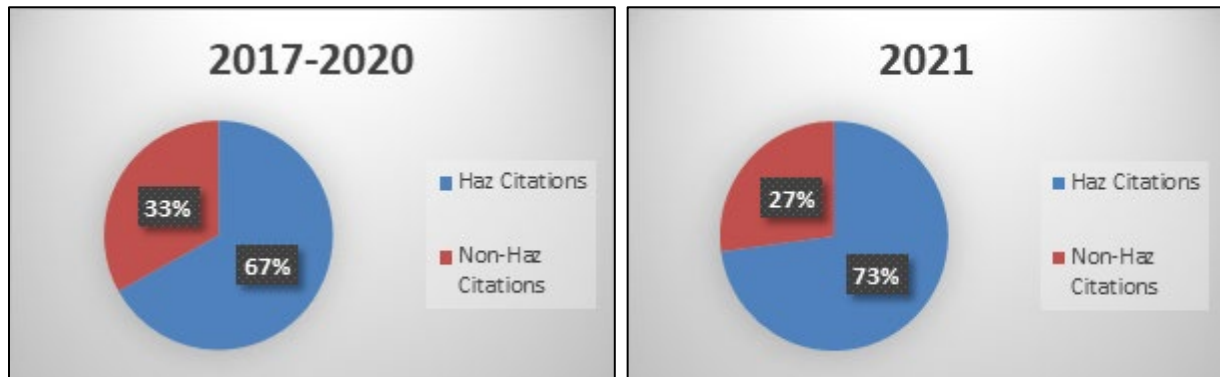
	Annual Average 2017-2020	2021
Hazardous Citations	8,345	6,824
Non-Hazardous Citations	3,953	2,507
Warnings	7,717	6,925



As both graphs indicate, MPD experienced has experienced a significant decline in overall traffic citation numbers since early 2020 when COVID restrictions began limiting proactive enforcement opportunities. While the overall numbers have begun to rebound we anticipate continued overall low numbers while we continue to struggle with the impacts of the pandemic.



MPD's #1 traffic goal is to focus on hazardous moving violations, and to de-emphasize citations--supporting, instead, warnings or other non-citation outcomes--for non-hazardous violations. This goal was added at the beginning of 2021 after considerable research into the racial and economic disparate outcomes of non-hazardous violations such as registration, vehicle equipment, and driver's license status citations. Prior to 2021, MPD averaged an approximate 2:1 ratio of hazardous to non-hazardous citations. In 2021, MPD increased that ratio to almost 3:1 and reduced the percentage of non-hazardous citations (as compared to hazardous citations) by approximately 6%.



Training

Our 2022 Academy class has completed classroom training. All of our recruits are in field training paired with veteran training officers in patrol. Testing and screening of applicants for our 2023 Academy continues. While still below our historic averages the number of applicants has increased from the previous year.

The Training Team is preparing to conduct a number of instructor level trainings in early 2023. These trainings will develop new instructors in a number of state mandated training areas such as: Professional Communications, Firearms, Defense and Arrest Tactics, and Instructor Development.

SOP Updates

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

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

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

MPD did not acquire any property through DLA/LESO during the fourth quarter of 2021.

Priority/emergency call response

During the fourth quarter, there were eighty-two (82) instances where MPD's patrol response was limited to emergency and priority calls. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the City.

The eighty-two (82) instances occurred on fifty-six (56) dates (some days required limited call response multiple times); this means that at some point on about **61%** of the days during the fourth quarter MPD patrol response was limited. The eighty-two (82) instances spanned about **226.8** total hours of limited call response, an average of 2.8 hours per instance. In terms of total hours during the fourth quarter, MPD patrol response was limited to emergency and priority calls about **10%** of the time.

Promotions

2022 – Fourth Quarter Promotions

Sergeant Jennifer Hannah to Lieutenant
Police Officer Eric Pray to Sergeant
Police Officer Alexander Lewein to Sergeant
Detective Matthew Nordquist to Detective Sergeant
Detective David Gouran to Detective Sergeant
Police Officer Lindsay Kamnetz to Investigator
Police Officer Kraig Kalka to Detective
Police Officer John Boespflug to Detective
Police Officer Jane Preston to Detective
Police Officer Roberta Stellick to Detective
Police Officer Mark Gulden to Detective

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

<https://www.cityofmadison.com/police/documents/psiaSummary2021OctDec.pdf>

<https://www.cityofmadison.com/police/documents/psiaRecognition2021OctDec.pdf>

Updated/New SOPs for MPD: October-December, 2021

Barricaded Person Incidents: 12/10/2021

Bomb Threats: 12/28/2021

City-Owned Property: 12/28/2021

Digital Forensics: 12/28/2021

Handling of Evidence, Contraband, Found or Lost Property: 12/28/2021

Hostage Situation Incidents: 12/13/2021

In-Car Video System: 12/28/2021

Labor Disputes and Picketing: 12/28/2021

Overtime Protocols for Police Report Typists: 11/29/2021

Police Vehicle Parking: 12/28/2021

Police Weaponry: 12/28/2021

Records Inspection and Release: 11/29/2021

Replacement of Lost, Stolen or Damaged Equipment: 11/29/2021

TIME System Use and Dissemination of Records: 11/29/2021

Tours, Visitors and Ride-Alongs: 10/19/2021

Traffic/Parking Enforcement and Crash Investigation: 12/28/2021

Video and Audio Surveillance: 12/28/2021

Video Evidence Retrieval: 12/28/2021



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Barricaded Person Incidents

Eff. Date ~~11/30/2020~~ 12/10/2021

Purpose

Establish standard procedure for the Madison Police Department (MPD) response to incidents involving barricaded subjects or suspects.

Policy

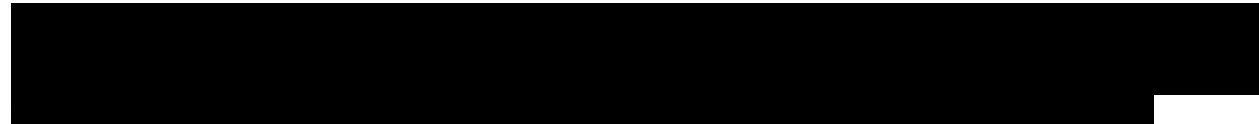
The objectives of this department in dealing with barricaded person, hostage, and active shooter incidents are:

- 1. Preservation of life.
- 2. Apprehension of perpetrator(s) using a reasonable amount of force.
- 3. Securing available evidence to assist in the appropriate disposition of the perpetrator(s).

Operational and tactical decisions will be based on the following safety priorities:

- 1. Hostages and citizens
- 2. Law enforcement personnel
- 3. Suspects and subjects

If a barricaded subject/suspect situation involves dangerous or assaultive behavior directed towards citizens or officers, involves a risk to public safety, or involves suspects wanted for serious felony crimes, officers—including Special Weapons and Tactics (SWAT) personnel, if needed—will respond and resolve the situation. In other barricaded subject/suspect situations, the benefits of forcing the suspect/subject from the location will be weighed against the potential costs (resources, impact on neighboring community, risks involved with tactical interventions, etc.).



Definitions

Barricaded Suspect: A criminal suspect who has taken a position in a physical location, most often a structure or vehicle, that does not allow immediate police access—whether fortified or not—and who is refusing police orders to exit. A barricaded suspect may be known to be armed, thought to be armed, have access to weapons in the location, or have an unknown weapons status.

Barricaded Subject: A person who is not suspected of committing a crime, but who is the focus of a legitimate police intervention effort—most often involving threats of suicide or mental illness—who has taken a position in a physical location, most often a structure or vehicle, that does not allow immediate police access—whether fortified or not—and who is refusing police orders to exit. A barricaded subject may be known to be armed, thought to be armed, have access to weapons in the location, or have an unknown weapons status.

Resolution Techniques: Primary Time and situation permitting, police actions geared toward resolving a barricaded suspect or subject situation



Resolution Tactics: Secondary Police action geared toward resolving a barricaded suspect or subject situation

Triggering Point: Specific predetermined circumstances that will justify the initiation of direct action to prevent or terminate a particular course of suspect or subject behavior.

Inner Perimeter: A close proximity boundary

Outer Perimeter: A boundary outside the inner perimeter maintained by patrol officers and designed to prevent unauthorized persons from entering the area of the critical incident.

Positive progress in a barricade resolution effort shall be defined as developments that increase the probability that the suspect or subject will be safely taken into custody, as opposed to the mere passage of time.

Response Procedures

INITIAL RESPONSE

Personnel initially responding to a barricaded subject/suspect incident will assess the situation and request the appropriate resources.

STABILIZATION

Once the scene is stabilized, patrol personnel shall conduct a secondary assessment and consider what has occurred and whether there is legal standing to intercede. It is especially important to determine:

1. Whether a crime has been committed;
2. Whether the person inside is a suspect in the crime;
3. Whether there is probable cause for his/her arrest; and
4. Whether the need to apprehend the suspect at that moment outweighs the challenges associated with compelling the suspect or subject to submit to police authority.

In the absence of a crime or under circumstances where there is no legitimate risk of death or serious injury, the best course of action may be to stand down.

RESOLVING THE SITUATION

If the decision is made to attempt to resolve the barricade situation, the scene supervisor shall ensure that the appropriate specialized resources have been requested (SWAT, Crisis Negotiation Team (CNT), paramedics, etc.). The scene supervisor shall ensure that a variety of tasks are addressed while awaiting the arrival of SWAT, including but not limited to the following:

1. Establish an outer perimeter and initiate the evacuation and handling process for those inside. Special consideration must be given to the handling of those who refuse to be evacuated.

2. Establish a command post [REDACTED]
3. Initiate an investigation to determine exactly what has occurred and locate, isolate, and debrief any witnesses.
4. [REDACTED]
5. Select a location for media response and designate a person to interact with them prior to the arrival of the agency public information officer.
[REDACTED]
8. Establish and maintain a log that documents the activities that have occurred and the location and identification of the assigned personnel.
9. Ensure that the appropriate personnel have been notified and briefed (OIC, District Command, etc.).
10. Brief the SWAT and negotiations teams upon their arrival (if applicable).
11. Assist the SWAT team as it relieves the officers responsible for inner perimeter containment personnel (if applicable).
12. Ensure that all officers relieved report to the command post for reassignment.

SWAT RESPONSE

SWAT shall be activated for barricaded person situations involving suspects/subjects believed to be armed. SWAT may also be activated when circumstances exist that may pose risks beyond the capacity of patrol to safely resolve. Initial requests for SWAT activation should be made to the SWAT tactical team lieutenant. A full-team SWAT activation should generally be approved by the SWAT Commander and designated Assistant Chief. However, SWAT use may be approved by any MPD supervisor if no SWAT commander/supervisor can be contacted, or in case of extraordinary emergency where command approval would be impractical. The SWAT commander will be notified as soon as possible of any SWAT usage that did not have prior authorization.

On-duty SWAT personnel may respond to assist with tactical situations as needed. Where possible, a SWAT supervisor will respond to the scene to oversee the utilization of SWAT personnel. If used for on-duty tactical situations, SWAT personnel will only be used in a manner that is consistent with the team's training and standard operating procedures.

The actions of SWAT will be consistent with MPD's Code of Conduct, standard operating procedures, and with standard professional practices in the area of police tactical response.

Once SWAT has arrived on scene and assumed responsibility for the incident, SWAT command will fill the role of the overall incident commander. Resolution efforts in most situations generally involve the following:

1. Ensure that all appropriate steps have been taken prior to SWAT arrival (inner perimeter, intelligence gathering, etc.).
 2. Patrol/district personnel will have responsibility for the outer perimeter, traffic control, media contacts, etc.
- [REDACTED]

[REDACTED]

- 7. Maintain a log to document incident activity.
- 8. The CNT commander will oversee the negotiation function and the gathering of all relevant intelligence. Information will be shared with perimeter units as appropriate and CNT activity will be documented consistent with the SWAT Manual.

[REDACTED]

- 17. Ensure that appropriate legal authority exists prior to using tactics to enter the dwelling. Judicial authority to enter (a search warrant for the target location, an arrest warrant or commitment order for the subject known to be inside, and so on) is preferred.
- 18. Use a combination of techniques and tactics, in a manner consistent with approved training, until the situation is brought to a successful conclusion.

Original SOP: 08/18/2014
(Revised: 02/05/2016, 11/02/2016, 01/20/2017, 12/20/2019, 11/30/2020, 12/10/2021)
(Reviewed Only: 12/26/2017, 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Bomb Threats / Bomb Incidents / PBIED Incidents

Eff. Date 01/16/2020-12/28/2021

Purpose

Establish standard operating procedure (SOP) for Madison Police Department (MPD) response to incidents involving bomb threats, bomb incidents and Person Borne Improvised Explosive Device (PBIED, i.e., suicide bomber) incidents.

Procedure

The objectives of this MPD in dealing with bomb threats, bomb incidents, and suicide bomber incidents are as follows:

1. Preservation of life for both citizens and officers.
2. Apprehension of perpetrator(s) using a reasonable amount of force (if applicable).
3. Protection of public and private property.
4. Securing available evidence to assist in the appropriate disposition of the perpetrator(s).

Safety Priorities

The basis for operational and tactical decisions will be based on the following safety priorities:

1. Hostages and citizens.
2. Law enforcement personnel.
3. Suspects or subjects.

In situations where ongoing deadly force is reasonably likely to be employed by a suspect—and delay in taking police action could result in injury or death—rapid intervention of officers at the scene is authorized and expected when such actions are deemed reasonable to prevent further injuries or loss of life (i.e., person-borne improvised explosive device (IED) or vehicle-borne IED incident).

Definitions

Bomb Threat: The communication through the use of mail, telephone, telegram, or other instrument of commerce—which includes; the willful making of any threat; or the malicious conveyance of false information knowing the same to be false which concerns an attempt being made, or to be made;—to kill, injure, intimidate any individual; or to unlawfully damage or destroy any building, vehicle, or other real or personal property by means of an explosive.

Explosive Device: Any device designed or specially adapted to cause physical harm to persons or property by means of an explosion and consisting of an explosive substance or agency and a means to detonate it.

Bomb Incident: Any incident where an explosive device or suspected explosive device has been located or has been detonated.

IED (Improvised Explosive Device): An improvised explosive device fabricated in an improvised manner incorporating destructive, lethal, noxious, pyrotechnic, or incendiary chemicals and designed to destroy buildings or incapacitate people or vehicles.

PBIED (Person- Borne Improvised Explosive Device): An improvised explosive device worn on an individual who seeks to cause death, great bodily harm, and property destruction (also known as a suicide bomber).

VBIED (Vehicle-Borne Improvised Explosive Device): An ~~improvised explosive~~ device assembled in an ~~improvised manner~~ into a vehicle that is ~~located~~ ~~positioned~~ to cause death, great bodily harm, and property destruction (also known as a car or truck bomb).

EOD: Explosive Ordinance Disposal/~~Detection~~.

EOD K9: Canine trained in explosive material/ device detection.


Bomb Threat Response Procedures

RECEIVING A BOMB THREAT

Most bomb threats will usually come through one of three mediums: telephone, mail delivery, or online threats. While telephone calls are the most common means of conveying a bomb threat, threats via the mail do occur and threats via cyberspace and/or social media are becoming more common. Any individual, business, or organization can suddenly be the recipient of a bomb threat.

Any MPD employee who receives a bomb threat should attempt to complete the following:

1. Remain calm to obtain as much information at the first point of contact. Do not put the caller on hold and do not interrupt the caller except to attempt to obtain the following information:
 - Where is the location of the bomb (building, room, floor, etc.)?
 - When will the bomb detonate?
 - What does the bomb look like?
 - What kind of bomb is it?
 - What will make it explode?
 - Did you place the bomb?
 - What is the reason for the bombing?
 - What ~~s~~ ~~is the caller's~~ ~~your~~ name?
 - Complete a Bomb Threat Checklist (see Attachment 1).

3. Write down all statements. 
4. The decision to conduct a search, initiate a partial or full evacuation, or treat the threat as a hoax and take no action will be determined by the officer taking the threat in consultation with an MPD supervisor assigned to the call. When initiating a search, an Explosive Ordinance Detection Canine should be considered for officer safety.
5. MPD staff may consult the Dane County Sheriff Office's Explosive Hazardous Device Ordinance Disposal Unit (HDU).

BOMB THREAT RESPONSE

In responding to a bomb threat call for service, officers responding to the location of a possible explosive device should be fully aware of their surroundings and especially alert for devices or secondary devices that are commonly emplaced to target first responders.

In responding to a bomb threat call for service, officers responding to the location of a possible explosive device should create a perimeter [REDACTED]. Officers should be fully aware of their surroundings and especially alert for devices or secondary devices that are commonly utilized to target first responders.

1. Interviews should be conducted in an area considered safe by the responding officer. [REDACTED]
 - The responding officer should contact the person who received the bomb threat. Contact the person in charge of the target premises to obtain all information regarding the bomb threat.
2. The responding officer can assist the person in charge of the target premises to determine the threat level by reviewing all pertinent information.
 - The responding officer should give serious consideration as to why the individual, business or organization is considered a target. A history of threats and possible motives should be used to establish the credibility of the threat.
3. Any searches of the premises for suspicious items [REDACTED]
 - The final determination to conduct any search will be the responsibility of the property owner or designee.
 - Any search should utilize an explosive ordinance detection canine when available to maximize effectiveness and officer safety [REDACTED]
 - Officers should understand that the absence of any of the above mentioned does not assure that a bomb is not present. [REDACTED]
 - Officers should move slowly and keep civilian personal behind them during the search. [REDACTED]
 - Consider having Madison Fire Department (MFD) personnel on standby.
 - Officers should understand that the absence of any of the above mentioned does not assure that a bomb is not present.
4. The decision to initiate a partial or full evacuation, or to treat the threat as a hoax and take no action, will be determined by the owner or designee of the property along with MPD input.
 - If the decision is made to evacuate, MPD may assist in the process.
 - Potential actions by MPD (EOD K9, walk through) should be explained to property designee to assist in decision making.

Bomb Incident Response Procedures

UNEXPLODED BOMB INCIDENT

A bomb threat becomes a bomb incident if an object, which might be considered a bomb, suspicious object, or vehicle borne improvised explosive device (VBIED) is located. The responding officer should attempt to conduct the following:

1. Responding officers should be aware of their surroundings. Officers should be alert for suspicious persons or vehicles in the area, and for the potential of devices when arriving on scene, as many incidents target first responders.
 - Establish command and control with a supervisor.
 - Officers shall not touch or move any suspicious device due to the possibility of initiating a detonation.
 - An accurate description of the device should ~~can~~ be obtained if possible.
2. Once the discovery of a device or suspected device is confirmed, the area immediately around the device should be evacuated, leaving the device and its environment undisturbed.
 - Evacuate the area.
3. The Dane County Sheriff's ~~HDU Explosive Ordinance Disposal Unit~~ should be requested.
 - The perimeter can be widened prior to the arrival of Dane County ~~HDU personnel EOD~~.
 - The on-scene supervisor may be called upon to establish communication with Dane County ~~HDU EOD~~ staff to ensure a proper perimeter has been established (see Attachment 2).
 - No pedestrian or vehicular traffic should be allowed within the perimeter.
 - Control the release of media information (see Attachment 3).
4. The supervisor and officers on scene will assist Dane County ~~HDU EOD~~ as necessary.
 - Crowd control and traffic control.
 - Requesting additional resources, such as the Madison Fire Department, etc.
5. No member of MPD other than Dane County ~~HDU EOD~~ shall touch or move any object suspected or confirmed to be an explosive or incendiary device.
 - Once Dane County ~~HDU EOD~~ personnel have arrived on scene, the ranking Dane County ~~HDU EOD~~ member is in charge of the explosives aspect of the incident.
 - The final disposition of any device will be accomplished by the Dane County ~~HDU EOD~~ personnel ~~only~~.
6. For incident stabilization procedures, see the Stabilization section below.

POST-DETONATION BOMB INCIDENT

In an incident where a device has detonated--and, which has caused personal injury or major property damage--, the safety of all first responders is a primary concern as is the preservation of life. Officers at the scene of a major explosive detonation should be aware of the potential for, and the presence of, secondary devices and unconsumed explosives, including on victims.

1. At the site of an explosion, evidence collection and scene preservation are secondary to saving lives.

[REDACTED]

- Those injured persons who cannot walk should be taken to the CCP by any means available.
- Once all injured persons are removed to the CCP, rudimentary first aid may be administered.
- Officers should realize that emergency medical personnel may designate a more suitable CCP upon their arrival.
- The emergency treatment of injured persons should be turned over to qualified emergency medical personnel as soon as possible.
- The bodies of bomb blast victims, who are obviously deceased, should be left in place just as with any crime scene.

2. Officers shall ensure insure that the scene remains protected and isolated until the arrival of investigative and Dane County HDU EOD personnel.

- Anyone not injured should be directed to a location safe from detonation and blast pressure, so they may be interviewed as witnesses once investigative resources are engaged.

[REDACTED]

- The perimeter will be staffed manned until the investigation is complete, which could be days or even weeks. Arrangements must be made for relief personnel.
- No non-emergency pedestrian or vehicular traffic should be allowed into the perimeter.

3. For incident stabilization procedures, see the Stabilization section.

Person-Borne Improvised Explosive Device (Suicide Bomber)

SUICIDE BOMBER RESPONSE

A Person-Borne Improvised Explosive Device (PBIED) or suicide bomber presents a unique challenge to law enforcement officers. The threat of death or great bodily harm is always imminent when facing an individual wearing a PBIED.

1. The primary objective in dealing with a suicide bomber is to prevent the bomber from detonating an explosive device.

- Officers who encounter a suicide bomber may attempt to take the suspect into custody if circumstances permit,

[REDACTED]

[REDACTED]

- [REDACTED]
3. Due to the threat of secondary devices or remote detonation on a suicide bomb device, if the suspect has been rendered incapable of detonating the PBIED:
- Do not approach the suspect.
 - Do not render medical assistance.
 - Do not allow others to approach the suspect.
 - Do not allow others to render medical assistance.
- [REDACTED]
- Contact the Dane County **HDU EOD**.
 - Follow the procedures under Unexploded Bomb Incident section.

Stabilization

Once the immediate incident has been stabilized, the scene supervisor/incident commander will:

- Establish a command post and unified command structure with other agencies (MFD, etc.) with security at the command post.
- Establish a staging area for responding emergency personnel.
- In conjunction with the Madison Fire Department, identify the final CCP for injured parties to be taken for triage, treatment, and transportation with security.
- Determine a final collection point/evacuation/interview center for non-injured evacuees from the location.
- Initiate an investigation to determine exactly what has occurred and locate, isolate, and debrief any witnesses.
- Establish a staging area/contact and reunification point for friends and family members of potential victims/witnesses.
- Select a location for media response and designate a person to interact with them prior to the arrival of the agency public information officer.
- Consolidate outer perimeter and traffic plan.
- Establish and maintain a log that documents the activities that have occurred and the location and identification of the assigned personnel.
- Ensure that the appropriate personnel have been notified and briefed (OIC, District Command, etc.) and prepare a staffing and execution plan to hold the perimeter for an extended period of time.
- Coordinate with owners or officials of the target location for floor plans, site layout, and a roster (including emergency contact information as available) of employees, students, residents, visitors, or others believed to be on-site.
- Once any suspects have been located and the threat eliminated, the Dane County **HDU EOD** will advise of any additional resources needed to conduct secondary or tertiary searches for additional devices.
- Officers assigned to the evacuation center shall maintain custody and control of all persons **at the center** and **shall** document their identities until they can be reunited with family or others. Victims and witnesses suffering from emotional and/or physical trauma or shock should be kept under the observation of medical personnel until such time as they may be safely transported to a hospital or home in the care of family or friends.
- Supervisors should monitor responding officers for signs of critical incident stress.
- Officers should be aware that bombings are often conducted in series or as a part of a larger attack.

Original SOP: 05/28/2015
(Reviewed Only: 01/27/2016, 01/09/2017, 12/26/2017)
(Revised: 01/16/2020, 12/28/2021)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



City-Owned Property - Use and Care

Eff. Date ~~03/01/2016~~ 12/28/2021

Members of the Madison Police Department (MPD) are responsible for the care of departmental property assigned to their use or keeping, and shall promptly report to a supervisor, or to the issuing authority, the loss of, damage to, or unserviceable condition of such property.

City-owned equipment, assigned to an individual employee for duty use, shall be returned to the commander of the responsible unit, or their designee at the conclusion of the assignment. Other employees are not authorized to take this another individual employee's assigned equipment without proper re-assignment through the responsible command team.

Member Responsibilities upon Separation from Employment

MPD members separate from employment via the following separation methods:

- Retirement
- Resignation
- Termination

All sworn law enforcement personnel members separating their employment from the Madison Police Department, regardless the circumstances (refer to list above if applicable), shall provide proper notification to affected functional areas (i.e., Special Weapons and Tactics (SWAT), Special Events Team (SET), Drone Team, etc.) and shall account for all Department-issued property. The required Department-issued property to be turned in upon separation from employment will be determined by either the Pre-5 Year Employment Resignation form or the Retirement/Post-5 Year Employment Resignation form.

Pre-5 Year Employment Resignation Uniform Account items shall also be turned in. Footwear will not be required to be returned unless ordered and/or received within the last three (3) months of employment.

Separating members, or in the case of termination, the Commander of the terminated member, shall contact the Captain of Training or designee to request a copy of their assigned equipment list(s), to request a copy of their uniform account purchased items (Pre-5 Year Employment Resignation), and to schedule a date to turn in their equipment. The member shall turn in all required Department property/equipment assigned to them by the last day worked as listed on the member's separation record.

When City-owned equipment is made available for sign out, all specific procedures for the use of that equipment shall be followed. No City-owned equipment available for check-out shall be stored in such a way that prevents other qualified personnel from accessing and using the equipment. If extended exclusive use is necessary, it must be approved by a commander.

Members of MPD shall not use any City property for private purposes unless prior permission is first obtained from a commander.

Any member found responsible for willful or negligent destruction or loss of City property may be subject to disciplinary action.

Understanding that property provided by the City is done so to aid and assist employees in the performance of their duties, it should be noted that the City retains exclusive rights over these items. Property such as City-issued cell phones, desks, lockers, offices, vehicles, cabinets, drawers, and closets do not offer or confer on the individual employee with absolute privacy rights. Thus, these property items can be subject to entry, search, and inspection by MPD without notice.

Original SOP: 03/13/2015
(Revised: 08/04/2015, 03/01/2016, 12/28/2021)
(Reviewed Only: 01/09/2017, 12/26/2017, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Digital Forensics

Eff. Date ~~01/19/2021~~ 12/28/2021

Purpose

Enhance the capabilities of Madison Police Department (MPD) personnel in the investigation and prosecution of crimes that involve the use of computers, tablets, cellular phones, or other data storage devices.

Goals

1. Properly investigate and assist in the prosecution of cases involving digital evidence.
2. Preserve the integrity of seized digital evidence.
3. Provide expert testimony in court.
4. Act as an educational and training resource for the MPD and the community.

Function

The function of digital forensics includes the investigation of crimes committed involving the use of computers, cellular phones, and other data storage devices which may include the following:

1. Use of electronic devices to commit or facilitate a crime.
2. Any crime outlined in Wisconsin State Statute 943.70 or computer crimes defined by federal code.
3. Perform forensic analysis of digital evidence in felony cases where evidence or information pertinent to an investigation may be stored.
4. Provide technical assistance and guidance in the proper safeguarding and collection of evidence stored in electronic form.

Collection of Devices with Digital Evidence

DESKTOP COMPUTERS

If the computer is shut down, **do not** turn it on. If the computer is powered on, **do not** shut it down. Check the monitor to determine if there is any information that may require photographic documentation and request an investigator for photos if necessary. Unplug the power cable from the rear of the computer, **not from the wall outlet**. Collect the computer tower. There is no need to collect the power cable **unless** the computer is an Apple product. Please collect the power cable for all Apple computers.

LAPTOP COMPUTERS

If the laptop is shut down, **do not** turn it on. If the laptop is powered on, **do not** shut it down. Check the screen to determine if there is any information that may require photographic documentation and request an investigator for photos if necessary. Unplug the power cable from the rear of the computer, **not from the wall outlet**. If the laptop stays powered on after the cable is removed, remove the laptop battery, if possible. If not, close the laptop and leave it powered on. Collect the laptop computer and the power cable for all laptops.

CELL PHONES / TABLETS / MOBILE DEVICES

Once it is determined that the device will require examination, **do not** allow anyone other than **L.E. law enforcement (LE)** personnel to handle or manipulate the device. If the device is shut down, **do not** turn it on. If the device is powered on, shut it down. Collect the device. If the device is going to be examined on consent, complete the "Consent to Search Cell Phone" form and have the cell phone owner sign the form. Do not forget to ask if the phone has a pass code security lock and indicate the pass code number or pattern on the consent form.

THE HANDLING OF DIGITAL DATA INVOLVING KNOWN OR SUSPECTED CHILD PORNOGRAPHY

When MPD staff comes across evidence that includes known or suspected child pornography, extreme measures must be taken to ensure that this evidence is safely maintained and stored so that it can never be viewed outside of the official scope of the investigation. MPD staff shall also follow federal legislation regarding child pornography prevention, (The Adam Walsh Child Protection and safety act, HR-4472) and Section 3509 of title 18, United States code:

“(m) PROHIBITION ON REPRODUCTION OF CHILD PORNOGRAPHY.—“(1) In any criminal proceeding, any property or material that constitutes child pornography (as defined by section 2256 of this title) shall remain in the care, custody, and control of either the Government or the court.”

“(2)(A) Notwithstanding Rule 16 of the Federal Rules of Criminal Procedure, a court shall deny, in any criminal proceeding, any request by the defendant to copy, photograph, duplicate, or otherwise reproduce any property or material that constitutes child pornography (as defined by section 2256 of this title), so long as the Government makes the property or material reasonably available to the defendant.”

MPD personnel shall adhere to the following operating procedures:

- 1) MPD personnel not assigned to the Digital Forensics Unit (DFU) or the Special Victims Unit (SVU) shall never copy or reproduce in any manner items that contain known or suspected child pornography. If MPD investigative personnel, prosecuting attorney’s staff or attorneys, or subject matter experts for the defense need to view the material for investigative or trial preparation purposes, arrangements shall be made with the computer forensic investigators assigned to the DFU for viewing to take place in the DFU office with relevant parties present.
- 2) MPD personnel assigned to the DFU may copy or reproduce and distribute items that contain known or suspected child pornography only at the request of a government agency or for submission to a government agency such as the National Center for Missing and Exploited Children (NCMEC). In such situations, the copied material must be delivered by MPD personnel directly to a government agent or delivered in the manner directed by the agency’s submission guidelines.
- 3) If MPD personnel not assigned to the DFU receive evidence of known or suspected child pornography during the course of an investigation, that evidence should be clearly identified as child pornography when packaged and entered into the MPD property system. Digital files such as images and videos should be placed on digital media and labeled clearly on the digital media “CHILD PORNOGRAPHY DO NOT DUPLICATE.”

Investigation

During the course of their investigation, MPD personnel are strongly discouraged from interacting directly (or allowing victims or witnesses to do so) with computers or other electronic devices that will subsequently be seized as digital evidence, unless they have been specifically trained to do so or there are exigent circumstances requiring such interaction. All activities on a computer or cell phone may be reflected in a forensic examination, and interacting with the device may overwrite or alter digital evidence or otherwise complicate a forensic examination. If it is necessary to interact with the digital evidence, document the date, time, and activity involved. All examination, retrieval, and analysis of digital evidence is to be done by FSU forensics examiners unless otherwise authorized by command staff.

Transport all devices to a district property intake room and package the item in the manner described in the Evidence Packaging Manual. If the device is going to be transported and released directly to a forensic examiner, the device must have an assigned property tag number prior to the examiner taking custody of the device.

Examination and Analysis of Electronic Evidence

EVIDENCE INTAKE

1. All evidence submitted to the DFU must have a property tag and must be accompanied by an electronic lab request.
2. The forensic examiner will verify and document by description, serial number, and condition, any evidence submitted.
3. The forensic examiner will ensure the legal authority for the search of the evidence is in place and documented; a complete copy of the search warrant or consent form shall be submitted during intake.

PRESERVATION OF EVIDENCE

1. Digital evidence in the custody of digital forensic examiners will be handled in a manner consistent with the preservation of evidence.
2. Digital forensic examiners shall ensure the chain of custody of any evidence submitted for forensic examination is maintained and documented during the examination process. Evidence will be properly secured while in the custody of digital forensic examiners.

DIGITAL EVIDENCE ACQUISITION

1. Whenever possible, write-blocking tools are to be used during the acquisition of forensic images to prevent original evidence from being modified.
2. All analysis (beyond a forensic preview using write-blocking tools) shall be conducted using a forensic copy of the drive. In some circumstances, including the acquisition of data from mobile devices and solid state hard drives, changes to the original evidence may be unavoidable due to the nature of these devices.
3. Forensic copies shall be obtained using hardware and software specifically designed to capture a forensic copy of the original media. When it is not possible to obtain a validation hash, the digital forensic examiner will document the circumstances in their report.
4. All items may not need to be forensically imaged provided the media has been previewed and no evidence was found. Lack of a forensic copy will be documented in the examiner's report.

ARCHIVING OF EVIDENCE

All forensic case data shall be archived. Archived media shall be maintained with the same level of security as the original evidence.

RELEASE OF EVIDENCE

Evidence released from digital forensic examiners will be done in accordance with MPD policies. No media shall be released from law enforcement custody which contains contraband (child pornography).¹

Prosecution

The case detective shall provide direction to the forensic examiner regarding the preparation and presentation of electronic evidence throughout the prosecution process.

The forensic examiner shall assist in the presentation and preparation of digital evidence for court to include training and an explanation of the findings to the assigned District Attorney.

Regarding release of information as part of the discovery process:

¹ Any evidence recovered during a child pornography investigation should be property tagged and placed in evidence—no photocopies of any images, emails, etc. should be sent to Records as attachments.

1. The forensic examiner shall, at the direction of the lead investigator, prepare evidence to be released or presented to the defense (copies of media, evidence files, cell phone extraction reports, etc.).
2. The forensic examiner shall coordinate with the MPD Records Section or the Prosecutor's Office regarding access or release of evidence and other information to the defense.
3. Contraband, child pornography images, or 3rd party information in any format, written or electronic, shall not be released to the defense without a valid court order. Access to this type of data, or forensic examination of the evidence by the defense, can be arranged by appointment through the forensic examiner.

Reporting

MPD personnel shall document all actions and observations in regard to the handling of computer or electronic evidence, consistent with MPD procedures relating to reporting, such as:

1. Collection of computers and electronic evidence.
2. Any specific actions related to interaction with digital evidence.
3. Chain of custody.

Original SOP: 02/25/2015

(Revised: 01/19/2017, 12/13/2017, 12/28/2020, 01/19/2021, 12/28/2021)

(Reviewed Only: 01/30/2019, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Handling of Evidence, Contraband, Found, or Lost Property

Eff. Date 12/28/2020 12/28/2021

Purpose

This standard operating procedure (SOP) establishes procedures for processing, maintaining, and disposing of evidence in a manner that ensures the evidentiary value of the property, as well as the integrity of the Madison Police Department (MPD) and its employees.

Responsibility

Between the hours of 7:00 a.m. - 4:00 p.m. Monday through Friday, in during which the Property Room is staffed, Property Clerks will be responsible for the control of all property. In their absence, the Officer in Charge (OIC) will be responsible for coordinating the handling of secured property.

Police Property Clerks will follow the processes outlined in the Property Room Procedures Manual. This manual will be reviewed annually for updates and clarifications.

Property Intake Rooms

Property Intake Rooms have been provided for storage of evidence, found property, and recovered stolen property. Evidence packaging supplies and storage lockers are provided within the Property Intake Rooms that which have been keyed to allow officers access with department-issued keys. Employees are responsible for following established policies and procedures for packaging of items placed into storage lockers as outlined in this SOP and in the MPD Packaging Guide.

LOCKERS

1. After packaging item(s), officers should place the item(s) and the quick entry receipt in an empty storage locker and lock the door with the its attached padlock.
2. Various sized lockers are provided and employees are expected to use the appropriately sized locker for the items to be temporarily stored. One specific locker is designated in each district's intake room for small items such as ID cards, driver licenses, etc.
3. If an item is too large to fit into a locker, it the item may be left on the floor of the Property Intake Room. If the item is evidentiary, it must be taken to the First Street Bay.

Tagging and Packaging Property

1. All items will be entered into the Law Enforcement Records Management System (LERMS) using the Quick Entry system. There is a guide for this system in each intake room.
2. All property should be processed in accordance with the MPD Packaging Guide. Each package will be assigned its own barcode/tag number. Only one barcode/tag number will be assigned per package.
3. Some types of property require special intake procedures or special storage. Employees having questions should consult with the MPD Packaging Guide, the Property staff, the Forensic Services Unit, or if they are unavailable, the Officer in Charge for guidance.

Temporary Evidence Storage

In most instances, all evidence/property must be secured, tagged, and entered into LERMS prior to the end of the employee's shift. However, some evidence may need further processing, or due to volume and time constraints, may need to be temporarily secured until final processing can be completed. Under these circumstances, temporary evidence storage may be utilized as follows:

1. The item(s) may be secured in a designated temporary evidence locker. Evidence may not be stored in any other location (desk, personal locker, etc.) unless unusual circumstances exist (large size, hazardous materials, etc.) and with a commander's approval.
2. A temporary storage log book will be placed in each property room, and employees using temporary evidence storage will document the property in the log and in their report. Employees will also designate their use of a temporary locker by placing their name or business card on the locker. By January 15th of each year, the filled log pages will be sent to the MPD Records Section.
3. Items may not be stored in a temporary evidence locker for more than 72 hours without the approval of a commander. Items should be removed from temporary storage and entered into the property control system as soon as possible.
4. Non-evidentiary property may be removed from temporary evidence storage and released without being entered into the property system only under these circumstances:
 - a. The property is non-evidentiary and not sensitive (i.e., not controlled substances, firearms, currency, etc.).
 - b. The employee responsible for the property arranges to return it to the owner or party responsible for it.
 - c. The property is released within 72 hours of seizure.
 - d. The release is approved by a supervisor.
 - e. The seizure and release is are documented in a report.
5. All sensitive evidence taken into custody (firearms, drugs, currency) must be processed and property tagged prior to the end of the employee's shift, unless unusual circumstances exist and with a commander's approval.
6. Items that are tagged and entered into Quick Entry in the Records Management System (LERMS) must be submitted to Property and not stored in temporary evidence lockers.

Safe Handling of Drugs

When testing or packaging any drugs or paraphernalia as listed below, the best practice is to be paired up with at least one other officer. The second 'safety officer' will not be directly involved in the testing, handling, or packaging of the drug, but can perform other supportive functions such as computer entries. Considering the risk factor of some of the opioids, it will be permissible to divert from the standard packaging procedures of separating the drugs and packaging as listed in the MPD Packaging Guide. All people present in the property intake area when the drugs listed in this policy are packaged or tested should wear N95/N100 masks and protective eyewear (supplied in each property intake room) to protect against accidental inhalation of or exposure to fine particle drugs. Anyone in direct contact with the drug should wear protective, disposable gloves, N95/N100 masks, protective eyewear, and gowns. In addition to sworn personnel, any civilian employees handling the drugs listed below for the purposes of destruction should take the same precautions. This practice does not apply to the simple movement of a sealed package. Likewise, officers should not request anyone to come into direct contact with the following drugs on the officer's behalf without proper training and protective gear, to include community members, suspects, witnesses, or other non-law enforcement contacts:

- Any known or suspected opioid regardless of form (pill, capsule, powder, liquid, patch, etc.).
- Any unknown powdered drug regardless of color or the substance it is suspected to be.
- Any other drug, such as marijuana, when there is any question about safety or opioid contamination.
- Any drug packaging or paraphernalia that has what is commonly referred to as "drug residue" within, when that residue is potentially a powdered substance.

Firearms

1. A Seized Property Receipt shall be provided to all owners of confiscated firearms.
2. **No Loaded Firearms** of any type should be property tagged and stored in the Property Room. Proper unloading procedures are described in the Wisconsin State Crime Lab (WSCL) Handbook and an Investigator will assist with the unloading of any weapon which is to be checked for deoxyribonucleic acid (DNA) and/or fingerprints.

3. **All ammunition must be packaged separately from firearms.**
4. All firearms, including facsimile, should be placed in a gun box with the case number, tag number, date, employee name/IBM number, weapon description, and serial number **printed** on the outside.

RECEIVING RECOVERED STOLEN FIREARMS FROM OUTSIDE AGENCIES

1. When MPD is notified that another agency has recovered a stolen firearm, **which the theft of which originated from MPD's jurisdiction OR**, MPD **personnel** will make arrangements to receive the firearm.
2. The assigned Detective, **or** in the event that the case was never assigned, the responsible district's Detective Lieutenant **will** contact the outside agency to provide MPD case number and shipping information (account number **for postage/shipping costs** and address): Madison Police Property Room, Attn: Property Supervisor, 211 S. Carroll St. GR-4, Madison, WI 53703 (608) 266-4955. The cost of this shipping will be covered by the Investigative Funds and the Shipping Account information will be provided to the assigned Detective or Detective Lieutenant.
3. Once the firearm is received by the Property Room, Property Staff will check **in** the firearm **in** per the MPD Packaging Guide.
4. The assigned Detective or Detective Lieutenant will determine the firearm disposition and the appropriate Property Disposition paperwork will be completed.
5. MPD Property/Records Staff will complete the background process prior to releasing the firearm.
6. Once the background paperwork for the firearm return is completed and authorized by the Commander of Property, the Property Staff will contact the authorized owner via certified letter and the firearm will be released per the Property Firearm Return Guidelines outlined in the Property Room Procedure Manual.

BACKGROUND OF FIREARMS FOR RELEASE

1. The background shall include:
 - a. Firearm Check for Stolen with Data
 - b. **Bureau of Alcohol, Tobacco, and Firearms (ATF)** Weapon Trace
 - c. Owner III & **Crime Information Bureau (CIB)** Checks
 - d. Owner Adjudicated or Committed – Mental Defective
 - e. Report Review (to include Other Police Agencies)
 - f. Prosecution Release Authority

Med Drop

The purpose of this initiative is to prevent unwanted medicines from harming members of the community or the environment, by disposing of them in a safe manner. The Department of Justice coordinates the Drug Take Back Program and the Police Property Supervisor is responsible for registering the department for the program each spring and fall for the deposit dates.

1. **Med Drop Bins are located in the East and West District Police lobbies and are available for public medication deposits Monday through Friday, 8am-4pm.**
2. **The keys for the locked Med Drop receptacles will be kept within the control of the district captains for their designees.**
3. **Instructions and baggies will be provided for the public at the Med Drop receptacles.**
4. **A case number shall be generated at the beginning of each calendar year for each Med Drop receptacle location (one for East PD and one for West PD) and all reports reference Med Drop collection will be documented under the respective case number to each district.**
5. **Packaging materials are provided by the Department of Justice and the Police Property Supervisor will coordinate the ordering of these materials.**
6. **On a weekly basis or as needed, two commissioned personnel of the MPD will inspect the bucket/box contained within the Med Drop receptacle for capacity. If the bucket/box is not full, the Med Drop receptacle shall be closed and secured and the key returned to the respective commander from which it was obtained. If the bucket/box is full, the two commissioned MPD personnel shall collect, safely**

sort (to determine if there are prohibited items in the bucket/bin), weigh, and package the prescription medications within the bucket/box in accordance with the procedures outlined in the MPD Packaging Guide. The Med Drop collection bucket/box will be replaced with a new bucket/box and the receptacle shall be secured. The receptacle key shall be returned to the respective commander from which it was obtained.

7. A report will be completed documenting the box weight, date collected, and that the property tagging process was completed.
 8. Property Room Personnel will remove packaged Med Drop boxes on a weekly basis while conducting their standard district property collection. The boxes will be stored within the property control system until they are turned over to the appropriate authorities/location designated by the Department of Justice.
1. Med Drop Bins are located at East and West Police District lobbies and are available for public medication deposits Monday through Friday 8am-4pm.
 2. The keys for the locked med drop receptacles will be kept within the control of the district captain or their designee.
 3. Instructions and baggies will be provided for the public at the Med Drop receptacles.
 4. A case number shall be generated at the beginning of each calendar year for each Med Drop bin location (East PD and West PD) and all reports reference Med Drop collection will be documented under this case number.
 5. Packaging materials are provided by the Department of Justice and ordering of the materials will be coordinated by the Police Property Supervisor.
 6. On a weekly basis, or as needed, the bucket/ box contained within the drop bin will be inspected by two commissioned personnel for capacity. If the bucket/box is not full, the receptacle shall be closed and secured and the key returned to the respective commander from which it was obtained. If the bucket/box is full, the two commissioned personnel shall collect, safely sort (to determine if there are prohibited items in the bins), weigh and package the prescription medications within the box in accordance with the Property Packaging Procedures. The Med Drop collection bucket/box will be replaced with a new bucket/box and bin shall be secured. The key used shall be returned to the respective commander from which it was obtained.
 7. A report will be completed documenting the box weight, date collected, and that the property tagging process was completed.
 8. The packaged Med Drop boxes will be removed by the Property Room Personnel on a weekly basis along with their standard district property collection. The boxes will be stored within the property control system until they are turned over to the appropriate authorities/location designated by the Department of Justice.

Liquid Evidence

1. **Non-Volatile Liquids** should be processed in accordance with the MPD Packaging Guide.
2. **Volatile Liquids** should be processed in accordance with the MPD Packaging Guide.

Collection of Standard Blood Sample in Criminal Investigations

Blood samples in criminal cases are with drawn to determine blood types of victim and suspect, and/or to determine the presence of foreign chemicals (e.g., controlled substances, poisons).

BLOOD DRAW

1. Blood is to be drawn only by a physician or a person acting under his or her direction. An officer should witness the blood being drawn, and shall properly seal, number, and mark each tube drawn, and shall report the chain of evidence, including:
 - a. Subject's name.
 - b. Offense.
 - c. Date and time of collection.
 - d. Name of person with drawing the sample.

- e. Identification of each tube collected.
 - f. Location of each tube.
- The blood kit itself must be sealed in accordance with the MPD Packaging Guide.
2. If a suspect objects to having blood samples taken, and if there is any doubt about drawing blood without a search warrant, the OIC may need to contact the on-duty District Attorney for advice.
 3. Screening for Controlled Substances - Use the WI Implied Consent Blood Kit when screening for controlled substances. The kit has all the equipment and forms necessary to obtain the blood sample. Follow instructions provided in blood kit.
 4. Screening for Blood Type - Use the blood kit provided by the State Hygiene Laboratory. In sexual assault cases, the blood kit and instructions are found in the Wisconsin State Crime Lab Forensic Nurse Examiner Kits.
 5. Deceased Person - The Medical Examiner takes the blood.
 6. Sexual Assaults - Refer to MPD Sexual Assault Checklist for type of samples needed. (Note: All Madison hospitals have a supply of Wisconsin State Crime Lab Evidence Collection Kits with Instructions.) Officers should utilize both documents when investigating sexual assaults.

PROCEDURAL GUIDELINES

1. **Packaging Blood Samples:** Within two hours, if possible, after each blood sample tube has been properly sealed and marked with all required information (the case number, date, name of subject from whom the sample was withdrawn from, employee's name witnessing drawing, and sample tube number), the individual tubes should be packaged in such a way that the glass tube is are protected from breaking. The blood kit box should also be properly sealed and marked on the outside with the date, case number, tag number, employee name, suspect name, and offense.
2. **Refrigeration of Samples (never freeze liquid blood before testing):** For proper analysis of blood samples, it is best practice that the samples be refrigerated as soon as possible after the samples are it is drawn. It is important to keep the samples away from extreme temperatures. The sample(s) should be properly tagged and be placed in the refrigerator located in the Property Intake Room. If the refrigerator is locked, the key for the refrigerator can be obtained from the OIC or designee.
3. **Disposition of Evidence in Sexual Assault Cases Where no Suspect is Known:** In cases where there is no suspect identified, all blood samples (victim, suspect, or other) shall be turned over to the State Crime Lab for analysis as soon as possible, or until the sample is no longer of evidentiary value. The Crime Lab will analyze the blood samples even though specific suspect is not identified. The follow-up officer shall periodically monitor the value of maintaining other biological evidence in the property room.
4. **Reporting Evidence Chain:** Transportation or disposition of any evidence shall be documented in reports by any officer involved in the evidence chain.

COLLECTION OF WHOLE BLOOD IN TRAFFIC-RELATED CASES

1. WI Implied Consent Blood Kits, supplied by the State Hygiene Laboratory, shall be utilized for traffic-related cases. The kit supply is maintained by the local hospitals and by MPD. The kits are stored in the City County Building (CCB) Intake Room and in area hospital emergency rooms. The kit has all the equipment and forms necessary to obtain the blood sample.
2. Blood is to be drawn only by a physician or registered nurse, medical technologist, physician assistant, phlebotomist, or other medical professional who is authorized to draw blood, or person acting under the direction of a physician. The arresting officer should witness the blood being drawn and maintain custody of the evidence once sealed by the medical personnel.
3. It shall be the responsibility of the Police Property Supervisor to coordinate the transport of all blood samples in a timely fashion to the UW Hygiene Laboratory or to the State Crime Laboratory when appropriate.

Deceased Animals

In the event that a deceased animal needs to be collected for evidence/necropsy purposes, it is recommended that you contact the **Wisconsin Veterinary Diagnostic Laboratory (WVDL) at 608-262-5432 (Monday-**

Friday 7:45am-4:30pm). The WVDL is located at 445 Easterday Lane, Madison, WI. The WVDL does not recommend freezing the animal prior to necropsy. Therefore, if an animal is collected for necropsy and it is after the WVDL normal business hours, you can contact the **University of Wisconsin (UW) Veterinary Hospital at 608-263-7600** for refrigerated storage options. The UW Veterinary Hospital can then turn the deceased animal over to the WVDL during normal business hours.

The Property Room **WILL NOT** store a deceased animal in the Evidence Refrigerator; it will only be stored in the Evidence Freezer. In the unusual event that a deceased animal is collected and not going to have a necropsy, it will be stored in the Property Room Freezer. If the animal is collected and packaged during the hours of 7:00am-4:00pm, please contact the Property Room for assistance. If it is after hours, and the animal is small enough to fit into the Evidence Refrigerator Freezer in the CCB Intake room, it can be stored there. If it is after hours and the animal cannot fit into the Evidence Refrigerator Freezer in the CCB Intake Room, contact the OIC to call in a Property Room Staff Member to allow access to the larger evidence freezer.

Latent Evidence

Items of evidence bearing or suspected of bearing latent evidence; (e.g., fingerprints, palm prints, foot or shoe prints) which are to be processed must be entered into LERMS Quick Entry, marked and sealed, and secured in a Property Intake Room. If there is danger of destroying possible evidence by marking the item, it must be protected and the package containing the item must be marked.

Vehicles

VEHICLE STORAGE

The MPD's Vehicle Impound Facility (VIF) is for the processing and storage of vehicles of evidentiary value. All other vehicles **MUST** be towed to the contracted tow company.

A vehicle should be towed to the VIF when a vehicle has been determined to be evidence of a crime and needs to be processed. An MPD vehicle tow card must be completed for all vehicles towed to the VIF. The tow card must be completely filled out. The pink copy of the tow card is given to the tow truck driver and the other copies should be placed in the box in the VIF intake office.

Vehicle keys will be placed in a clear plastic Ziploc envelope provided in the VIF Intake room. The case number will be written clearly on the envelope and the keys placed in the tray with the tow card.

Officers are required to make any entries into LERMS.

Two Options are Available to Release a Vehicle from the VIF

1. Utilizing MPD's Contracted Tow Company:

When a vehicle has been processed and retains no evidentiary value, the authorizing official will send an email to PD Tow authorizing its release.

This email should include the following information:

Please release vehicle:

- Case#
- Tag#
- Make
- Model
- VIN
- License information (state and number)
- Owner Information

The Property Room Staff will arrange release of the vehicle by contacting the contracted tow company and completely filling out the MPD vehicle tow card. The appropriate tow code for releasing a vehicle is "6". The name of the releasing officer will be annotated in the tow card left margin. When the tow company arrives, the driver must sign in utilizing the VIF log if releasing vehicle from the inside storage area. The vehicle will then be removed and the driver will sign out. The pink copy of the tow card will be given to the tow driver; the remaining two copies (goldenrod and white) will be forwarded to MPD Records.

After the vehicle release has been completed, the Property Room Staff will notify the authorizing official and send an email message to the PD Tow email group that the release transaction is complete. Property Staff will make the appropriate computer entries and the authorizing official will notify the owner of the release.

2. Release of a Vehicle to Owner/Victim without Utilizing Contracted Tow Company.

Under no circumstances should a vehicle be released to an owner/victim at the VIF.

In the event that a person authorizing the release deems it appropriate to release a vehicle directly to an owner, the person authorizing the release must first check with Court Services to verify there are no Owners Fees associated with the vehicle to be released. If there are no fees, the person authorizing the release must send an email message must be sent via to the PD Tow email group.

This email should include the following information:

Please release vehicle:

- Case#
- Tag#
- Make
- Model
- VIN
- License information (state and number)
- Owner Information
- Date and time of release

A supplemental report must be submitted by the releasing officer. Property will make the appropriate computer entries documenting the release.

No unauthorized personnel or personal vehicles will be allowed inside the VIF.

Air-Drying

1. Items requiring air-drying should be placed in the special air-dry lockers available at the Central District Air Dry Room. If these lockers are not available, standard lockers in the Central District Air Dry Room may be used. **Do not air dry any items in standard lockers at other districts' property intake rooms.**
2. Within four days of placing any item into an air-dry locker and provided the items have fully dried, officers must complete the packaging of the item(s). If absent from duty for more than four days, arrangements should be made with a commissioned co-worker to complete packaging of the items (if the items are dry).

Chain of Custody

Written documentation for the removal or disposition of any item in evidence will be submitted to a Property Clerk. Any officer involved in the evidence chain shall document in a police report the transportation or disposition of any evidence in a police report.

Refusal of Property

Property that does not meet the packaging and labeling standards outlined in the MPD Packaging Guide will be placed back into the storage locker with the associated lock. The locker will be secured and sealed with a red evidence zip tie. The zip tie will be labeled with the name and IBM of the Police Property Clerk refusing the property. In addition, the case#, tag#, and officer responsible for the item will be annotated. The Property Clerk will notify via email the Employee and the Police Property Supervisor of the deficiency and the steps needed to correct the problem via email.

The responsible employee will verify the information on the red evidence zip tie and then cut the red evidence zip tie to remove the affected property.

The employee will correct the deficiencies outlined in accordance with the MPD Packaging Guide and will return the correctly packaged property to the storage locker. The red zip tie should also be placed (unpacked) in the storage locker to allow the Police Property Clerk to identify the property and the deficiencies that were to be corrected.

The employee will notify Property via email that the deficiencies have been corrected and the item is ready for pickup. The employee will submit a supplemental report outlining the deficiency, the circumstances surrounding the opening of the locker, the correction, and the re-securing of the evidence. The Clerk, when picking up the packaged property, the Property Clerk will verify that the cut red evidence zip tie is indeed theirs and that the property has been corrected in accordance with MPD SOP. In the event the indicated deficiency is not corrected within a reasonable amount of time of refusal, the Property Clerk will send a second email notification to the employee. The Police Property Supervisor will take the necessary steps to facilitate correction of the indicated deficiencies.

Release of Sensitive Evidence/Property

Certain types of evidence and property create a higher liability by their very nature and shall be subject to special restrictions for temporary or permanent release.

DESIGNATED EVIDENCE/PROPERTY

The following categories of property or evidence fall within these sensitive evidence/property guidelines:

1. All controlled substances/drugs.
2. Any functional firearms.
3. U.S. Currency amounts in excess of \$100.
4. Individual items with an estimated value in excess of \$1,000 (excluding vehicles).

AUTHORIZATION

Temporary or permanent release of any of the property/evidence listed above must have documented authorization by a Lieutenant (to include OICs), Captain, or Chief.

The temporary release of any controlled substances/drugs that have been designated to be destroyed may only be authorized by the Assistant Chief of Investigative and Specialized Services.

DOCUMENTATION

The temporary or permanent release of any of the designated sensitive evidence/property shall be documented on a "Property Release/Receipt Form" from signed by the authorizing Commander, which includes the same information as this form.

In addition to this form, any officer to whom designated sensitive evidence/ or property is released shall complete an official police report documenting the handling and disposition of this evidence/property/evidence.

Disposition of Property Requirements

UNCLAIMED PROPERTY

Wisconsin State Statutes 66.0139 and 170.07-170.11 and Madison General Ordinance 8.44 regulate the manner in which property coming into the possession of the MPD is handled.

ITEMS NOT TO BE SOLD AT AUCTION

It is required that items such as firearms, beer, liquor, fireworks, and flammables be destroyed after it is determined it is no longer necessary to retain the item.

BICYCLES FOR DONATION

Section 12.761(4) of the Madison General Ordinances allows for donation of bicycles to charitable non-profit organizations. When abandoned bicycles are not returned to the owner or sold, the City of Madison Police Department will donate abandoned bicycles to qualified organizations.

1. Bicycles shall be held by the Madison Police Department Property Section for 45 days before being considered for donation.
2. All requests for bicycle donations must be made with the "Bicycle Donation Form" (found at <https://www.cityofmadison.com/police/support/bicycleDonation.cfm>) which is to be reviewed by the Police Property Supervisor and the Captain of Traffic/Specialized Services—Property. The Police Property Supervisor will notify all requesters of the approval/denial of their requests. If approved, the Police Bicycle Recovery Specialist will be in contact with the requester to schedule a pick-up date and time for the requested bicycles.
3. Requests should be made at least 30 days in advance from when the organization would like to receive the bicycles.
4. Donations shall be limited to charitable non-profit organizations. Such organizations must provide proof of their non-profit government status; (subsequent applications may reference these materials as "on file" with the Police Property Room) and assurances that the bicycles will be used as part of a charitable program sponsored by the organization.
5. Bicycles shall only be for the use of clients of requesting organizations and not for the employees or directors of such organizations. Bicycles may not be sold to raise revenue for any purpose. By accepting a bicycle under this program, the applicant grants permission to the City of Madison Police Department to audit its use of said bicycles in accordance with these guidelines.
6. Organizations wishing to request an ongoing supply of bicycles are required to submit a separate request on each occasion when a donation is desired. Bicycle donations are subject to availability, as determined by the Madison Police Department. Organizations may receive no more than 20 bicycles at one time. Once all requests have been filled, an organization may receive additional bicycles.
7. Organizations receiving donated bicycles must sign a liability waiver and provide for the removal of the bicycles.
8. The Madison Police Department Property Supervisor will maintain the following related to each bicycle donation: copy of the approved request form, date the donation form was filled, and number of bicycles received by the organization.

EXPLOSIVES

Items capable of exploding such as dynamite, nitroglycerin, pipe bombs, or any Class A explosive, including M-80s and other powerful fireworks, will be handled by the Dane County Sheriff's Office Hazardous Devices Unit (HDU) Bomb Disposal Squad and will not be placed in the Police Property Room.

FIREARMS AND AMMUNITION

Firearms and ammunition must be turned over to the Wisconsin State Crime Laboratory when it is no longer necessary to retain them for any reason.

SEIZED ITEMS

Items seized during the servicing of a search warrant or incident to an arrest which are not later used as evidence in a court case, must be returned to the owner or disposed of in accordance with Wisconsin State Statute.

OTHER PROPERTY RELEASED TO OWNER

Other property will be released to the owner according to procedural guidelines set up by the Commander in charge of the Property Room.

Property Room Controls

An audit of all, or of a specified portion, of the property/evidence storage areas is a critical internal control and will be conducted quarterly. Comprehensive inventories will be conducted when deemed necessary. The audit will review policies, procedures, and processes of the property and evidence functions to ensure compliance. Any variances or irregularities identified as a result of an audit or inventory of the property system will be documented by the Police Property Supervisor and/or Commander designated to monitor those processes.

This documentation shall be forwarded to the Assistant Chiefs and to the Chief of Police for review.

Original SOP: 02/25/2015

(Revised: 01/20/2017, 02/07/2017, 06/15/2017, 10/09/2017, 01/25/2018, 11/15/2019, 04/06/2020, 12/28/2020, 12/28/2021)

(Reviewed Only: 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Hostage Situation Incidents

Eff. Date 11/30/2020-12/13/2021

Purpose

Establish standard procedure for the Madison Police Department’s (MPD) response to incidents involving hostage situations.

Policy

The objectives of this department in dealing with barricaded person, hostage, and active shooter incidents are:

- 1. Preservation of life.
- 2. Apprehension of perpetrator(s) using a reasonable amount of force.
- 3. Securing available evidence to assist in the appropriate disposition of the perpetrator(s).

SAFETY PRIORITIES

Operational and tactical decisions will be based on the following safety priorities:

- 1. Hostages and citizens
- 2. Law enforcement personnel
- 3. Suspects and subjects

The department will respond and take necessary steps to free innocent persons who are endangered and being held illegally against their will. Officers may take direct and immediate action—up to and including deadly force—in situations where a hostage is at imminent risk and the officers’ reasonable actions have a high probability of neutralizing the deadly force threat or preventing the situation from escalating.

Definitions

Hostage Situation: A scenario in which a person is being held against his or her will by an armed, potentially armed, or otherwise dangerous suspect.

Triggering Point: Specific predetermined circumstances that will justify the initiation of direct action to prevent or stop a particular course of suspect behavior (such as physical or sexual assault on the hostage or setting the structure on fire).

Inner Perimeter: A close proximity boundary [redacted]

Outer Perimeter: A boundary outside the inner perimeter maintained by patrol officers and designed to prevent unauthorized persons from entering the area of the critical incident.

Positive progress: In a hostage situation, positive progress shall be defined as developments that increase the probability of the safe release of the hostages, as opposed to the mere passage of time. While it is true that the passage of time may increase the opportunity for such developments, it is also true that a viable rescue opportunity presented and ignored may be lost forever.

Contact Team: A group of officers designated to respond to the hostage situation [redacted]

Response Procedures

INITIAL RESPONSE

Personnel initially responding to a hostage situation will assess the circumstances and request the appropriate resources. The initial priorities are to:

- Establish an inner perimeter and staging area.
- Isolate communications through use of a dedicated [REDACTED] radio channel and keep dispatch apprised of all relevant actions.
- Ensure that a supervisor is assigned to the incident.
- [REDACTED]
- Gather intelligence/information on the situation.
- Evacuate any uninvolved citizens who might be at risk and otherwise stabilize the scene.
- Ensure that the appropriate specialized resources have been requested (Special Weapons and Tactics (SWAT), Crisis Negotiation Team (CNT), paramedics, Rescue Vehicle, etc.).

The scene supervisor shall continuously evaluate the situation and determine whether the opportunity and need exists for immediate intervention. [REDACTED]

SECONDARY RESPONSE

SWAT should be activated for any confirmed hostage situations. Initial requests for SWAT activation should be made to the a SWAT tactical team lieutenant. A full-team SWAT activation should generally be approved by the SWAT Commander and designated Assistant Chief. However, SWAT use may be approved by any MPD supervisor if no SWAT commander/supervisor can be contacted, or in case of extraordinary emergency where command approval would be impractical. The SWAT commander will be notified as soon as possible of any SWAT usage that did not have prior authorization.

On-duty SWAT personnel may respond to assist with tactical situations as needed. Where possible, a SWAT supervisor will respond to the scene to oversee the utilization of SWAT personnel. If used for on-duty tactical situations, SWAT personnel will only be used in a manner that is consistent with the SWAT's team's training, and applicable standard operating procedures, and in accordance with the MPD SWAT Manual.

Further, the actions of SWAT will be consistent with MPD's Code of Conduct, standard operating procedures, and with standard professional practices in the area of police tactical response.

The scene supervisor shall ensure that a variety of tasks are addressed while awaiting the arrival of SWAT and negotiations, including but not limited to the following:

1. Establish an outer perimeter and initiate the evacuation and handling process for those inside. Special consideration must be given to the handling of those who refuse to be evacuated.
2. Establish a command post location [REDACTED]
3. Initiate an investigation to determine exactly what has occurred and locate, isolate, and debrief any witnesses.
4. [REDACTED]
5. Select a location for media response and designate a person to interact with them prior to the arrival of the agency public information officer.
6. Select a location for those responding on behalf of the hostage(s) or suspect and designate an officer to interact with them. Make outer-perimeter personnel aware of the presence of those responders and consider that they may attempt to enter the barricade location.
7. [REDACTED]
8. Establish and maintain a log that documents the activities that have occurred and the location and identification of the assigned personnel.
9. Ensure that the appropriate personnel have been notified and briefed (Officer in Charge (OIC), District Command, etc.).
10. Brief the SWAT and negotiations teams upon their arrival (if applicable).
11. Assist the SWAT team as it relieves the officers responsible for inner perimeter containment personnel (if applicable).
12. Ensure that all officers relieved report to the command post for reassignment.

SWAT RESPONSE

Once SWAT has arrived on scene and assumed responsibility for the incident, SWAT command will fill the role of the overall incident commander. In situations that do not demand immediate intervention, primary focus should be on the following:

1. Ensure that all appropriate steps have been taken prior to SWAT arrival (inner perimeter, intelligence gathering, etc.).

[REDACTED]

10. Maintain a log to document incident activity.



13. Initiate negotiations using the most appropriate communication method. The CNT commander will oversee the negotiation function and the gathering of all relevant intelligence. Information will be shared with perimeter units as appropriate, and CNT activity will be documented consistent with the SWAT Manual.
14. Continue negotiations as long as positive progress is being made.
15. Evaluate the viability, necessity, and appropriateness of a tactical resolution—including the long rifle option—in situations where negotiations prove unproductive and a tactical resolution would be reasonable and justified based on the totality of circumstances
16. Use a combination of techniques and tactics, in a manner consistent with approved training, until the situation is brought to a successful conclusion.

Original SOP: 08/18/2014

(Revised: 02/05/2016, 11/02/2016, 01/20/2017, 12/20/2019, 11/30/2020, 12/13/2021)

(Reviewed Only: 12/26/2017, 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



In-Car Video System

Eff. Date 04/09/2021-12/28/2021

Purpose

The utilization of the Madison Police Department's (MPD) in-car video system utilization can provide accurate documentation of events, actions, conditions, and statements made during law enforcement contacts. The use of the in-car video system shall be limited to trained employees and be in accordance with MPD procedures and applicable laws and MPD procedures. All video files recorded by MPD in-car video systems are official police records which are subject to Wisconsin Open Records laws. Officers are required to select the appropriate Classification Tag and to enter the corresponding case number a video type in the Classify Tag field and enter the correct case number (or "none" when applicable) in the Case File Number field of the video recording tagging window for each video file they generate during the course of their work shifts, after an in-car video has been recorded.

For the purpose of this Standard Operating Procedure (SOP), the term "officer" means any MPD commissioned employee who has been trained in the use of the in-car video system installed in MPD vehicles.

Procedure

USE AND CARE OF IN-CAR VIDEO EQUIPMENT

1. Officers shall be responsible for the proper care and operation of their in-car video equipment installed in MPD vehicles and of individually assigned wireless microphone(s), charging dock, and optional lapel microphone (if applicable). Microphones shall be properly charged prior to the start of each shift.
2. Officers shall not remove, dismantle, or tamper with in-car video (ICV) equipment and/or microphone(s).
3. At the beginning of each shift or assignment, officers operating a squad equipped with an ICV in-car video system shall complete ensure the in-car video equipment is functioning properly by completing the following procedures:
 - a. Log into the ICV application.
 - b. Confirm that the correct date, time, and live video display appear in the ICV application.
 - c. Officers shall synchronize and wear the synchronized wireless microphone (and optional lapel microphone) in a position where it can effectively record audio throughout the duration of the officer's shift. In the event two officers are assigned to a single squad (i.e. Field Training, Special Events), one officer is required to synchronize that officer's wireless microphone to the ICV system of the shared squad.
 - d. Perform a short test to confirm video and audio recording.
 - e. System power up upon starting the vehicle.
 - f. Confirm the correct date and time in the in-car video application.
 - g. The officer shall be logged into the in-car video application throughout the duration of the shift.
 - h. If assigned a wireless microphone, it shall be properly charged and synchronized to the in-car video system. In the event two officers are assigned to a single squad (i.e. Field Training, Special Events), one officer is required to synchronize his or her wireless microphone.
 - i. The officer shall wear the synchronized wireless microphone (and optional lapel microphone) in a position where it can effectively record audio throughout the duration of the shift.
 - j. Confirm video and audio recording.
4. Officers shall be logged into the ICV application throughout the duration of the shift or assignment. In the event of unexpected application closures or laptop restarts, officers shall log back into the ICV application as soon as practical.
5. If an officer is required to respond to a call in emergency mode prior to being able to complete the steps listed above then the above should be completed at the first available opportunity.

6. Officers who are operating a squad in a non-operational capacity (for example, when using a squad for training, shuttling squads between districts, or shuttling squads to/from Fleet Services) where they are not logging into Mobile/Computer Aided Dispatch (CAD) are not required to utilize the in-car video system.
7. When problems with the in-car video system are identified, officers are required to report the issue to Information Management and Technology (IMAT) by calling the IMAT support line Monday-Friday 8:00am-4:30pm at 261-9655 or by sending an email containing the vehicle number and description of the problem to the IMAT support email address, imat@cityofmadison.com. If the identified problem could impact subsequent officers' ability to use a particular squad, officers are encouraged to note the squad number and its identified problem on the appropriate Police District vehicle dry erase marker board.
8. Officers who are operating a squad in a non-operational capacity (training, etc.) where they are not logging into Mobile/Computer Aided Dispatch (CAD) are not required to utilize the in-car video system.
9. When previously undocumented problems with the in-car video system arise, officers are required to do the following to report the issue:
 - a. Call the Information Management and Technology (IMAT) support line Monday-Friday 8:00am-4:30pm at 261-9655 or send an email containing the vehicle number and problem to the IMAT support email address, imat@cityofmadison.com.
 - b. Record the squad number and problem on the appropriate Police District vehicle dry marker board.

Officers may operate squads with non-functional in-car video systems when no other squad is reasonably available, if the issues have been properly documented as outlined above.

OPERATION OF THE IN-CAR VIDEO SYSTEM

1. The in-car video system is set to automatically start video recordings (including a 30-second video only pre-event) when any of the following actions occur or thresholds are exceeded are initiated when:
 - a. The squad's emergency lights are activated.
 - b. The wireless microphone's record (REC) button or auxiliary (AUX) button is depressed.
 - c. The record button is depressed on the back of the front camera.
 - d. The record button is selected in the in-car video software on the Mobile Data Computer (MDC).
 - e. The vehicle crash sensor is triggered.
 - f. The vehicle speed trigger threshold has been exceeded.
2. In-car video equipment shall be used to record the following:
 - a. All emergency vehicle operations.
 - b. All traffic stops.
 - c. All transports of persons either in or out of custody.
 - d. All interviews as required by Wisconsin State Statutes when other established recording facilities are not available, practical, or preferred.
 - e. When an officer attempts to place an individual into physical custody (either criminal or protective) when safe to do so.
 - f. When approaching an individual the officer reasonably anticipates may be taken into custody when safe to do so.
3. In-car video equipment may also be utilized to record any other official police contacts or actions beyond those listed in point #2 above. An officer should make reasonable efforts to begin recording any police contact as soon as the officer believes the contact may turn into a criminal investigation or ordinance violation.
4. Officers should make every reasonable efforts to position the front squad camera to accurately capture events outlined in #2 above, unless circumstances dictate a different squad positioning for officer safety purposes.
5. Once initiated, video and audio recordings should remain activated not be terminated until the incident or event has concluded or until deactivation is permissible. The conclusion of an incident or event has occurred when any arrest(s) related to the incident have been made and arrestee(s) have been

- transported, after a stopped motor vehicle driver is released from a traffic stop, or when no further law enforcement action is likely to occur related to the incident or event. Deactivation of video and audio recordings prior to the conclusion of the incident or event is permissible:
- a. When an officer is not directly involved in activity related to the incident or event (i.e., blocking traffic at a position not near the scene of an incident); officers not directly involved in the incident or event do not need to complete a report if the purpose is to just document the cessation of their recording;
 - b. When an officer reasonably believes there is no evidentiary value in collecting further video and audio; for transparency purposes, officers shall document in a report or in call notes the assessment for the cessation of any recording.
 - ~~c. When the incident or event is of such duration that recording needs to be deactivated to conserve power or storage capacity and the officer is not directly involved in activity relating to the incident or event (i.e., blocking traffic at a position not near the scene of an incident)~~
 - d. When an officer reasonably believes there is no evidentiary value in collecting further video and audio; officers shall document in a police report their assessment for the cessation of any recording, or
 - ~~e. When a supervisor authorizes the cessation of the recording~~
6. Officers may intentionally temporarily mute audio recording of conversations between police personnel for administrative reasons including, but not limited to, the following:
 - a. Employee to employee training (e.g., during Field Training, incident debriefings, etc.);
 - b. Officer to supervisor discussions about incident dispositions and/or charging decisions;
 - c. Employee to employee discussions involving response strategy or tactics; or
 - d. Personal conversations unrelated to the incident or event being investigated.
 7. Reasons for any intentional interruptions/microphone muting during video recordings shall be audibly noted prior to the muting and then further documented within official reports, or narrative sections of citations, or in call notes. After the purpose of a temporary mute of an audio recording has concluded, officers shall reactivate the audio recording.
 8. Upon completion of a recording, the officer shall select the applicable classification tag from the available menu options listed in the "Classify Tag" field of the recording window. Officers shall intentionally close the recording window on the MDC without making a selection from the classification choices. The current classification tag options include the following: Non-Evidence, Traffic Stop, Arrest/Transport, OWI, Evidence, and Crash/Pursuit. In the event of multiple, successive recordings that result in multiple files to classify and tag, officers shall locate and add tagging information to the untagged files when they can safely do so, but prior to the conclusion of their work day. Exceptions to this shall be approved by the OIC or other supervisor. Officers can locate these files in the Archive area of the Arbitrator program on their MDC prior to the files being uploaded to the server or they can sign into the Back End client on a district workstation.
 9. Officers shall ensure that the "Classify Tag" and "Case File Number" fields of the recording window are filled out properly for each recording. If there is no case number associated with the recording, officers shall type "none" in the Case File Field. Officers may ~~should~~ enter any additional information (e.g., license plate, name, suspect information, etc.) deemed pertinent to the investigation in the "Note" field. The classification tag, case file number, and additional information entered by the officer will serve as the initial selection for the duration of video retention of each video recording.
 10. Officers are only responsible for tagging the videos that are created when signed into arbitrator during their assigned shifts.

VIDEO TRANSFER AND DOCUMENTATION

1. Video recording(s) shall be transferred at least once during the course of each work shift or assignment. Exceptions to this must be approved by the OIC or other supervisor. Transfer of video may be accomplished by wireless transfer at MPD district stations or other identified wireless access points. Officers can check the status of video files in the Archive area of the Arbitrator program on their MDC or they can sign into the Back End client on a district workstation to confirm upload.
2. Officers should make every attempt to transfer video recording(s) deemed to be evidence prior to the end of their shift. If this process requires the employee to be on overtime, the employee shall obtain prior approval for the overtime from a supervisor or from the OIC. If the video does not transfer,

- contact IMAT through the support line Monday-Friday 8:00am-4:30pm at 261-9655 or send an email containing the vehicle number and description of the problem to the IMAT support email address, imat@cityofmadison.com prior to the end of the employee's shift.
3. Officers are responsible for ensuring that video recording(s) are transferred at least once during the course of each work shift. Exceptions to this must be approved by the OIC or other supervisor. Transfer of video may be accomplished by:
 - a. Wireless transfer at MPD district stations or other identified wireless access points.
 - b. Wired transfer at MPD district download stations.
 - e. If the video recorded during the shift is more than two hours in length, then wired transfer is recommended. If video does not transfer, contact IMAT through the support line Monday-Friday 8:00am-4:30pm at 261-9655 or send an email containing the vehicle number and problem to the IMAT support email address, imat@cityofmadison.com.
 4. Officers must ensure that video recording(s) deemed to be evidence are transferred prior to the end of their shift. If the video transfer process requires the employee to be on overtime, the officer shall obtain prior approval for the overtime from a supervisor or from the OIC.

IN-CAR VIDEO MANAGEMENT

1. Evidentiary recordings submitted by officers will be maintained on a secure server within the City of Madison computer network until the case has been adjudicated and/or in accordance with existing MPD policies and procedures for the handling and disposition of evidence. Evidentiary images of recordings may not be duplicated without supervisory authorization. Secondary images or video of any recordings shall not be captured at any time through any other application, system or device.
2. Recordings will be maintained based upon the retention schedule designated for each classification tag.
3. Designated members of the Forensic Services Unit (FSU) and IMAT will be responsible for system administration of all captured and stored recordings.
4. Video recordings may be placed on an administrative hold, preventing their disposal by:
 - a. The Chief of Police or his/her designee.
 - b. Professional Standards and Internal Affairs Lieutenant.
 - c. A Command Officer.Any later removal of this hold must be submitted in writing to FSU.
5. If upon receipt of a complaint concerning the conduct of an officer or other employee, the supervisor receiving the complaint determines that the event in question has been recorded, that information shall be forwarded to the District Command Officer, and the Professional Standards and Internal Affairs Lieutenant outlining the details of the complaint.

All in-car video system recordings are subject to Wisconsin Open Records Law.

Original SOP: 02/25/2015
(Reviewed Only: 02/04/2016)
(Revised: 12/22/2016, 06/15/2017, 11/30/2017, 04/09/2021, 12/28/2021)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Labor Disputes and Picketing

Eff. Date ~~01/21/2020~~ 12/28/2021

Purpose

Negotiation and collective bargaining are legally recognized methods of peacefully settling labor disputes. The basic police function is to protect the lawful rights of parties to the dispute; to prevent conflict from erupting into violence; to take whatever action may be necessary to protect lives and property; and to maintain peace. The right to picket and disseminate information in a lawful and peaceful manner will be respected and protected.

Procedure

Planning for labor disputes involving picketing will be the responsibility of the Command Staff of the affected district. Communication should be established with both sides of the labor dispute to coordinate activities. Should events reach a point where they exceed district resources, Special Events Team (SET) Command will be consulted to determine the need to transition to a SET event.

Obligations of Madison Police Department Personnel

Madison Police Department (MPD) personnel, when on duty, must be completely impartial and strive to avoid any actions which give the appearance of partiality; therefore:

- Members shall make no public statement which reflects preference, in the form of support or opposition, for either side in a labor dispute, and.
- Members shall not accept gifts of any sort, including food or beverages, from anyone involved in a labor dispute.

Picketing

Picketing and information dissemination shall be restricted to those areas that which are, or are considered to be, public; however, if the public nature of the premises is uncertain, peaceful picketing and information dissemination should be presumed by officers to be lawful by officers unless told otherwise by a supervisor.

Picketing restrictions are include the following:

1. Picket lines shall not block public use of roads, sidewalks, or public ways.
2. Violence, threats of violence, deception, coercion, or fraud on the part of any person, or on the part of any agent for any person, should not be tolerated.
3. All citizens shall be guaranteed access to picketed premises, free from violence or threats against them.
4. Destruction of or damage to property will be cause for arrest.

Notification of Parties Involved

As soon as possible after the start of a labor dispute, the MPD will undertake to acquaint both parties with MPD policies in this area and with the manner in which they will be applied in the specific case. Whenever possible, such information will be provided to both parties in the presence of the other.

Communications with Parties Involved

Communications with both labor and management should be made through designated representatives who should be encouraged to pass on, to those they represent, the information or orders received from the police. Both sides of the dispute should be encouraged to keep the police informed of their intended activities.

Enforcement of Laws

All felonies committed during labor disputes will be handled by physical arrest. If an arrest is not immediately possible, every effort will be made to pursue a subsequent felony arrest. Serious misdemeanors and ordinance violations may be handled by arrest or citation as appropriate. Because enforcement of some minor offenses might lead to violence or greater hostilities, enforcement of them will be at the discretion of the supervisor present.

Enforcement of Injunctions

No arrests shall be made for violations of injunctions or court orders unless the MPD is specifically ordered by the court.

Original SOP: 02/25/2015
(Reviewed Only: 01/27/2016, 12/22/2016, 12/26/2017, 01/30/2019, 01/11/2021)
(Revised: 01/21/2020, 12/28/2021)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Overtime Protocols for Police Report Typists

Eff. Date 11/20/2017-11/29/2021

Purpose

The purpose of this standard operating procedure (SOP) memorandum is to establish clear and consistent protocols for the allocation of overtime for employees assigned to the job classification of Police Report Typist (PRT).

Procedure

In order to facilitate compliance with this SOP agreement, the following guidelines have been developed for department managers to use when police report typist resources beyond those immediately available are necessary on an overtime basis.

PRTs perform a wide array of job duties throughout the department beyond just the typing of police reports. However, regardless as to WHERE specific assignment to which a PRT may be assigned, they all PRTs are assigned to the PRT job classification, and compliance with the Employee Benefits Handbook overtime provisions is necessary.

WHAT NECESSITATES OVERTIME (OT) FOR POLICE REPORT TYPISTS?

1. **OT to meet minimum staffing levels**
 - a. Control Point: (1) PRT on each shift every day

Procedure for Authorizing Full Shift Replacement Overtime:

- If an unexpected (last minute) vacancy occurs Monday through Friday, contact the Case Process Police Report Supervisor, or if unavailable, contact the Records Manager.
- If an unexpected (last minute) vacancy occurs Friday night through Sunday, consult the "RDO Call-In" list posted in the Control Point area near the Officer in Charge's (OIC) office Patrol.
- If a shift vacancy is known in advance, the Case Process Police Report Supervisor or the Records Manager will schedule overtime.
- If necessary, the least senior, on duty PRT can be "ordered" over/in on overtime to ensure insure minimum staffing levels are maintained for partial or full shifts.

OT for Major Cases and Significant Events: All major crimes (homicides, attempted homicides, traffic fatalities) or other significant events (search warrants, etc.) which will most likely result in a large number of police reports to be typed in a timely manner.

2. OT for Major Cases and Significant Events:

- a. All major crimes (homicides, attempted homicides, traffic fatalities) or other significant events (search warrants, etc.) which will most likely result in a large number of police reports to be typed in a timely manner.

Procedure for authorizing OT for Major Cases and Significant Events:

- Remember reports will generally not start coming into the report processing queues for three to four hours after the incident time so consult with the OIC and look at the schedule as to determine how many PRTs you may need beyond those already outside of who is scheduled to work come in. Call in the next shift early and/or have the last shift stay over first and then consult. Consult the "RDO Call-In" list posted in the Control Point area near the OIC's office Patrol next for volunteers to call into work.

- Contact the **Case Process Police Report** Supervisor, or if unavailable, contact the Records Manager if not enough help is available or to help coordinate if needed.

- 3. OT for processing “weekend” arrests and priority reports:** It is the shared, coordinated responsibility of OICs and PRTs working during the weekend to monitor CFS activity and dictation files listed on Winscribe for “In Custody” Adult and Juvenile arrests (Baskets 1 & 2); and Priority reports (Basket 3). Court Detectives work throughout the weekend preparing arrest reports for the District Attorney’s Office. Therefore, it is imperative we process arrests in a timely manner. In addition, it is imperative for District command staff to have access to all Priority reports by 12:00 p.m. on Monday.

Procedure for authorizing OT for “weekend arrests” and priority reports:

- OIC and PRTs will monitor the weekend arrests and priority reports.
- Seek volunteers of staff already working to stay over/come in early.
- If no volunteers, consult the “PRT RDO Call-in” list posted in **the Control Point area near the OIC’s office**. PRTs should, by rule, be called into work strictly based on the order they appear on the “PRT RDO Call-in” list. (Keep in mind, PRTs are guaranteed a minimum of TWO hours for being called in. If called in between midnight and 6 a.m., PRTs are guaranteed a minimum of THREE hours).
- **Send an eEmail to the Case Process Police Report** Supervisor if the “PRT RDO Call-in” list is used and they are not already aware.
- If a PRT would be ordered in on OT in either of these situations, please **send an email to the PD Payroll email group** for appropriate processing of minimum OT.

- 3. OT for processing “Report Backlog”:** The management and monitoring of Winscribe, or the “reports to be typed” backlog, is the responsibility of the **Case Process Police Report** Supervisor or in his/her absence, the Records Manager. There is no specific number of reports **in the “reports needing to be typed” queue** that **automatically** necessitates overtime being used to complete this work. Rather, an analysis is done that takes into consideration such factors as **the** total number of reports needing to be typed, the oldest reports needing to be typed, and **the** total number of priority reports needing to be typed. As a general rule, all Priority and Felony reports (Baskets 3 & 4) are typed by 4:00 p.m. Monday through Friday. Next, all **Operating a Motor Vehicle While Intoxicated (OMVWI)** reports (Basket 5) are typed by Wednesday of each week to facilitate timely processing **of the case records** by Court Services personnel. Lastly, Citation and Other reports (Baskets 6 and 7) are typed throughout the week, with part-time “hourly” PRTs scheduled to assist in processing these reports. Command staff should remember the priority or basket level assigned to any dictated report can be changed so that it gets processed sooner.

Procedure for authorizing OT for “Report Backlog” processing:

- Authorized by the **Case Process Police Report** Supervisor or the Records Manager.

~~It is hoped this memorandum clarifies overtime protocols and procedures for PRTs. Police reports move information throughout the department. When this movement is unnecessarily slowed or hindered, our ability to effectively clear cases, to solve crimes, to make arrests, and to address substantive problems is slowed and hindered as well. It is our job as managers to monitor this process and make it work for all of us.~~

Original SOP: 03/01/2014
 (Revised: 02/05/2016, 12/22/2016, 11/20/2017, 11/29/2021)
 (Reviewed Only: 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Police Vehicle Parking

Eff. Date ~~12/03/2018~~ 12/28/2021

Purpose

The Madison Police Department (MPD) shares parking with a number of other City and County agencies in the City-County Building (CCB). Due to the demand for existing limited parking space, it is essential that we abide by the following regulations to provide for an orderly and systematic parking scheme within the confines of that building. See attached MAP.

Procedure

PARKING OF MPD VEHICLES AT THE FOLLOWING LOCATIONS

City-County Building Basement

1. Police Parking stalls 31-43 are signed for specific use. These stalls are restricted to On Duty MPD vehicles only 24/7 for the designated use as described on the sign. During the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday, stalls 35-40 (police signed stalls) are restricted to one (1) hour. K9 Officers are exempt from this regulation. Personnel assigned to other districts responding to the CCB for court should park their squad in the Fairchild ramp and not in the CCB basement.
2. Vehicles should not be parked in the aisles of the basement between the hours of 7:00 a.m. to 5:00 p.m. Monday through Friday. First Detail early unit squads should be parked along the north wall or be taken to the Fairchild Ramp at the end of their shift.
3. Stalls marked City, County, OR Reserved are assigned to other departments and ARE NOT to be used by MPD employees for police vehicle parking. The Dane County Facilities Manager may request that citations be issued to offending vehicles parked illegally in these stalls.
4. MPD Vehicles may park in the parking lane behind stalls 31-43, along the north wall, as long as the keys are left in the vehicle key lock box (if not fleet keyed).
5. All 4th and 5th detail patrol personnel working out of the Central District shall take their squads to the Fairchild Ramp at the end of their shift.
6. Afternoon Detective personnel assigned to the CCB shall take their vehicles to the Fairchild Ramp at the end of each tour.

South Carroll Street

Police vehicle parking along the 200 block of S. Carroll St parking is for on-duty working staff only. Overnight storage of squads should be in the Fairchild Ramp.

Personnel using parking space in this block must ensure that assigned vehicles are removed from the block during periods of snow emergency.

Fairchild Ramp

This facility is for police vehicle parking only. It is not to be used for the storage of impounded vehicles or for the parking of personal vehicles by employees. As per past practice, personnel are permitted to park personally owned motorcycles/scooters in the ramp as long as they are not parked in or infringe upon a marked stall. Any deviation from this regulation requires the approval of the Chief of Police or designee.

Other Locations

Personnel may be reimbursed for the cost of parking fees associated with the parking of police vehicles during duty time. Contact the Captain of Investigative Support or his/her designee for reimbursement.

PARKING OF PERSONAL VEHICLES (POV) BY MPD EMPLOYEES AT CCB

1. On Duty MPD employees may park their Personal Vehicle (POV) in the CCB basement in the general **CITY STALLS** marked #45, #47-49, #52-63, and #69-73. If these stalls are occupied, MPD employees shall find alternative parking on the street or in ramps. **POV parking in the CCB basement is** subject to the time restrictions in #4 below.
2. **ALL OTHER** stalls in basement are reserved for specific City or County staff.
3. Personal vehicles (POV) **SHALL NOT** be parked in the basement of the CCB on Tuesday or Thursday evenings.
4. Personal vehicles (POV) of police employees **MAY BE** parked in the basement, as described in #1 above, on other weekdays from 6:15 p.m. until 7:00 a.m. the following day. Personnel must ensure that their vehicles are removed from the basement **by 7:00 a.m. Monday through Friday. There are no exceptions.**
5. Personal vehicles (POV) **MAY BE** parked in the basement on weekends and on city holidays, as described in #1 above. Vehicles must be removed from the basement **by 7:00 a.m. following the weekend or holiday.**
6. Officers shall adhere to all parking regulations consistent with their permit approval. **VIOLATIONS OF PARKING REGULATIONS MAY LEAD TO THE ISSUANCE OF A CITATION AND/OR REVOCATION OF THE PARKING PERMIT.**

Original SOP: 02/08/2016
(Reviewed Only: 11/01/2016, 12/26/2017)
(Revised: 12/03/2018, 12/28/2021)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Police Weaponry

Eff. Date ~~06/08/2020~~ 12/28/2021

Purpose

This procedure defines authorized handguns, holsters, allowable alterations to handguns, and rifle use.

Procedure

HANDGUNS

Shall be Carried on Duty

All **Madison Police Department (MPD)** commissioned personnel shall carry a fully loaded handgun, one extra fully loaded magazine, and a pair of handcuffs on their person while on duty, pursuant to the guidelines in this policy, unless otherwise directed or waived by a commander for special circumstances. If **an employee's** primary role is a patrol/street capacity, **a person the employee** shall carry two extra fully loaded magazines for their **employee's** primary handgun.

Officers will qualify in accordance with **Madison Police Department (MPD)** standards with any handgun carried on duty.

Any officer transitioning to a new **primary** duty or secondary weapon must successfully qualify with that weapon prior to **use carrying it** on or off duty. Any officer transitioning to a new primary holster requiring a different carrying method must successfully qualify with that holster prior to use on duty. Any officer transitioning to a weapon-mounted lighting system must successfully complete the MPD weapon mounted light course of fire, with the installed **light** system, prior to use on or off duty.

Officers shall not carry more than two handguns.

The Chief of Police may authorize special weapons and/or ammunition to be carried by **Special Weapons and Tactics (SWAT)** officers and may authorize firearms, accessories, and modifications contrary to those enumerated below, for testing and evaluation purposes.

Specifications for Primary Duty Firearm

The approved primary duty handguns for members of the MPD will be **the following**:

1. Glock Models 17 (9mm), 19 (9mm), 26 (9mm), 45 (9mm), 22 (.40 cal.), 23 (.40 cal.), 27 (.40 cal.), 21 (.45 cal.), and 30 (.45 cal.); Heckler & Koch VP9 series; and Sig Sauer P320 (9mm). Primary Duty handguns shall be black in color and shall be equipped with non-adjustable iron sights. Sub-Compact models such as the Glock 43, 43x, and 48, and the Sig Sauer P365 are only approved as primary duty handguns for personnel not assigned to field services, or for those who are temporarily filling a non-field assignment (attending training, administrative duties, etc.). See "Qualifications" and "Holsters" sections below for additional requirements.
 - a. Glock duty handguns shall be equipped with the factory Glock trigger components, which, per Glock Inc., requires 5.5 pounds of force to fire. If an officer chooses, they can utilize a configuration that makes the trigger pull heavier as long as Glock factory parts are utilized and they are installed by a certified armorer.
 - b. Heckler & Koch duty handguns shall be equipped with the factory Heckler & Koch trigger components, which, per Heckler & Koch, requires 5.4 pounds of force to fire. If an officer chooses, they can utilize a configuration that makes the trigger pull heavier as long as Heckler & Koch factory parts are utilized and they are installed by a certified armorer.
 - c. Sig Sauer duty handguns shall be equipped with the factory Sig Sauer trigger components, which, per Sig Sauer, requires 5.5 pounds of force to fire. If an officer chooses, they can

utilize a configuration that makes the trigger pull heavier as long as Sig Sauer factory parts are utilized and they are installed by a certified armorer.

2. Any weapon used as a primary duty weapon must have a round capacity of at least 10 ~~ten~~. Pistols chambered in .380ACP (9x17mm Automatic Colt Pistol) are not approved primary duty weapons, even with a magazine extender, unless approved by a commanding officer for a special assignment. Department members who intend to carry a subcompact firearm as a primary weapon must qualify with that weapon on the full Department of Justice (DOJ) qualification course of fire.
3. Officers transitioning to a pistol-mounted optic system shall complete both a transition course authorized by the Training Team as well as an initial qualification provided by the Training Team prior to carrying such a configuration on duty.
 - a. Only MPD-approved red dot optics may be used. The Captain of Training or designee will maintain a list of the approved optics or characteristics
 - b. Pistol-mounted optics shall be mounted to the firearm's slide. Optics may be mounted via the firearm manufacturer's mount, the rear sight dovetail, or by third party alteration of the slide.
 - c. The optics must allow for the simultaneous acquisition of iron sights.
 - d. The optics and accessories must be black in color.
 - e. Officers using a pistol-mounted optics system shall adhere to holster guidelines set forth below.

An officer may not be simultaneously qualified for more than one brand of semi-automatic pistol to be used as a primary weapon without approval from the Captain of Personnel and Training.

The Training Section will determine what weapon model all newly hired officers will carry while on probation.

Detectives and Plainclothes Personnel: When detectives or plainclothes officers wear their weapon in plain view, they will also display their MPD badge in a manner that is clearly visible and have their MPD identification on their person.

Specifications for Secondary Firearms

1. All secondary weapons must meet the following specifications:
 - a. Smith & Wesson, Sig Sauer, Glock, Beretta, Ruger, Walther, or H&K brand.
 - b. Double action or striker fire as specified above.
 - c. Semi-automatic action only or revolver.
 - d. .380, .38, .357, 9mm, .40 caliber, or .45 caliber.
 - e. Carrying any other type of handgun must be approved by the Chief of Police or designee in advance.
2. Secondary weapons are those carried on duty in addition to the primary weapon and are intended only as an emergency backup weapon in the event the primary weapon is lost, non-functional, or inaccessible to the officer.
3. Officers may be responsible for ammunition and weapon maintenance for secondary and off-duty weapons.

Off-Duty Firearms Carry

1. Officers wishing to carry a handgun while off duty, based on their authority as a Madison Police Officer, must comply with the following guidelines:
 - a. Officers carrying a handgun while off duty must have a badge and MPD identification on their person.
 - b. Officers carrying a handgun while off duty are responsible for knowing and acting in accordance with all relevant MPD SOPs ~~procedures~~.
 - c. Officers carrying concealed while off duty under the provisions of this SOP shall comply with MPD regulations with regards to approved brands, models, and accessories, and will complete required training and/or qualification.

2. Officers who have been issued a license to carry a concealed weapon under ~~175.60~~ Wis. Stat. ~~175.60~~ may carry weapons as authorized for any license holder by applicable state law. Officers carrying a weapon off duty, pursuant to a license issued under ~~175.60~~ Wis. Stat. ~~175.60~~, are limited to carrying in places and circumstances a license holder would be. If an off-duty officer is carrying a weapon under this statute and this weapon is not an authorized MPD weapon, the employee must be aware that he/she is acting as a private citizen carrying a concealed weapon (CCW) permit.
3. No firearm may be carried off duty when an officer is consuming intoxicants or under the influence of prescribed narcotics that could alter judgment. ~~See Wisconsin Statute 941.20(1)(b) which prohibits any person from carrying a firearm while intoxicated.~~

Qualifications

Department members will qualify with any handguns carried on duty or off duty, if carrying under the Law Enforcement Officers Safety Act (LEOSA) or authority as an MPD officer. The nature and timing of qualifications will be determined by the Captain of Personnel and Training, but all sworn department members shall qualify on at least a yearly basis.

Department members may qualify with no more than ~~three (3)~~ firearms, at least one of which must be designated as a primary duty handgun. Qualification is individualized to the particular firearm, not brand/model.

- a. Primary duty handguns will be qualified with in accordance with Department and State DOJ standards and must conform to "Specifications for Primary Duty Firearms" outlined above. This applies to any firearms carried as a primary or sole firearm while on-duty (e.g., OIC, In-service, etc.).
- b. Officers will qualify with their secondary weapons annually. Officers will be required to draw their weapon, in the qualification course, from the concealed carry position utilized on duty. The method of carry must be approved by the Training Team at the time of qualification.
- c. Department members intending to carry a firearm as both an on-duty backup and occasional primary firearm will be required to demonstrate their ability to draw and holster from the concealed backup location, but will qualify (to the primary firearm standard) with a holster configuration more appropriate to the primary carry role.
- d. Time will be afforded during regular qualification or training (as possible) for officers to qualify with ~~two (2)~~ firearms; however, the Primary Duty firearms will be qualified first. If additional attempts or remediation are needed, the officer may not be afforded additional time on that date to qualify with a second firearm. The Department will provide duty and qualification ammunition for these initial attempts.
- e. Officers who wish to qualify with a third firearm, or a second firearm after a retest, will be required to coordinate with the In-Service Sergeant or a Training Team member to arrange a time to do so. The officer may be expected to provide training or qualification ammunition for this attempt; the Department will still provide appropriate duty ammunition.
- f. Any qualification standard (primary duty or secondary) shall meet the Department's requirement for qualification to carry that firearm off-duty.

General Specifications

Only MPD-authorized service ammunition shall be carried on or off duty. Officers are only authorized to use magazines designed and marketed by the manufacturer of the weapon being carried.

MPD authorized firearms may not be modified, altered, or have any non-approved part(s) installed without the approval of the Captain of Training or designee. Firearms with actions altered beyond established safety guidelines are not permitted. Trigger shoes are not permitted. Non-standard grips must be approved by the Captain of Training or designee. Officers shall not disassemble their weapons beyond the basic "field strip" unless the officer is a certified armorer for that particular weapon. A weapon mounted lighting system is

considered to be an extension of the weapon and shall not be removed from the weapon except for repairs, battery/bulb replacement, or when training without the lighting system is desired. Laser projecting aiming systems are not approved for primary duty weapons, though may be permitted for secondary, off-duty, or backup weapons.

HOLSTERS

1. MPD will provide the initial issue duty holster to all new employees. Officers may purchase other approved holsters through their uniform and equipment account. MPD will replace duty holsters that are damaged in the course of duty.
2. Holsters must meet the following specifications:
 - a. Uniformed personnel, while working in the field in a patrol capacity, shall carry a holster which is designed to secure the specific weapon carried. The holster will be plain black, have a safety strap or hood which covers the back of the slide or hammer, and possess characteristics which secure the weapon so as to withstand strenuous activity, whether or not the strap or hood are engaged. Officers using a pistol-mounted optic shall carry a holster that adheres to all specifications set forth above; in addition, the holster will have a feature that covers/protects the optic from all sides while holstered. The holster will have solid belt loops and allow a handgun to be holstered and secured with one hand.
 - b. Uniformed personnel, not working in the field in a patrol capacity, shall carry a holster which is designed to secure the specific weapon being carried. The holster will be plain, black in color, and be capable of securing the weapon so as to withstand strenuous activity and shall make use of at least one form of active retention. The holster will allow the handgun to be holstered and secured with one hand. **There is still a requirement to use a holster with active retention, but not a hood covering the optics. Officers in plainclothes are also not required to have a holster that covers the optics unless working in a field capacity.**
 - c. Plainclothes Personnel shall carry a holster or fanny pack designed to secure the specific weapon being carried. The holster will be capable of securing the weapon so as to withstand strenuous physical activity. The holster will allow the handgun to be holstered and secured with one hand.
3. Primary duty holsters are to be worn in a manner that allows for a strong hand draw stroke.
4. Shoulder holsters which meet the following specifications are authorized:
 - a. The holster will be worn in the manner intended by the manufacturer and secured to the waist belt.
 - b. The holster will have the capability of allowing the handgun to be returned to the holster with one hand.
 - c. The holster will be equipped with a safety strap or other means of securing the weapon so as to withstand strenuous physical activity.
5. Captains may permit subordinate officers to carry a holster that deviates from the above, or authorize other means of carrying their weapon; such permission shall be in writing and placed in the employee's personnel file.
6. Secondary weapons must be holstered and fully concealed in such a manner as to remain secure during vigorous physical activity. A designated representative of the Training Team will inspect the security of holsters and carrying methods for all secondary weapons during firearm qualification.

DRAWING THE HANDGUN AND CONFRONTING A THREAT

1. A handgun may be removed from its holster in the performance of duty under the following circumstances and only with the finger outside of the trigger guard:
 - a. When an officer reasonably believes that the potential for the authorized use of deadly force may exist.
 - b. When it is necessary to secure in a safe place or check on the serviceability of the weapon.
 - c. At an approved range.
2. When confronting threats with drawn handgun:
 - a. The finger will remain outside of the trigger guard until such time as circumstances exist which reasonably indicate a danger to life or of great bodily harm.

- b. If applicable to the officer's particular weapon system, the pistol will be in double action mode and the weapon will not be cocked.
- c. If applicable to the officer's particular weapon system, after being fired, a semi-automatic pistol may remain in the cocked/single action mode until such time as the immediate threat of death or great bodily harm no longer remains. The weapon will then be restored to double action mode by use of the de-cocking lever, if so equipped.

DEPARTMENT APPROVED RIFLES / ADMINISTRATIVE GUIDELINES

1. Officers will only use MPD-authorized rifles.
2. No modification, alteration, or installation of any part on any department assigned or individually owned rifle shall be made without the approval of the Captain of Training or his/her designee, or by the SWAT commander (for SWAT tactical team members).
3. Only officers who meet MPD training requirements are authorized to use MPD approved rifles and they will use them in accordance with department training, policy, and established safety procedures.
4. Officers shall ensure that their MPD assigned and/or individually owned rifle is properly maintained, regularly inspected, and serviced in accordance with MPD training.
5. The Captain of Training or his/her designee shall maintain rifle assignments and records.
6. Except for exigent circumstances, officers shall not use a rifle not assigned to them.
7. Uniformed officers assigned to and engaged in field operations shall ensure that their authorized rifle is properly secured in their squad at the start of their shift unless approved by a supervisor. This requirement does not apply to off-duty or special assignments.
8. Rifles transported in police vehicles shall be secured in the mounting brackets provided or be cased in the vehicle's trunk. The rifle should have an empty chamber, have the safety on, and have a magazine loaded with the prescribed number of rounds as established by this SOP.
 - a. Only MPD-approved rifle ammunition is authorized to be carried on duty.
 - b. Magazines designed to hold 20 rounds shall be loaded with no fewer than 18 rounds. Magazines designed to hold 30 rounds shall be loaded with no fewer than 28 rounds. In no case shall the magazine be loaded with more rounds than designated by the manufacturer.
9. In police vehicles equipped with a prisoner transport screen, the screen shall be in the up or closed position when transporting prisoners, suspects, or persons under protective custody when a rifle is secured in the passenger compartment.
10. In the event an officer's rifle becomes fouled, is suspected of having a partial or complete barrel obstruction, or is otherwise not in a serviceable condition, it shall be immediately made safe and placed out of service until proper cleaning and/or repairs can be made. The officer responsible for the rifle shall promptly make written notice to the Training Team's In-Service Sergeant noting the nature of the problem. If the rifle will be unserviceable for an extended period of time, the officer will be issued an MPD-owned loaner rifle zeroed to the officer.
11. In the event an officer's rifle is collected as evidence, the Training Team's In-Service Sergeant or his/her designee will issue an MPD-owned loaner rifle zeroed to the officer as soon as possible.
12. Storage for rifles will be provided in each district station armory.

Individually Owned Rifles

Officers who have completed MPD-approved training may carry and utilize an AR-15 A2/A3 style 5.56mm/.223 rifle they personally own while on duty.

The rifle shall meet the following criteria:

1. Be made by Colt, Bravo Company Manufacturing, or Sig Sauer.
2. Be semi-automatic.
3. Have a minimum barrel length of 16 inches.
4. Have a full or multi-position collapsible stock; ~~N~~ no folding stocks are allowed.
5. Have a sling attached that is black in color.
6. Be equipped with iron sights.
7. Rifle and accessories shall be black in color (Any deviation must be approved by the Captain of Training or designee).

Deviations from these requirements may be made only with the written approval of the Captain of Training. Deviations for SWAT tactical team members may be approved by the SWAT commander.

Optional Accessories for Authorized Rifles

1. MPD-owned rifles may be equipped with a flashlight. The flashlight mount must:
 - a. Not require a modification of the rifle hand guards as delivered by the manufacturer.
 - b. Be able to be stored in the rifle mounting rack system in the squads.
2. Individually owned rifles may be equipped with the following accessories purchased at the owner's expense:
 - a. Flashlight.
 - b. A vertical forward grip.
 - c. A tactical hand guard or free floating hand guard; ~~A~~ a low-profile gas block may be used in conjunction with an extended free floating hand guard.
 - d. An alternative stock and/or pistol grip.
 - e. An ambidextrous safety and/or charging handle.
 - f. An enlarged or "winter" trigger guard.
3. With prior approval and inspection by a member of the Training Team, an officer may mount a personally owned optic on an MPD rifle.
4. Individually owned rifles may be equipped with optical sights, which include red dots, magnifiers, and riflescopes.
5. Guidelines for red dots, magnifiers, and riflescopes are the following:
 - a. Only MPD approved red dots, magnifiers, and riflescopes can be used on duty; ~~T~~ the Captain of Training or his/her designee will be the approving authority.
 - b. If equipped with optics, the optics must allow for simultaneous utilization of the iron sights.
 - i) If equipped with a rifle scope, back-up sights must be accessible through a quick release mount or offset 45-degree sights.
 - c. Officers utilizing an optical sighting system must have the system inspected by ~~T~~ training staff and qualify with an MPD Firearms Instructor with that sighting system prior to using the rifle on duty.
 - d. Officers with individually owned rifles may use a fixed-power magnifier in conjunction with the approved optics. The magnifier must utilize a mounting system that allows it to be instantly folded or rotated out of the way so the primary optics can be used without the magnifier, while remaining attached to the rifle.
 - e. Riflescopes must be able to return to 1x (1power) magnification.
 - f. Rifle optics shall never be used as a replacement for binoculars.
6. Current SWAT members may add additional accessories to individually owned rifles with the approval of the SWAT commander. SWAT members who leave the team in good standing may retain accessories at the discretion of the SWAT Commander. This approval may be rescinded at any time.
7. Installation of accessories that require disassembly beyond the standard field strip must be completed by a trained armorer or gunsmith and be inspected by an MPD armorer prior to duty use.

Rifle Safety Procedures

1. Rifles shall at all times be handled in accordance with MPD training, policy, and established safety procedures.
2. When inspecting, loading, or unloading rifles, officers shall:
 - a. Ensure the safety is on.
 - b. While seated in the front passenger compartment of a police vehicle, place the muzzle toward the engine and away from any portion of an officer's body.
 - c. Remove the magazine.
 - d. Pull the charging handle to the rear and lock the bolt back by depressing the lower half of the bolt catch. If a round is in the chamber, it should be ejected by this action.
 - e. Visually inspect the chamber to see that it is empty, keeping fingers out of the ejection port to prevent injury.
 - f. Close the action by pulling the charging handle to the rear and then releasing it.

- g. Inspect the magazine to ensure it is properly loaded before inserting into the magazine well. Tug aggressively down to **ensure-insure** the magazine is properly seated.
 - h. Close the dust cover.
 - i. Inspect the sights to ensure they have not been altered.
 - j. Secure the rifle in the vehicle mounting bracket.
3. In police vehicles so equipped, the prisoner transport screen shall be in the up/closed position when transporting prisoners, suspects, or persons under protective custody.

DEPLOYING THE PATROL RIFLE AND CONFRONTING A THREAT

1. A rifle may be deployed in the performance of duty under the following circumstances and only with the finger outside of the trigger guard and the safety on:
 - a. When an officer reasonably believes that the potential for the authorized use of deadly force may exist.
 - b. When it is necessary to secure in a safe place or check on the serviceability of the weapon.
 - c. At an approved range.
2. When confronting threats with a deployed rifle:
 - a. The finger will remain outside of the trigger guard with the safety on until such time and circumstances exist which reasonably indicate a danger to life or of great bodily harm.
 - b. After being fired, the safety selector may remain on fire until such time as the immediate threat of death or great bodily harm no longer remains. The weapon will then be restored to safe.

MISCELLANEOUS WEAPONRY

1. Uniformed personnel, while working in the field in a patrol capacity, shall have an MPD-authorized baton immediately available in their vehicle.
2. All uniformed personnel, while working in the field in a patrol capacity, are required to carry an MPD-authorized chemical agent. Carrying of an MPD authorized chemical agent is optional for non-field personnel.
3. All uniformed personnel, while working in the field in a patrol capacity, are required to carry an MPD-authorized electronic control device (ECD). This does not apply to personnel who have not been trained in the use of an electronic control device, or if no device is available (e.g., special events, **Field Training & Evaluation (FT&E)**, SWAT).
4. The use or carrying of any non-authorized firearm, electronic control device, ammunition, chemical agent, or agent-dispensing device is prohibited.
5. Commissioned personnel are permitted to carry folding/retractable knives with a blade no longer than four inches for utility purposes while on duty. Fixed-blade knives are authorized only for members of SWAT and only while operating in that capacity during special circumstances with the written permission of the Chief of Police.

FIREARMS SAFETY

Members of the MPD shall strictly adhere to all safety guidelines when handling any firearm to prevent an unintentional discharge of that firearm. Members shall not engage in any behavior with a firearm that may pose an unnecessary danger to any other person. Officers shall take reasonable measures to ensure the security and safe storage of MPD approved weapons. This procedure applies to all members of the MPD while on duty and to the handling of any MPD approved weapon while off duty.

FIREARMS IN THE DANE COUNTY COURTHOUSE

It is the procedure of MPD to actively participate in the safe and secure operation of the Dane County Courthouse (DCC). Courthouses are locations where disputes involving the most volatile human emotions are resolved and thus, can create unique potential dangers. Madison Police Officers shall recognize this environment and exercise extreme care when bringing a firearm into the Dane County Courthouse.

1. On-duty MPD sworn employees performing official duties are authorized to carry firearms in the DCC regardless of attire (e.g., military, utility, professional uniform, or civilian).
2. On-duty employees shall:
 - a. Wear a visible breast/pocket badge if wearing the military, utility, or professional uniforms. While in civilian attire, a pocket badge and/or MPD ID card shall be displayed on the outer garment.
 - b. Wear an agency-approved holster and adhere to all MPD firearms safety and weapon retention procedures.
 - c. When in civilian attire, wear an outer garment (coat, jacket, vest) to cover the firearm. A badge on a belt clip or MPD ID card shall be displayed near the firearm.
 - d. Have MPD-issued identification on his/her person and produce this identification to Sheriff's staff or weapons screener upon request.
 - e. Officers engaged in undercover activities are exempt from the above visible identification requirements and may provide weapons screening staff with other evidence of law enforcement status.
3. On-duty employees entering the DCC through the main entrance on South Hamilton Street shall, upon request of Sheriff's staff or a weapons screener, provide proper identification, state the reason of the visit, and sign-in **on the log book**. If an employee is not on official business, **his/her the employee's** firearm shall be secured in a gun locker near the main entrance and **he/she the employee** shall submit to weapons screening procedures.
4. Off-duty employees requiring access to the DCC for the purpose of attending to personal business shall enter the DCC through the public entrance on South Hamilton Street and will submit to weapons screening. If armed, they will be required to secure their firearm in a manner approved by the DCC Staff and will be required to submit to weapons screening procedures. MPD employees who are not on duty and not on official business are not authorized to carry firearms in the DCC.

Original SOP: 02/25/2015

(Revised: 03/17/2015, 04/21/2015, 03/04/2016, 08/25/2016, 12/21/2017, 09/24/2018, 06/08/2020, **12/28/2021**)

(Reviewed Only: 12/22/2016)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Records Inspection and Release

Eff. Date ~~04/29/2020~~ 11/29/2021

Purpose

The Madison Police Department (MPD) recognizes that employees of this agency will need to access different records within our agency for a variety of reasons and that records created and/or maintained by this agency are subject to release as outlined in the Wisconsin Public Records Laws. This standard operating procedure (SOP) outlines when it is appropriate for employees to access MPD records and the procedures for processing public requests for access to MPD records. This procedure also recognizes that citizens accessing our records through our public records request process is an essential element of establishing trust within our community and confidence in this agency.

Procedure for Requesting a Record

The MPD will accept an oral, electronic, or written request from a member of the public who desires to inspect MPD records. All public requests and releases of records must be coordinated through the Public Records Unit. This unit will maintain a log of all records released, identifying the requestor (if known), the date the request was made, and the date the request was processed. The MPD begins with the presumption that our records are open to inspection and copying, recognizing that there are some exceptions. We understand that ~~the~~ requestors ~~does~~ not have to identify themselves or provide a reason for their request. If no responsive record exists, a record does not have to be created to fulfill a request.

The public may submit their request for records during regular business hours between 8 a.m. - 4 p.m., Monday through Friday, holidays excluded, at the Records Section in person, electronically, by mail, or by phone. Requests made by mail should be mailed to: Madison Police Department, Public Records Unit, 211 S. Carroll St, Room GR-10, Madison, WI 53703 or by email to PDrecords@cityofmadison.com.

All records requests will be handled as soon as practicable and without delay in the order in which they are received.

All requests involving "sensitive" issues (personnel file contents, Professional Standards & Internal Affairs (PS&IA) documents/investigations, high profile investigations) require notification to the Office of the Chief of Police and will be handled by the designated Records Custodian.

All media requests require notification to the Public Information Officer (PIO) and to the Chief's Office and will be handled by the designated Records Custodian.

A copy of all data releases to the public by any MPD employee will be routed through PD Records.

Requests for MPD records from other law enforcement agencies should be routed to pdrecords@cityofmadison.com unless a release is necessary for urgent public safety. Sharing records deemed urgent between the MPD and fellow law enforcement agencies is permissible for "law enforcement investigative purposes", as long as the Public Records Unit is notified via email at pdrecords@cityofmadison.com with the necessary information for the records release log. Detectives and Detective Lieutenants may share reports with other law enforcement for investigative purposes and shall copy pdrecords@cityofmadison.com when they are released such records. MPD members releasing records to fellow law enforcement agencies shall consult with the Dane County District Attorney's Office regarding release when such release carries potential for impacting open cases.

PERSONS WHO MAY CONSIDER REQUESTS FOR PUBLIC INSPECTION

The following officers of the MPD will consider requests for the inspection of public records and documents in the custody of the MPD: Chief of Police, Assistant Chiefs of Police, trained Records

Custodians, Public Information Officers, PS&IA Commander, and records staff assigned to the Records Unit.

Budget requests and logistical information will be released only by the Chief of Police or his/her designee.

All comments referring to inter-departmental memos, orders, and communications will originate from the Chief of Police.

Plans, personnel matters, and prepared releases concerning specific news items will be released only by permission of the Chief of Police.

Personnel photographs will be released only by permission of the Chief of Police.

Investigative photographs from an active or ongoing investigation will be released by the Commanding Officer of the investigating district/section.

ACCESS TO POLICE RECORDS

Access to records maintained by the MPD shall only be authorized for official business needs. This regulation prohibits all unofficial and/or personal use of police records. This includes accessing or retrieving any personally identifiable information of another employee (to include date of birth, home address, home/cell phone numbers, social security numbers, and driver's license numbers). Tampering with records by members of the MPD is prohibited.

Members of the MPD shall not divulge the contents of police records to anyone outside the MPD without permission from their Commanding Officer or **from** a Records Custodian. The only exception to this is that it is permissible to share information with other law enforcement agencies and other governmental or service agencies as necessary to ensure public safety (e.g., Dane County Human Service, Journey Mental Health). No member of the MPD shall otherwise divulge any matters relating to official police business without first receiving authorization. The MPD Records Unit shall be notified by any MPD employee of any release of records made to another agency under this provision. Such notification should be sent via email to PDrecords@cityofmadison.com.

SUBPOENAS

Subpoenas solely for police reports or other investigative files should be directed to MPD Records. Subpoenas for personnel or disciplinary records should be directed to PS&IA.

If an employee receives a subpoena to appear at a court/judicial proceeding and the subpoena includes a requirement to produce records, the employee should:

- Review the requested documents with his/her commanding officer. The commanding officer will assess the records in question and determine whether any special response to the subpoena is required (such as a protective order or motion to quash the subpoena). If necessary, the City Attorney's Office will be consulted.
- Absent any special circumstances, the employee may bring a copy of the specified records to the court/judicial proceeding and provide them.
- The employee who has been subpoenaed will email a copy of the released documents to PD Records along with a copy of the subpoena.

INSPECTION VS. NON-INSPECTION OF RECORD

Records are presumed to be open for public inspection unless access is controlled by a specific state or federal statute, case law restricts access to the record, or the presumed public benefits of inspection are outweighed by the harm that would be incurred to the public interests by inspection of the record.

When access to a record is being denied in whole, or in part, through redaction of information, the person requesting inspection of the record shall be informed that their request is being denied. This denial can be orally provided if the request was made verbally. All other requests must be responded to in writing. This response will explain the statutory, common law, or public policy reasons for the denial or redactions contained within the document. This written response must also inform the requestor of his or her right to court review of the denial under mandamus action or upon application to the Wisconsin Attorney General or to the Dane County District Attorney. The Public Records Unit is not required by law to give an explanation for redactions to the requestor if the request was made verbally. Written responses for the denial of access to a record must be reviewed by the City Attorney's Office in accordance to **Madison General Ordinance (MGO) 3.70(6) MGO**. The Madison Police Department uses form letter replies, approved by the City Attorney's office, for most simple responses.

When a request cannot be fulfilled within ten (10) business days, the requestor shall be informed that their request has been received, is being processed, and will be produced as soon as practicable. The requestor shall also be provided with the reasons why the request cannot be fulfilled (if the location/redaction of the documents will be time consuming, or research into the request will cause delays), as well as the anticipated amount of time when the request will be complete.

Requests for video and audio records will be forwarded to the Forensic Services Video Technology staff for a copy of these records to be generated. Dissemination of these records will follow the above-stated process.

Requests for employee disciplinary investigations or potential law violation(s) will be processed by the designated Records Custodian. Prior to release, a notice will be provided to the affected employee(s) as required by State Law (**Wisconsin State Statute §19.356**). The Chief's Office will be notified of all requests of this type.

Prepayment for records shall be required as set forth in **sec. MGO 3.70(4)(b)3.e. Madison General Ordinances**. This includes requests where location costs exceed \$50.00, where reproduction costs exceed \$5.00, or when the requestor is a prisoner/institutionalized person. Copy costs are determined by the City's Information Technology Director and by the Finance Director.

PUBLIC RECORDS OR DOCUMENTS WHERE RELEASE MAY BE DENIED

Certain records and documents are confidential under Wisconsin law or common law and **are** precluded from public inspection. In the following instances, inspection may be limited or denied to the public:

1. Juvenile Records

Requests for inspection of children's police records may not be granted except to representatives of newspapers or other reporters of news who wish to obtain information for the purpose of reporting news without revealing the identity of the child involved. (**Wis. Stats. Sec. WI §48.26 and 938.396**).

Wisconsin **Statutes §938 and 48.396** allow certain persons access to juvenile records without obtaining a court order. **While these certain persons are** generally referenced below, additional requirements may apply to the various exceptions:-

- Legal Guardian or Custodial Parent (or to any person designated in writing by a legal guardian or custodial parent)

- Subject of Report (if over 14 years of age)
- News Media
- Victim-Witness Coordinators
- Victims of the Juvenile Act (but only for the purposes of collecting for their losses)
- Law Enforcement
- Social Service Agency with legal authority
- Schools as allowed under Wisconsin Statute §118.127
- The identity of the requestor must be verified prior to any release of information to ensure they are entitled to receive the record. Acceptable forms of identification include the following:
 - Photo Identification of party requesting record, and
 - A Birth Certificate verifying the relationship with the child, or
 - A Court Order showing legal guardianship

Information will not be released if the case in question is an active or pending investigation or prosecution and the release of that information would jeopardize the investigation/prosecution; or if the release would subject an individual to threats of harm or intimidation. The identity of a reporter of child abuse shall not be released; various provisions of sec. WI §48.981(7). Wis. Stats., prohibit the disclosure of a reporter's identity, including the extraordinary prohibition that such disclosure shall not even be made to a subject's attorney.

If the requestor requests a police report that contains information on a juvenile and the requestor does not provide proof of entitlement to the information, juvenile information will be redacted in its entirety.

2. Attorney-Client

Certain information contained in public records and documents in the MPD is protected by the attorney-client privilege.

Original SOP: 02/25/2015
(Revised: 03/16/2016, 02/03/2017, 11/30/2017, 02/14/2019, 12/20/2019, 04/29/2020, 11/29/2021)
(Reviewed Only: 01/11/2021)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Replacement of Lost, Stolen, or Damaged Equipment

Eff. Date 11/20/2017-11/29/2021

Purpose

To outline the procedure to obtain replacement of lost, stolen, or damaged equipment.

Procedure

1. If an item of department-issued property is lost, stolen, or damaged while on duty, within one month of the incident, the responsible employee will forward an email to their commander/manager detailing the circumstances of the loss and requesting replacement. This email must be sent within one month of the loss, theft, or damage incident.
2. When City-owned property is lost, stolen, or damaged through employee negligence, the information detailing the loss, theft, or damage will be forwarded to Professional Standards & Internal Affairs (PS&IA) by their employee's commander/manager for review when appropriate. (Refer to SOP regarding the City-Owned Property – Use and Care Standard Operating Procedure.)
3. Items damaged by reason(s) other than negligence will be examined by a supervisor and a decision will be made as to the most appropriate method, repair or replacement, for restoring the item to service.
4. If a replacement item is to be purchased by the department, the commander/manager will send an email message to the PD Purchasing email group explaining the reason for the replacement, providing the case number related to the incident, and including the name of the employee for whom the replacement item will be purchased-impacted. The commander/manager will also provide the details needed for ordering, such as item number, sizes, and any other pertinent information needed so that an order can be placed. In this instance, the replacement item will not be charged to the employee's uniform account.
5. If approved for replacement, personal watches will be repaired or replaced to a maximum of \$50.
6. The Madison Police Department (MPD) recommends the wearing of safety glasses, but other prescription glasses will be repaired or replaced, at a reasonable cost for frames and lenses, if lost or damaged while taking police action. (The current approved maximum replacement cost is \$190.) Employees desiring special frames or lenses (e.g., designer frames, U/V or scratch resistant lenses, etc.) will be responsible for those costs. This provision will also apply to prescription sunglasses and non-prescription reading glasses.
7. Contact lenses will be replaced if lost or damaged as a result of taking a police action.
8. Approved sunglasses purchased with uniform account funds will be replaced by the department if they were lost, stolen, or damaged during a police action and with commander review and approval.
9. Damaged or lost jewelry, such as beads, earrings, rings, bracelets, etc. will be the responsibility of the employee and no repair or replacement will be made by the MPD.
10. Work-related equipment not issued by the MPD will remain the responsibility of the employee and no repair or replacement will be made by the MPD, except as specifically provided for in labor contracts.
11. All worn out or lost uniform and equipment items shall be paid for out of the employee's uniform and equipment account.

Please be aware that **Madison Professional Police Officer Association (MPPOA)** and **Association of Madison Police Supervisors (AMPS)** labor contracts, and civilian employee handbooks, also contain language related to uniform purchase and replacement. Since these contracts may change, **it's it is** important to note that any labor agreements supersede any uniform procedures currently in place.

Original SOP: 04/01/2015
(Revised: 02/12/2016, 11/15/2016, 11/20/2017, **11/29/2021**)
(Reviewed Only: 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



TIME System Use and Dissemination of Records

Eff. Date ~~11/18/2019~~ 11/29/2021

Purpose

The Madison Police Department (MPD) uses the Transaction Information for the Management of Enforcement (TIME) System/eTIME (online version of TIME). The TIME/eTIME system grants access to the following data service agencies: Wisconsin Department of Justice Crime Information Bureau (CIB), the FBI Criminal Justice Information Services (CJIS) Division, the FBI National Crime Information Center (NCIC), the National Law Enforcement Telecommunication System (NLETS), the Canadian Police Information Centre (CPIC), the Wisconsin Department of Transportation (DOT), the Wisconsin Department of Natural Resources (DNR), and the Wisconsin Department of Corrections (DOC).

Procedure

SYSTEM USAGE

ONLY authorized users shall access use the TIME system for valid law enforcement/criminal justice purposes. At no time will any user use the TIME system to run the user's personal information himself or herself (and respective license plates), a family member, or anyone with whom the user is closely associated. Should a situation arise wherein the subject who needs to be run through the TIME system is closely affiliated with the user, the user will request another officer, staff member, or a supervisor to run the subject. If a test record needs to be run, only approved test transactions should be used.

PENALTY FOR MISUSE

The Department of Justice Crime Information Bureau, as well as the MPD, may investigate any alleged misuse of the TIME System. This Potential misuse of the TIME system includes running family members or other subjects with whom the user is closely associated for criminal justice purposes during the normal course of work, running information for personal use, and running information that is in direct conflict with the regulations set forth by the FBI and CIB for the use of the TIME system. Individuals determined to have misused the TIME system may be subject to internal discipline and/or criminal and/or civil penalties under state and federal law. TIME logs are audited for compliance with these policies.

SECURITY

TIME Agency Coordinator

The MPD shall designate an individual to serve as a TIME Agency Coordinator (TAC). The TAC may designate authorized contacts to fulfill various roles and responsibilities in the administration of the TIME system. TAC Responsibilities of the TAC are to ensure that authorized users are trained and in compliance with CJIS, FBI, and MPD policies and regulations. The TAC also serves as the administrator of TIME interfaces to departmental applications/systems, terminal designations, and applicable communications/connectivity. Additionally, the TAC is responsible for the completion of audits performed by CIB and the FBI. In order to maintain our agency's access to the TIME system, it is essential that all staff comply with all requests from the TAC or designee(s). Additionally, the TAC will disseminate TIME System Newsletters to departmental staff.

General Security

Access to TIME terminals shall be limited so that only authorized users will be able to view and access information from the system. In order to qualify for authorization, a TIME user must pass an initial background check, complete initial certification within six months of hire, and maintain applicable TIME certifications bi-

annually. Staff with agencies holding a current Management Control Agreement with MPD will be required to complete and maintain TIME System Security Awareness training. Vendors remotely accessing CJIS related applications/systems shall be virtually escorted by certified and authorized MPD Technology staff. In the event of a security incident, that the occurrence shall be documented and reported to CIB in accordance to applicable policies and procedures.

CRIMINAL HISTORY RECORD INFORMATION (CHRI/III)

Information from CHRI and the FBI Interstate Identification Index (III) shall only be obtained for designated purposes outlined below. This information is not to be disseminated to non-criminal justice agencies or persons. Dissemination to another criminal justice agency requires a secondary dissemination log that will be maintained for one year. The original authorized user must ensure that the recipient is properly authorized, and for valid purposes, to receive the information. CHRI/III records received cannot be disseminated via radio broadcast or cellular phones unless there is a situation affecting officer safety or the general public.

Authorized Purpose Codes

- **Code C:** Code C is used for Criminal Justice/Law Enforcement purposes and is accepted by CIB and by the FBI. Adult and juvenile records will be supplied. This code is used for official duties in conjunction with the administration of justice (such as detection, apprehension, detention, prosecution, etc.).
- **Code J:** Code J is used for Criminal Justice/Law Enforcement employment applicants and is accepted by CIB and by the FBI. Adult and juvenile records will be supplied.
- **Code D:** Code D is used Domestic Violence/Stalking and is accepted by CIB (only adult records will be returned) and by the FBI (only returns information not sealed by state). This code is used by agencies providing a record to a court hearing for Domestic Violence, and is for court use only. Actual Domestic Violence incidents will use Code C.
- **Code H:** Code H is used for checking suitability of Public Housing Applicants and is accepted by CIB (for adult records only) and by the FBI (for identification only).
- **Code F:** Code F is used for the return of Firearms to Lawful Owner and is accepted by CIB and by the FBI. Both adult and juvenile records are supplied. This code is used for the return of firearms to owners after theft, improper seizure, etc.
- **Code E:** Code E covers other Authorized Employment Purposes and is accepted by CIB ONLY (which ONLY supplies adult records). The FBI will not accept this code. This code is used for when criminal history is required by state statute, local ordinance, or federal regulation.

Storage and Disposal of CHRI Information

CHRI/III records shall not unnecessarily be maintained in case files to avoid disclosure of out-of-date/inaccurate records under Wisconsin open records law. Cases that are e-Referred may contain CHRI/III information, however, this information is not considered part of the case documentation and is not subject to open records. When no longer needed, data from the TIME System shall be disposed of by the user in a secure manner via shredding.

Probable Cause/Hit Confirmation

A hit on TIME is not sufficient for probable cause; -- a hit only comprises part of the probable cause analysis and must be viewed in conjunction with other available information. As the time period increases, the significance of the hit decreases. When a hit confirmation request is received via dispatch or directly to the Officer in Charge (OIC), the OIC is responsible for providing timely confirmation back to the requesting agency.

CHRI/III INFORMATION

On the CHRI/III request screens, the attention field shall contain the user's IBM# and the additional information field shall contain the case number. If no case number exists, a brief explanation of why the request was run **is required** ~~will need to be entered~~.

TIME and NCIC Management of Records

Only staff with Advanced TIME Certifications shall be allowed to enter, modify, and remove records from TIME/NCIC. Once a record has been entered or modified, a secondary check will be completed by a staff member who **in** did not enter or modify the original record. Validation of all entries into TIME/NCIC shall be completed as designated by CIB.

Original SOP: 02/25/2015
(Reviewed Only: 02/04/2016)
(Revised: 01/06/2017, 12/11/2017, 11/18/2019, **11/29/2021**)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Tours, Visitors, and Ride-Alongs

Eff. Date 09/02/2020-10/19/2021

Purpose

Tours of police facilities will be conducted for approved groups who have expressed an interest in observing the functions of the Madison Police Department (MPD).

Most MPD facilities have areas within them that are secured and not accessible to the general public. We recognize that members of the general public and other law enforcement officials will have a need to enter into these secure areas from time to time. When doing so, all visitors will be expected to comply with all security measures put in place.

Unlike many jobs in today's society, the duties of a police employee are not easily described to persons outside the profession. Therefore, the purpose of allowing citizens to ride with police employees is to add to the public's knowledge and understanding of the problems and complexities of the law enforcement profession and of the relationship between law enforcement and the public.

Procedure

TOURS OF POLICE FACILITIES

Tour screening and coordination will be the responsibility of the Public Information Office (PIO) and conducted by various volunteers of the MPD. All tour groups must be escorted at all times.

VISITORS OF POLICE FACILITIES

Visitors coming into any secure area of a police facility will need to be escorted by an employee of the MPD. Visitors must sign the MPD visitor log and must wear a visitor badge so that it is in plain view.

RIDE-ALONG PROCEDURE

Ride-Along Program Responsibility of Administrative Assistant of the Chief PIO

The administration of the Ride-Along Program is the responsibility of the Administrative Assistant of the Chief, PIO and Requests for permission to participate in a ride-along will be handled by this office unless the ride-along participant is a non-commissioned MPD employee, or an intern, or the ride-along was initiated by an officer. Eligibility of each applicant will be determined by the Administrative Assistant of the Chief PIO. The Administrative Assistant of the Chief PIO will be responsible for collecting the name, address, date of birth, and home phone number of each person requesting to ride. The Administrative Assistant of the Chief MPD Records Section will conduct background checks on applicants. The Administrative Assistant of the Chief Centralized Patrol Services Captain will disseminate viable applications to district commanders who will schedule officers to accommodate ride-along assignments. Each district will be asked to schedule a maximum of five applicants per month unless there is a larger group request, i.e., U.W. class.

Persons requesting to ride, who are applying for the position of Police Officer with the MPD, will be referred to the Recruiting Officer for placement and scheduling.

Ride-Along Database

A Ride-Along Database will be maintained electronically by the Administrative Assistant of the Chief PIO. The data will contain a complete listing of those who have participated in the Ride-Along Program including the date of their ride-along and the employee with whom they rode with.

Generally, a person taking part in the program may not ride-along for more than once a per year unless the ride-along participant is a non-commissioned employee, an intern, or a public safety cadet Police Cadet, or the ride-along was initiated by an officer.

Voluntary Employee Participation

Employee participation in the ride-along program will be voluntary. Employees may wish to advise their commander of their willingness to participate in the program

Waiver of Liability Form

The Waiver of Liability form must be completed by the person requesting to ride and the employee performing the ride-along prior to the beginning of the ride-along. A supervisor must also sign the approval of the waiver prior to the start of the ride. The completed waiver form will be forwarded to the Administrative Assistant of the Chief PIO where they and completed waiver forms will be kept on file. These waiver forms records will be purged in accordance to the MPD records retention schedule approved by the State Records Board.

Duration of Ride-Along

It is suggested that the length of the ride-along period will be four (4) hours. The total time period of the ride-along is to be recorded on the Waiver of Liability form.

Juvenile Ride-Along

All juvenile (ages 15-17) ride-along periods will be conducted between the hours of 7:00 a.m. and 7:00 p.m. The majority of the ride-alongs will be scheduled as early in the afternoon as possible. Extensions to 10:00 p.m. for a juvenile ride-along may be granted by the Officer-in-Charge (OIC). The extension and exact time of the ride-along shall be documented on the returned Waiver of Liability form. Requests for juveniles under the age of 15 must be approved by the Chief of Police.

Public Safety Cadets Police Cadets, a program for youth ages 14-20, are exempt from the age and hour restrictions set in place for juveniles.

Employee Initiated Ride-Alongs

MPD personnel will be allowed to initiate ride-alongs for relatives or friends. Employees should obtain the approval of their immediate supervisor or OIC on the waiver form for employee initiated ride-alongs.

The number of ride-alongs an employee will be allowed to take will be determined on an individual basis. Some criteria in making the determination will be:

1. The number of employee-initiated ride-alongs performed.
2. The effect of the ride-alongs on the employee's ability to perform assigned duties.
3. The time period covered by the ride-along involved.

This The number of ride-alongs determination will be made in conjunction with the Administrative Assistant of the Chief PIO and the officer's supervisor(s).

Non-Commissioned Employee Ride-Alongs

Non-commissioned employees of the MPD may be authorized to ride-along (on duty time) more than once per year if their supervisor believes such action will increase the employee's understanding and performance of assigned duties.

Intern Ride-Alongs

Persons working on projects involving the MPD may be granted permission to extend the ride-along period. Interns working with the MPD should complete the Internship Waiver of Liability form prior to the start of the internship, if the internship includes ride-alongs with MPD personnel. **Public Safety Cadets** ~~Police Cadets~~ should complete the **Public Safety Cadets** ~~Police Cadet~~ Wavier of Liability form at the beginning of each calendar year.

Employee Participation

Employees on probation will not be allowed to participate in the ride-along program unless prior approval has been obtained from the employee's Commanding Officer.

~~Approval for probationary police officers from their Commanding Officers should only be given when the officer has demonstrated, at a minimum, a performance of "acceptable" according to the Field Training and Evaluation Program standard evaluation guidelines (#4 level). Ride-alongs should not be approved if the assignment would interfere with the progress of the officer or reflect negatively on the MPD.~~

One Ride-Along Limit

There will only be one ride-along **participant** assigned to an employee at any given time unless approved by the OIC (e.g., camera crew for approved interview).

Scene Guidelines

Officers shall adhere to the following guidelines when determining whether to allow a ride-along to enter a scene:

1. Ride-alongs **participants** may not accompany officers into private residences or into any other place not readily open to the public when the officer's legal basis for entering is not based upon consent (i.e., warrant execution, exigent circumstances, community caretaker, etc.).
2. Ride-alongs **participants** may accompany officers into private residences or into any other places not readily open to the public when:
 - a. The owner/resident or other person in control of the premises expressly consents to the ride-along's **participant's** entry.
 - b. The ride-along **participant** is directly assisting the officer in the performance of the officer's duties, (example: intern assisting with searching or evidence collection during search warrant execution).
3. Ride-alongs **participants** may accompany officers any place that is open to the public, subject to state and local laws (i.e., underage persons not to enter taverns).
4. Ride-alongs **participants** may not exit the squad car during a traffic stop prior to the occupants being secured, unless it is necessary to ~~ensure insure~~ their safety or **when** approved by a supervisor.

Ride-Along Personal Appearance

All ride-along participants are visible representatives of the City of Madison and its Police Department and as such, a neat, clean and professional appearance is required. **Ride-along participants shall adhere to the following guidelines regarding their personal appearance during their ride-along experience:**

1. Clothing shall not be torn, frayed, stained, excessively faded, or sheer to the skin.
2. Clothing shall not be excessively loose or tight fitting and must not pose a safety hazard when accompanying officers on calls for service.
3. Clothing, buttons, badges, or pins shall not have political or potentially offensive words, terms, logos, pictures, cartoons, or slogans.
4. Shorts may be worn as long as they are knee length or longer and are professional in appearance.
5. Undergarments shall not be visible.
6. Footwear should consist of closed toed shoes. Sandals, open toed shoes or open back shoes could potentially be a safety hazard and shall not be worn.
7. Strapless, halter, spaghetti strap, low cut shirts, tank tops, or muscle shirts shall not be worn unless worn under another shirt.
8. Sweatpants, bib overalls, lounge pants, and athletic pants and shorts are not acceptable.
9. Headgear shall be appropriate for the assignment. Scarves and head covers that are required for religious or medical purposes shall be allowed.
10. **Public Safety Cadets** ~~Police Cadets~~ may not wear their Cadet uniform, Cadet t-shirt, or other Cadet or MPD apparel.

Restriction Applications

The restrictions outlined in this SOP apply to all civilian ride-alongs **participants**, including interns, students, and non-commissioned MPD employees.

Original SOP: 02/25/2015
(Revised: 02/12/2016, 11/09/2017, 08/13/2018, 09/02/2020, **10/19/2021**)
(Reviewed Only: 12/20/2016)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Traffic/Parking Enforcement and Crash Investigation

Eff. Date ~~02/06/2020~~ 12/28/2021

Purpose

The traffic enforcement objective of Madison Police Department (MPD) is to reduce traffic crashes and injuries and to facilitate the safe and expeditious flow of vehicular, bicycle, and pedestrian traffic through voluntary compliance with traffic regulations.

Procedure

PUBLIC EDUCATION

MPD stands committed to the concept of education as an important factor in prevention and law adherence. Whenever appropriate, MPD will preface any new or concentrated traffic enforcement initiative with a period of public education or reeducation.

TRAFFIC ENFORCEMENT

MPD commissioned personnel Officers should take appropriate enforcement action to address unsafe driving and bicyclist or pedestrian behavior, focusing on areas with a high incidence of traffic crashes as well as being responsive to neighborhood and citizen complaints.

PARKING ENFORCEMENT

Street parking is restricted in various areas of the City of Madison (City) to ensure fair access to parking and to expedite the flow of vehicular traffic. All existing parking regulations will be enforced with reasonableness and impartiality in all areas of the City.

Withdrawal of Parking Citations

Parking citations may only be withdrawn by a Traffic/Specialized Services Supervisor pursuant to the following the standard review process:

- 1) A written request for review is submitted to the Traffic Section (online or paper form).
- 2) A Parking/Traffic and Specialized Services Supervisor will review the circumstances of the issuance of the parking citation and will make a determination on the status of the citation.
- 3) A written response from the reviewing Parking/Traffic and Specialized Services Supervisor will be sent to the requestor notifying the requestor of the outcome of the review.

Commanding Officers may request withdrawal of parking citations for employees under their command if the citation resulted from an emergency call-in, holdover, or other unusual work related circumstances.

The Chief of Police or Commanding Officers may authorize withdrawal of parking citations issued to citizens if the citation resulted from department related issues.

A Traffic/Specialized Services Supervisor may withdraw a citation for "malfunctioning meter" when such conditions are verified.

When a parking citation is withdrawn for any of the above reasons, the disposition must be noted on the original citation, or on the written or electronic citation disposition record. No other method of withdrawing a citation is authorized.

TRAFFIC CRASH INVESTIGATIONS

Traffic crash investigations are conducted by **commissioned members of** our department in order to protect the rights of citizens, **to** detect traffic violations, and to determine enforcement, engineering, and educational needs.

Officers will respond to, investigate, and **complete the a Wisconsin Motor Vehicle Accident Report (DT4000)** within 10 days per **Wisconsin State Statute 346.70(4)** when the crash occurred on public property or private property held open to the public, and:

- a) the crash resulted in a reported injury or fatality of a person,
- b) the crash resulted in damage to one person's property to an apparent extent of \$1,000 or more, **and/or**
- c) the crash resulted in damage to government-owned property, to the apparent extent of \$200 or more, or to a government-owned vehicle, to the apparent extent of \$1,000 or more.

Officers will respond to, investigate, and may **complete the a Madison Police Department's accident report (MPD4000) when:**
(MPD4000) when:

- a) the crash resulted in less than an apparent \$1,000 damage to either owner's property/vehicle, and
- b) the crash resulted in no reported injuries, and
- c) there are citizens requesting police documentation of their crash.

After an officer responds to a crash scene and determines that the crash does not meet the criteria for a reportable DT4000, citizens can mutually decide that they would rather simply exchange names at the crash scene and request not to have an MPD4000 accident report completed.

An MPD "Driver Information Exchange" form (with the case number and officer name only listed) should be provided to each driver to complete the remaining information. Officers themselves shall not provide identifying information of those involved **in the crash to the other parties.** Officers shall not utilize the **Driver Exchange Form in Traffic and Criminal Software (TraCS) program.**

Officers are not required to complete a DT4000 or **an MPD4000 accident report only under the following circumstances: when:**

- a) **When t**The crash resulted in property damage only and occurred during a time period when the **Officer in Charge (OIC)** has determined that severe weather conditions, or other unusual circumstances **have** increased the number of crashes beyond the department's capacity to respond, **or**
- b) **When a**All of the vehicles/pedestrians involved in the crash have left the scene of the crash prior to calling police, unless special circumstances prompted their leaving, such as, following a hit and run vehicle, seeking medical treatment, or moving to a nearby safe location.

When a. or b. above occur, the officer should advise citizens to obtain a DT4002 Self Report of Accident form from the Wisconsin Department of Transportation (DOT) website.

Officers will not complete a DT4000 or **an MPD4000** when the crash involved a collision between bicycles and/or **pedestrians and no motor vehicles.** In this case, a report should be completed as an Incident Report. ~~pedestrians, and no motor vehicles. In this case, a report should be completed as an Incident Report.~~

Officers will submit addendum reports (Officer's Report Form) under the following circumstances **when:**

- a) **When a**Any charges are issued/pending (the DT4000 cannot be used in any criminal case), **or,**
- b) **When a**All of the information cannot be adequately reported in the narrative section of the DT4000 or MPD4000, e.g., hit & run, witness statements.

Issuance of Citations at Motor Vehicle Crashes

Officers shall issue citations in any crash where probable cause exists for a violation that is a causal factor in the crash, regardless of which form is used to document the **crash** investigation.

Investigation of Motor Vehicle Crashes Involving Serious Injury or Death

In order to ensure that motor vehicle crashes involving serious injury or death are handled consistently, the case management of such crashes will be the responsibility of Traffic and Specialized Services.

Serious injuries are those injuries which appear life threatening. Crashes with injuries of questionable severity will be investigated as if they were serious injury/fatal crashes. A Field Supervisor will be responsible for assessing the crash scene and any associated injuries to determine if an Investigator and Traffic Specialist should be called to the **crash** scene.

Procedure— If the Field Supervisor determines a crash is a serious injury or fatal crash, **the following procedural steps shall be considered and requested as necessary:**

- a) The Field Supervisor will be in charge of the crash scene and will be responsible for coordination of the initial investigation.
- b) The Field Supervisor at the scene will consult with the OIC to determine if a Traffic Specialist, Detective, and additional Investigators are needed. The OIC should give particular consideration to the need for a Traffic Specialist when a driver has fled the scene of a serious injury traffic crash.
- c) If the OIC deems it necessary that a Traffic Specialist is needed, Traffic/Specialized Services and Forensics Commanders should be contacted:
 - i. Lieutenant of Traffic & Emergency Management
 - ii. Lieutenant of Forensics Services Unit
 - 1) ~~Lieutenant of Traffic & Emergency Management~~
 - 2) ~~Lieutenant of Forensics Services Unit~~
- d) **At least one** Forensics Services Unit Investigator ~~(s)~~ will be dispatched to manage the collection of evidence and documentation of the crash scene. If determined appropriate after consultation with above command staff, a Traffic Specialist, Detective, and additional Investigators will be assigned.
- e) Field supervisors will make all assignments, with specific attention to witnesses' statements, **facilitation of blood specimen(s) collection, and collection of other evidence relative to the investigation (video evidence collection and/or preservation).** Detective resources should be requested and utilized as needed.
- f) Whenever possible, investigating officers should obtain a signature authorizing the release of medical information from injured persons who are conveyed for treatment. The forms are available in all medical facilities and will ensure proper documentation of injuries, which is particularly critical in cases that may result in criminal charges against a driver. The medical release form should be filed with the officer's original report.
- g) Field supervisors will ensure that a "Supervisor Serious and Fatal Crash Investigation" form is completed. **Field supervisors will also ensure that all essential witnesses' statements have been taken and that all Investigators', Detectives', and Officers' reports are complete their reports** before ending their shifts when appropriate.
- h) The **Dane County Medical Examiner (ME)** will be contacted in cases involving a fatality and ~~the~~ information **detailing the ME's office personnel** must be included in the appropriate report.
- i) **The Major Case SOP should be followed for reports completion.**
- j) The Traffic & Emergency Management Lieutenant will make all follow-up investigation assignments as needed, in consultation with the ~~District~~ Detective Lieutenant **of the involved district.** Detectives are to be assigned when appropriate.
- k) **Per WI State Statutes – 165.785(1)(b), 165.785(2r), and 175.51(2m),** ~~if~~ law enforcement receives a report of a hit and run violation, the agency **shall** disseminate the report through the integrated crime alert network if the law enforcement agency determines that **all** of the following conditions are met:
 - i. **A person has been killed due to the accident that is related to the violation;**

- ii. The law enforcement agency has additional information that could help identify the person who has allegedly committed the violation or the vehicle involved in the violation; and
 - iii. An alert could help avert further harm or could aid in apprehending the person who allegedly committed the violation.
- 1) A person has been killed due to the accident that is related to the violation;
 - 2) The law enforcement agency has additional information that could help identify the person who has allegedly committed the violation or the vehicle involved in the violation; and
 - 3) An alert could help avert further harm or aid in apprehending the person who allegedly committed the violation.

DEPARTMENT VEHICLE TRAFFIC SAFETY

Proper and safe driving of department vehicles is an important job-related responsibility of MPD employees. Injuries and damaged property resulting from preventable employee crashes reflect adversely upon the department's image as a public safety agency. Therefore, the following procedure is intended as a positive education program aimed at reducing preventable motor vehicle crashes by correcting higher risk driving behavior.

All department employees who drive city-owned vehicles may be required to participate in crash prevention in-service programs which will include a review of existing policies, "good practices" in police driving, and special requirements of emergency driving, especially the use of speed and the approaching of intersections.

Employee Involved Traffic Crash Protocol

Members of the MPD shall promptly report to any on-duty supervisor any traffic crash with, or damage to, any City-owned motor vehicle operated by them or in their charge.

If an off-duty MPD employee operating a privately owned motor vehicle is involved in a traffic crash within the City of Madison, a field supervisor shall be dispatched to supervise. If no field supervisor is initially dispatched, the responding officer shall request a supervisor respond.

CITY VEHICLE/EMPLOYEE TRAFFIC CRASH INVESTIGATION PROCEDURE

Definitions

The following definitions will apply for reporting purposes under this SOP:

- Traffic Crash:** Any contact between a City-owned or on-duty employee driven vehicle and another vehicle, pedestrian, or object, resulting in evident damage or reported injury.
- Incident:** Any time a City or on-duty employee driven vehicle:
- a. Has contact with an occupied, privately owned vehicle, or
 - b. Is in motion and has contact with a pedestrian, bicyclist, or fixed object and there is no evident damage or reported injury.

Investigation

Officer Responsibilities: When an officer is dispatched to investigate a vehicle traffic crash involving a City-owned vehicle and/or an on-duty City of Madison employee, the officer shall:

- 1) Investigate the crash in a manner consistent with MPD policies and request that a Field Supervisor respond be dispatched to the scene to oversee the investigation.
- 2) Determine the causal factors of the crash and determine if probable cause exists that an involved driver committed a traffic violation.
- 3) Complete a DT4000 and report before the end of shift. The OIC or a Supervisor may grant approval to hold over the report, but all efforts should be made to have all crash documents submitted within two days of the crash. The MPD4000 short form is not to be used to document crashes involving city-

owned vehicles and/or on-duty City of Madison employees except when approved by a Supervisor for single vehicle crashes on City property involving only City vehicles and very minor damage. The estimated damage costs must be under \$200 if utilizing the MPD4000 crash form.

Under no circumstances will an employee complete a DT4000 or an MPD4000 crash report for an incident in which they were involved. If a Field Supervisor is not available, the OIC will make the determination as to whether an Investigator or Police Officer will investigate the crash. If the operator of the MPD vehicle involved is a commissioned officer, ~~he/she~~ the involved officer may be required to complete a supplemental report.

Supervisor Responsibilities: A Field Supervisor will be required to respond to all motor vehicle crashes involving City of Madison vehicles or on-duty employees, as well as those involving off-duty MPD employees.

If probable cause exists for a violation by an **on-duty** City employee, the on-scene/Field sSupervisor shall:

- **For non-MPD City employees:**
 - Issue the appropriate citation.
- **For MPD employees:**
 - Do not issue a citation at the scene.

The on-scene/Field sSupervisor must also complete, within two days of the incident, a Blue Team entry and a memo to the Captain of Traffic & Specialized Services for all crashes involving and on-duty MPD employee. The investigative memo should include all pertinent details of the crash to include probable cause for any applicable moving violation (if applicable) as well as any **duty related mitigating factors** that may exist. Follow the memo template attached to this SOP.

In the event of a serious injury crash involving on-duty City employees, the "Investigation of Motor Vehicle Accidents Involving Serious Injury or Death" SOP will be followed. As a standard procedure, all crashes involving on-duty City employees in which serious injury or death occurs shall be submitted to the City Attorney and to the District Attorney for review.

Review and Follow-Up

For crashes involving on-duty MPD employees, the following review and follow-up process shall be followed:

- All traffic crash memos involving on-duty MPD employees will be entered into Blue Team by a supervisor and will be routed to Professional Standards & Internal Affairs (PS&IA). PS&IA will review and will assign the incident to the Lieutenant of Traffic & Emergency Management as well as the employee's Commander/Manager for follow-up.
- The Lieutenant of Traffic & Emergency Management will convene a meeting of the Vehicle Operations Review Committee (VORC) to review any crash involving an MPD employee as determined by the Captain of Traffic & Specialized Services. VORC will conduct a review of the crash within 45 days of the incident. This timeframe may be only be extended if essential documentation from the crash is not available.
- The Lieutenant of Traffic & Emergency Management will complete a memo detailing the committee's review of the crash as well as any recommendation for additional training or equipment modifications. The Lieutenant of Traffic & Emergency Management will enter the memo into Blue Team, and will to be-routed the entry to the employee's Commander/Manager for further review.
- The Captain of Traffic & Specialized Services will coordinate with PS&IA to present the findings from the crash review and will offer recommendations to the Chief of Police. The Chief will make the final determination as to the issuance of a citation to the employee.

- If it is determined that a citation is warranted, the on-scene/Field Supervisor will be responsible for issuing ~~ance of~~ the citation. The involved employee's Commanding Officer will be notified of the decision.
- In addition, the Department will assess whether remedial training or internal discipline is appropriate.

For crashes involving all other on-duty City of Madison employees, the following review and follow-up process shall be followed:

- All traffic crash reports involving on-duty (non-MPD) City employees will be routed to the Captain of Traffic & Specialized Services for review.
- The Captain of Traffic & Specialized Services (or his/her designee) will review the circumstances of a crash involving an issued citation. Consideration should be given to establishing probable cause, mitigating circumstances, and equity with similar incidents. For this review, the employee's supervisor or Department Head may be consulted. The Captain of Traffic & Specialized Services will be responsible for a decision regarding whether the citation will stand or be withdrawn.

Recordkeeping

All crash data will be stored in a designated MPD database. Details regarding crashes involving MPD employees will be shared with the Chief and Assistant Chiefs on a biweekly basis.

Vehicle Operations Review Committee

The Vehicle Operations Review Committee (VORC) will review crashes involving on-duty City of Madison Police Department employees as directed by the Captain of Traffic & Specialized Services. This may include operations of City-owned vehicles, leased vehicles, or privately owned vehicles if the operator is on duty. The committee may also be asked to review operations that Command staff consider potentially hazardous or unprofessional.

The Lieutenant of Traffic & Emergency Management will chair the committee. In addition to the chair, the committee will consist of four to six Madison Professional Police Officer Association (MPPOA) members of the department, a Parking Enforcement Officer, and the Sergeant assigned to PS&IA. The Captain of Traffic & Specialized Services will designate members to serve on the committee. When selecting members, consideration should be given to their prospective members' training and assignment, utilizing persons who regularly operate city vehicles in conditions similar to those experienced by line personnel and who may include Traffic Specialists, Emergency Vehicle Operations Course (EVOC) Instructors, and Officers or Sergeants assigned to patrol.

The Lieutenant of Traffic & Emergency Management will schedule meetings based on the number of incidents requiring review. Minimally, the committee shall meet biannually.

The Vehicle Operations Review Committee will consider the following factors in their review of an employee involved employee-involved crash:

- 1) Type of vehicle involved.
- 2) Environmental factors.
- 3) Training and experience of the operator.
- 4) Past incidents involving similar circumstances.
- 5) Applicable policy and procedures.

The results of the review will be recorded in memo format composed by the Lieutenant of Traffic & Emergency Management and will be disseminated through Blue Team to the appropriate managers/commanders. This review may include recommendations for additional training or equipment modifications. Once the review of a crash is completed, PS&IA will consider MPD employees' actions for compliance with Codes of Conduct and/or Standard Operating Procedures.

Original SOP: 02/25/2015

(Revised: 02/29/2016, 03/11/2016, 05/18/2016, 05/19/2016, 01/09/2017, 02/03/2017, 04/27/2017, 11/09/2017, 02/06/2020, 12/28/2021)

(Reviewed Only: 11/01/2016)

APPENDIX A: ON-DUTY OFFICER CRASH MEMO TEMPLATE

DATE:

TO: PS&IA
FROM: Your name
SUBJECT: **Case Number of On-Duty MPD Crash**

PS&IA,

Enter Basic Information

Initial Dispatch

<When were you notified? How? By Whom? Did initial information include blockage or injuries?>

Police Officer's Statement

<Enter the officer's statement regarding what happened. Include what they were doing before the crash, such as traffic enforcement. In this section, also note what work related mitigating factors are present.>

Department Vehicle

<Enter the squad car's info. License plate number, squad number, vehicle make, year, and model, marked/unmarked, and light package information are all good to include. Also include new vehicle damage, and any mechanical issues that may be germane.>

Involved Subject's Statement

<Enter the statement of the non-MPD involved subject. Include anything you think is germane to the investigation.>

Subject's Vehicle

<Just like the squad information, enter all the identifying information that you have available. Also include any equipment or visibility factors that may have been part of the crash.>

Witness Statements

<If applicable.>

Squad video

<Enter the squad video information, if the vehicle is so equipped. Describe your observations from watching the video, if it is available to you. Note the time/date/officer information from the video, including the file name if you can.>

Road Conditions

<Enter any road, traffic, or weather information that you think is pertinent. Consider noting any traffic signs that the involved vehicles would have had to obey.>

Conclusion

<Enter a brief statement covering your conclusions as of the completion of this memo. If you issued the other party a citation, note it here.>

Incident Documentation

<Use this section to list the resources and supporting documents that you relied on in making this report. Include the DT4000 number, case number, citation number, and any squad video or photos that are part of this investigation.>

Respectfully submitted,

<Enter Your Name>



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Video and Audio Surveillance

Eff. Date ~~10/09/2020~~ 12/28/2021

Purpose

The Madison Police Department (MPD) recognizes the use of video and audio surveillance technology can significantly aid MPD investigative efforts and promote greater public safety in our community. Yet the use of surveillance technology must also be balanced with the need to protect the privacy rights of the public and MPD employees when and where applicable. MPD use of surveillance technology will be consistent with any applicable City of Madison **Administrative Procedural Memos (APMs)** and ordinances.

MPD **personnel** routinely utilizes the City Enterprise Camera System. MPD **personnel** will also deploy and utilize other, stand alone, covert video or audio surveillance technology when appropriate. These deployments are generally limited in duration and **are** part of an on-going investigation of specific criminal activity for purposes of collecting evidence necessary for criminal **or municipal** prosecution.

Use of City of Madison Enterprise Camera System

All commissioned **MPD** employees are authorized to use the City Enterprise Camera System as outlined in this **standard operating procedure (SOP)**. Civilian **MPD** employees may be authorized by the Chief **of Police** to access the system where there is a job-related need. No **MPD** employee will access or utilize the system prior to receiving training in its use.

MPD Information Management and Technology (IMAT) is responsible for administration and maintenance of appropriate user/access lists. Any complaints about use of the system will be routed through Professional Standards and Internal Affairs (PS&IA), consistent with department SOP.

Signage will be posted at appropriate MPD locations alerting the public to the use and deployment of video recording.

Authorized Use

MPD ~~E~~employees are only permitted to access the City Enterprise Camera System for official law enforcement business, under any of the following conditions:

- To assist with the investigation of criminal or otherwise unlawful activity.
- **To assist with** internal investigations as appropriate by the Chief or designee.
- To protect and secure MPD/City **of Madison** facilities.
- To maintain order during planned and unplanned events.
- **As part of a P**roactive review of a tactical incident, or for internal training opportunities with prior supervisory approval.
- To remotely monitor environmental conditions or other non-investigative circumstances necessary to perform an employee's duties (i.e., weather or traffic conditions, safety hazards, management of resources, etc.).
- To preserve previously-discovered items or view/retrieve preserved evidence.

Prohibited Uses

MPD use of the City Enterprise Camera System is intended to monitor publicly available spaces. Employees will not use the system to view any area where a reasonable expectation of privacy exists (i.e., through a window into a private residence) without a warrant or other lawful justification (i.e., exigent circumstances).

Employees will not utilize the system to track or surveil any individual or vehicle without a specific and articulable law enforcement purpose. Cameras will not be accessed for any personal use.

MPD use of the City Enterprise Camera System is subject to audit, consistent with the System Audits SOP.

Retention/Evidence

City of Madison Information Technology (IT) is responsible for maintenance of the City Enterprise Camera System and for storage of video captured by the system. Video is generally retained for fourteen (14) days, unless a recording is requested under the Wisconsin Public Records law, it contains evidence, or it is determined to have other value in being preserved. Cameras on the City Enterprise Camera System deployed to sensitive areas within MPD facilities are retained for a one-year period.

Requests to preserve video on the City Enterprise Camera System server should be directed to the MPD Forensic Services Unit (FSU). The request shall be completed in a timely manner and shall include case number(s), camera name(s), date(s), and time frame(s) to be preserved for evidentiary purposes. This information shall also be documented within an official police report.

If a record is created through the preservation of video from the City Enterprise Camera System, that record will be maintained in accordance with MPD's records retention schedule. If the video contains evidence of unlawful activity, it will be maintained in accordance with MPD's digital evidence policies and procedures.

The capture and preservation of video stills ("screen shots") is permissible in instances where the full video is not necessary or required for evidentiary purposes or to supplement retention of the video. Video stills are not an equivalent substitution for proper video evidence identification and retention.

Pursuant to the State of Wisconsin's "Recording Custodial Interrogations" statutes (Wis. State Statutes 938.195 and 968.073), MPD has installed in all district stations video and audio recording equipment for purposes of recording custodial interrogations of individuals under seventeen 17 years of age and of adults involved in felonious incidents. MPD in-car audio/video systems may also be used to record custodial interrogations when necessary. All video and audio records associated with custodial interviews are maintained in accordance with applicable MPD departmental procedure.

Any requests to add or to move cameras on the City Enterprise Camera System will be forwarded to the Chief's office.

MPD Video/Audio Systems

MPD personnel deploys additional video/audio systems on a regular basis (in-car video, body worn cameras, unmanned aircraft systems, etc.). MPD personnel will only utilize or access those systems for official law enforcement purposes. Video/audio collected through those systems will be retained for 180 days unless a recording is requested under the Wisconsin Public Records law, it contains evidence, or it is determined to have other value in being preserved.

Use of Other Video/Audio Surveillance Systems

MPD personnel may deploy additional surveillance technology (i.e., covert cameras) as part of an active investigation. Such deployment will be of a limited duration and will only be done with approval as outlined below. MPD will not reveal the deployment or location of covert surveillance technology used in conjunction with criminal investigations unless the harm to the integrity and success of the investigation is outweighed by other public interests (i.e., the identification and apprehension of a fugitive). Access to covert video/audio surveillance deployed as part of an active investigation is limited to personnel authorized by the MPD commander in charge of the investigation.

MPD personnel may be provided with access to third-party video systems. MPD personnel will only utilize third-party systems for official police business.

The procedures outlined below serve to clarify and establish guidelines for further deployment of video and audio surveillance technology by MPD personnel. As noted earlier, MPD personnel uses overt and covert surveillance strategies depending upon the situation. Overt surveillance for purposes of this SOP shall be defined as video or audio surveillance where the subject(s) being recorded is(are) aware of the recording they

~~are being recorded.~~ Covert surveillance is defined as video or audio surveillance where the subject(s) is **(are)** not aware ~~of the recording they are being recorded.~~

Prior to the use and deployment of video and audio surveillance technology, MPD employees shall adhere to the following:

1. All requests for the new use and deployment of video or audio surveillance will be directed to an MPD Command Officer. The Command Officer shall review the request and ensure the request is compliant with this SOP and that the anticipated installation/use of the video or audio surveillance is compliant with all applicable legal requirements.
2. The reviewing Command Officer will then review the request in light of the below matrix seeking higher level approval for the request if necessary:

Type of Surveillance	To be Authorized by
Covert video (only) surveillance related to criminal investigations	Chief of Police with Commander recommendation
Covert audio (only) surveillance related to criminal investigations (e.g., suspect telephone recording, etc.)	Chief of Police with Commander recommendation
Covert video or audio surveillance related to any internal, PS&IA employee investigation	Chief of Police Only
Access to third-party video systems	Command approval; notice to Chief of Police

Original SOP: 11/11/2015

(Revised: 03/04/2016, 11/15/2016, 11/30/2017, 10/09/2018, 10/09/2020, **12/28/2021**)

(Reviewed Only: 01/30/2019, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Video Evidence Retrieval

Eff. Date ~~05/19/2016~~ 12/28/2021

Purpose

The Madison Police Department (MPD) realizes the increased role that video evidence plays in investigations of all scopes and types. This standard operating procedure (SOP) addresses the collection and disposition of video evidence from external sources in order to standardize the procedure department-wide. This SOP does not pertain to video evidence obtained from traffic, district interview rooms, and squad cameras. These video files are maintained by the city and can be preserved, saved, and copied by filling out a lab request.

Procedure

The following procedure addresses three major components of external video source collection and disposition:

- 1) Filling out the Video Retrieval Report Form
- 2) Property tagging of video surveillance evidence
- 3) Making copies of video surveillance evidence

Filling out the Video Retrieval Report Form:

The purpose of the Video Retrieval Report Form is to ensure that a chain of custody for video evidence is sufficiently documented for prosecution purposes. This form is available on accessed through the MPD intranet under in A-Z forms section (<https://www.cityofmadison.com/employeeNet/police/internal/forms/>). For the purposes of this SOP, the term "officer" applies to any commissioned MPD employee.

This form shall be utilized whenever an officer takes custody of video evidence or whenever video evidence is made available while conducting an investigation. The officer shall make a reasonable attempt to fill out the form in its entirety; however, it is understood that sometimes this will not be possible.

If an officer views surveillance video in the course of conducting an ongoing investigation, they officer shall document their viewing of that video and the contents observed in the narrative section of their an official police report.

In situations where an officer is dispatched to retrieve video evidence from the originating source after the incident has occurred, the Video Retrieval Report Form will act as an officer's report and shall be placed in the attachment tray to be scanned into the MPD Law Enforcement Records Management System (LERMS). No supplemental report will be needed in these situations.

Property tagging of video surveillance:

When conducting any type of municipal, misdemeanor, or felony level investigation where video evidence collection is warranted, the following must be done:

All collected video evidence for any type of investigation must be assigned a property tag number and placed into evidence by the collecting officer.

The purpose for this action is to maintain a chain of custody for these items because they are potentially evidence documenting either municipal ordinance violations or criminal acts. **If a primary officer requests video surveillance for an investigation, the primary officer should attempt to make arrangements to retrieve their own video.** If that is not possible, then an additional responding officer will collect the video evidence, place it into evidence, and fill out the Video Retrieval Report Form.

Making copies of video surveillance:

The criteria for making copies is as follows: -

- For all felony level and other major cases, a working copy of the surveillance video shall be made and placed in either the command post (if there is one) or in a district tray specifically designed designated to hold such copies for assigned detectives. If an officer does not have the ability to copy the video, the reason should be noted on the Video Retrieval Report Form. If the officer does not know how to copy the video, training will be provided at their request.
- For cases that do not meet the threshold described above, copies do not need to be made; however, - it is however expected that the original evidence shall still be placed in property, and shall be assigned a property tag number, and the officer shall complete the Video Retrieval Report Form will be completed.

Original SOP: 05/19/2016

(Reviewed Only: 01/09/2017, 12/26/2017, 01/30/2019, 01/31/2020, 01/11/2021)

(Revised: 12/28/2021)



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 70789

File ID: 70789

File Type: Discussion Item

Status: Held in Committee

Version: 1

Reference:

Controlling Body: PUBLIC SAFETY
REVIEW
COMMITTEE

File Created Date : 04/06/2022

File Name:

Final Action:

Title: Report from the Madison Police Department including information on recent gun violence and an update on strategic planning

Notes:

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: ehardiman@cityofmadison.com

Published Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 70789

Title

Report from the Madison Police Department including information on recent gun violence and an update on strategic planning



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Master

File Number: 70790

File ID: 70790

File Type: Discussion Item

Status: Held in Committee

Version: 1

Reference:

Controlling Body: PUBLIC SAFETY
REVIEW
COMMITTEE

File Created Date : 04/06/2022

File Name:

Final Action:

Title: Report from the Madison Fire Department/CARE's unit update

Notes:

Sponsors:

Effective Date:

Attachments: CARES Alder Report_March 2022.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: ehardiman@cityofmadison.com

Published Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 70790

Title

Report from the Madison Fire Department/CARE's unit update

CARES PROGRAM UPDATES

Community Alternative Response
Emergency Services

March 2022



Program Background

The Community Alternative Response Emergency Services (CARES) program is a multi-agency program for addressing non-violent, mental health-related crises. It is a type of crisis response team consisting of a community paramedic and a crisis worker that responds to non-violent, mental health-related crises. The on-scene goal is to de-escalate, treat and refer the patient to appropriate behavioral health services in the community.

Data Background

Findings presented in the current report are based on data from the start of the program in September 2021 through March 18, 2022 (unless noted otherwise). Currently, this report's findings are informed by data collated from the Madison Fire Department and the Journey Mental Health Center. The data from the Journey Mental Health Center has a one week lag, so the report's findings are limited to the date of the most recent data received.

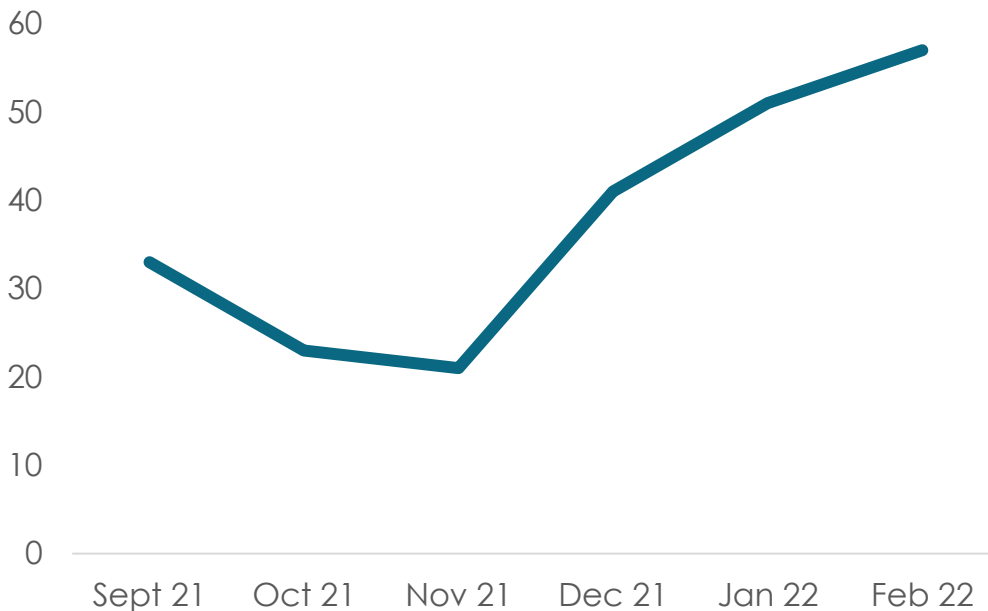
It should also be noted, that some figures in the report have categories shown as “unknown” and “blank.” The former means data was entered as “unknown”; the later means no data was entered, or data is still being processed. For example, this occurs in some of the figures about demographic variables (e.g., gender identity, race/ethnicity). Also, to protect patient confidentiality, all categories with fewer than five patients are grouped into the “other” category. For example, this occurs in the figure depicting race/ethnicity data.

March 2022 Program Updates

As of March 18, 2022, CARES has responded to 257 total calls. It should be noted that the mental health emergencies that the CARES team responds to are time intensive, requiring an average of 53 minutes per call. Below is a figure that displays the number of CARES calls per month from September 2021 through the end of February 2022.

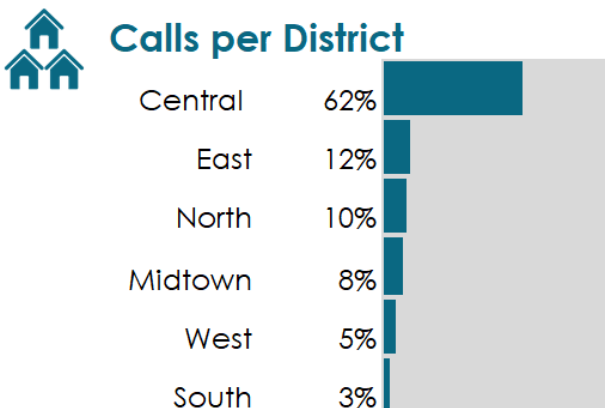


Number of CARES Responses

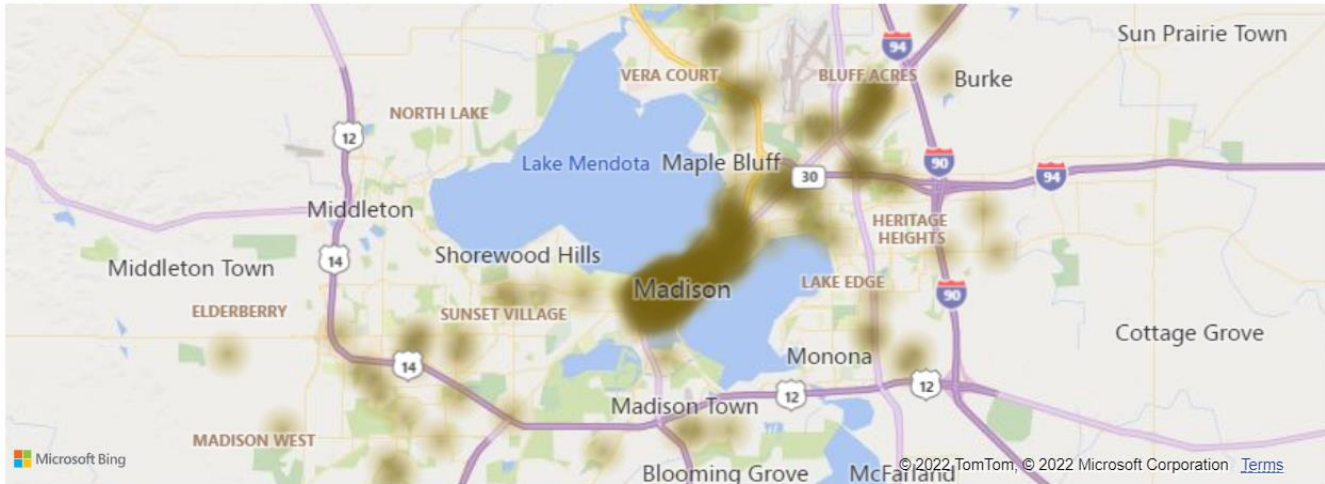


From September 2021 through February 2022, the program has averaged 38 calls per month, with this number ranging from a low of 21 calls in November 2021 to a high of 57 calls in February 2022. The lower number of calls in the first few months of the program's implementation is in part because prior to December 22, 2021, the CARES program only responded to calls in Madison's central district. Since that time CARES has expanded services to all Madison Districts.

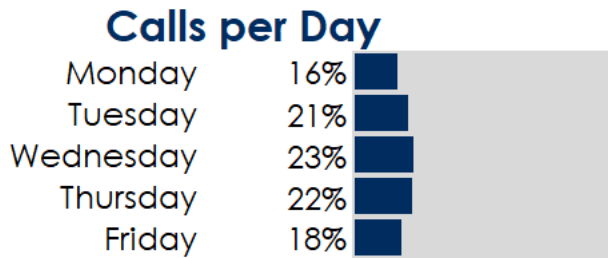
The figure below displays the distribution of CARES calls across Madison districts. As you can see, 62% of the calls have occurred in the central district. Again, the program was focused solely on the central district until December 22, 2021. So, as time continues to progress, this skewed distribution of calls across districts will even out some because CARES is now responding across all districts.



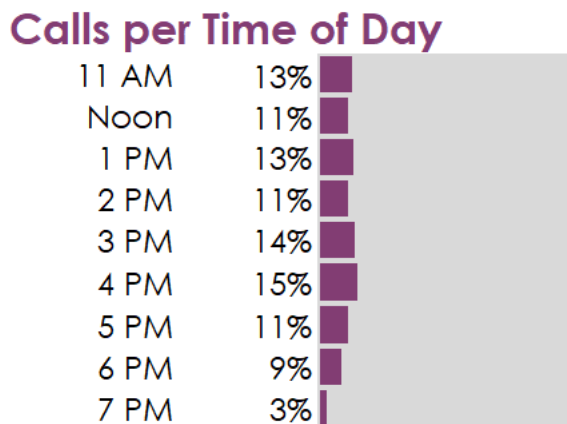
This distribution of calls is also depicted by the geographic analysis presented below.



This report also includes data on the distribution of CARES calls across days of the week and time of day. As exhibited in the figure below, there is not a great deal of variance in the percentage of CARES calls across the days of the week.



Similarly, there is not much variance in the percentage of CARES calls across the time of day that CARES is in service (11 AM to 7 PM). See the figure below for more details.



Below is a brief overview of patient history characteristics.



Patient History

64% Previously served by Journey Mental Health

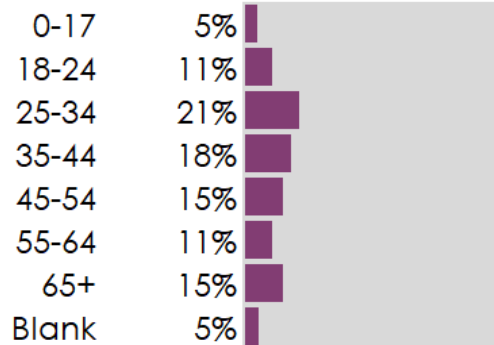
18% Previously served by CARES

18% Experiencing homelessness

As you can see from the figure below, the CARES program has served all age groups. Notably, 39 percent of the patients are between 25 and 44 years of age.

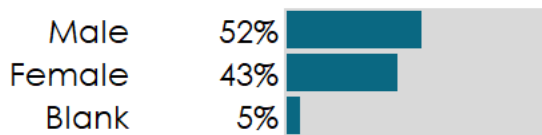


Age of Patients

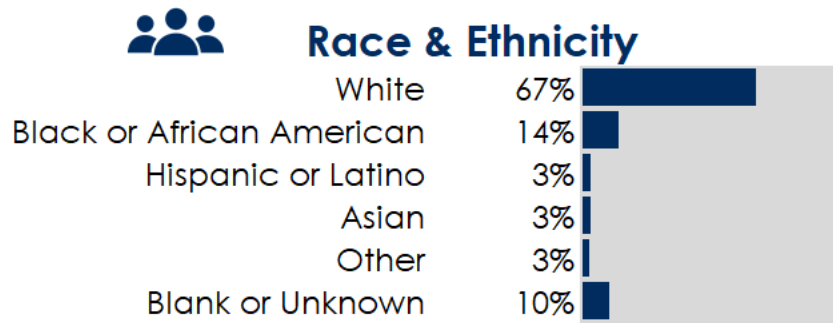


In terms of gender, 52% of CARES patients are male and 43% are female (5% blank data). The computer systems that are the source of this information do not have a non-binary option. Gender is determined via a combination of provider perception and patient self-report. It is not always possible to ask patients to self-report their gender when they are in crisis.

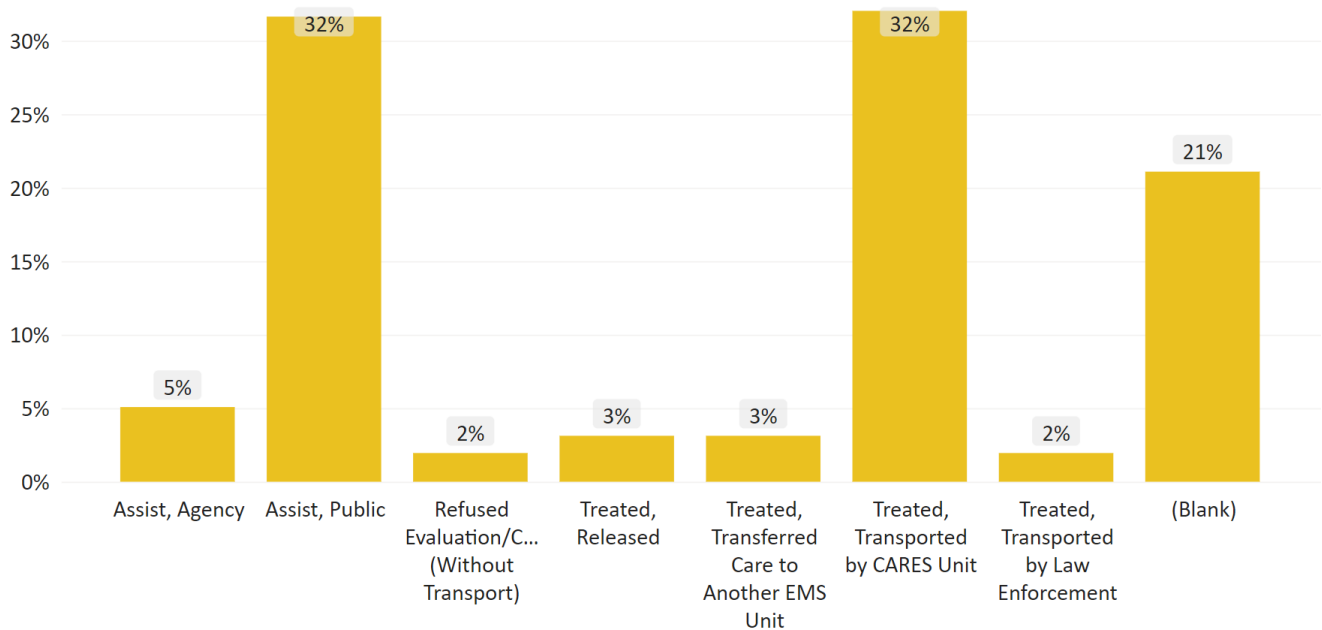
Gender



As exhibited in the figure below, the majority of CARES patients have been white (67%).



Lastly, this report provides some information on outcomes of the mental health emergencies that the CARES team has responded to (see the figure below). For example, 32% of calls involved the CARES team treating the patient and then transporting them. Three percent of the calls involved the CARES team treating the patient and then transferring the care of the patient to another EMS unit. Three percent of the calls involved CARES treating the patient and releasing them (i.e., no transport to services needed). Two percent of calls involved the patients refusing evaluation/care and transport by CARES.



We continue to routinely collect and monitor all of this operational data to inform the continued implementation of the CARES program and quality improvement efforts. Over time, we will also be refining and adding to the metrics presented in this report about the CARES program.





City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 70795

File ID: 70795

File Type: Discussion Item

Status: Held in Committee

Version: 1

Reference:

Controlling Body: PUBLIC SAFETY
REVIEW
COMMITTEE

File Created Date : 04/06/2022

File Name:

Final Action:

Title: Discussion on what the committee would like to see in the monthly police reports.

Notes:

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: ehardiman@cityofmadison.com

Published Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 70795

Title

Discussion on what the committee would like to see in the monthly police reports.



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 70796

File ID: 70796

File Type: Discussion Item

Status: Held in Committee

Version: 1

Reference:

Controlling Body: PUBLIC SAFETY
REVIEW
COMMITTEE

File Created Date : 04/06/2022

File Name:

Final Action:

Title: Report from the Co-Chairs

Notes:

Sponsors:

Effective Date:

Attachments: 2022 Public Safety Review Committee Chair
Schedule.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: ehardiman@cityofmadison.com

Published Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 70796

Title
Report from the Co-Chairs

2022 Public Safety Review Committee Chair Schedule

*****This schedule is subject to change based on schedules.
If there are changes, the committee will be notified as soon as possible*****

<u>Date of Meeting</u>	<u>Chair</u>
April 13	Johnnie Milton
May 11	Matthew Giesfeldt
June 8	Johnnie Milton
July 13	Johnnie Milton
August 10	Matthew Giesfeldt
September 14	Johnnie Milton
October 12	Matthew Giesfeldt
November 9	Johnnie Milton
December 14	Matthew Giesfeldt



City of Madison

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File Number: 70797

File ID: 70797

File Type: Discussion Item

Status: Held in Committee

Version: 1

Reference:

Controlling Body: PUBLIC SAFETY
REVIEW
COMMITTEE

File Created Date : 04/06/2022

File Name:

Final Action:

Title: Report from Alders

Notes:

Sponsors:

Effective Date:

Attachments:

Enactment Number:

Author:

Hearing Date:

Entered by: ehardiman@cityofmadison.com

Published Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 70797

Title
Report from Alders



City of Madison

City of Madison
Madison, WI 53703
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Master

File Number: 70322

File ID: 70322

File Type: Discussion Item

Status: Held in Committee

Version: 1

Reference:

Controlling Body: PUBLIC SAFETY
REVIEW
COMMITTEE

File Created Date : 03/01/2022

File Name:

Final Action:

Title: Report from Budget Subcommittee

Notes:

Sponsors:

Effective Date:

Attachments: PSRC Budget Subcommittee Minutes from February 16, 2022.pdf, Public Safety Review Committee Budget Subcommittee Minutes for March 2, 2022.pdf

Enactment Number:

Author:

Hearing Date:

Entered by: ehardiman@cityofmadison.com

Published Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 70322

Title
Report from Budget Subcommittee

Public Safety Review Committee Budget Subcommittee

February 16, 2022, 1pm

Present: Alder Heck, Brenda Konkel, Matthew Giesfeldt, Aisha Moe

Absent: Alder Bennett

Additional Attendees: Al Rickey, Captain Drescher, Bonnie Roe

Minutes: The minutes from the last meeting will be approved at the next scheduled PSRC budget subcommittee meeting.

Disclosures or Recusals: None

This meeting was recorded and can be viewed at the City of Madison Cable Channel under additional meetings.

1. Elect Chair and Vice Chair –

Alder Heck suggested to move the elections to the end of the meeting so that new members, Moe and Giesfeldt can get a feel of the subcommittee prior to elections.

2. Review of 2020 Report

Brenda Konkel, Alder Heck, and Matthew Mitnick (prior PSRC member) were involved and worked on the 2020 budget report. Alder Heck and Konkel recapped what occurred during the work on the budget report. They were able to gather information from the Finance and Police Department to be able to add information to the report. The subcommittee would work back and forth on the document by gathering, adding and sharing information with each other to complete sections. For 2020, a lot of work was done on the report however timing was hard pressed and because of this what was intended did not happen. The subcommittee wanted to involve the PSRC as a whole to be able to go through the report and make recommendations to ultimately share with the Mayor, Finance Committee, and Alders but in the end this did not occur. Timing was mentioned as being difficult of when the Mayor's budget comes out and being able to meet with the subcommittee and the PSRC to have discussions. The subcommittee determined which direction they would like to take moving forward. For now, the plan would be to create a mechanism where the whole committee could receive the information with working on a process that is repeatable. Gathering a lot of meaningful data would be good and being able to work with those from police and fire to receive information would need to occur again. If there were a public hearing it was thought that this should occur at the PSRC meeting. The fire department budget was mentioned as also being within the subcommittee purview and should also be a goal to work on. The 2020 budget report was shared via email to the PSRC email group during the meeting. Budget subcommittee documents are attached to the PSRC agendas under the budget subcommittee report.

3. Review of 2021 Attempt – (Discussion combined from item number 2 and 3)

When the subcommittee worked on the budget report they also worked on mapping out the budget timeline in order to be able to give input to finance or council. A process would need to be figured out in order to meet deadlines. Konkel shared her screen for all to look at the budget report and what is in it. Gathering and sharing information would be one of the first steps for the subcommittee.

4. Plan for 2023 budget process –

The last versions of the 2021 and 2022 report should be circulated to the subcommittee members so everyone can view. In the 2022 report areas should be identified to figure out where it needs to be filled in. Information will be based on the 2021 budget and minor changes that have since happened. The subcommittee discussed inviting a Teague Mawer, Finance Manager from the Police Department, Assistant Chief Patterson, and Christine Koh, City Finance Manager to a future meeting to assist with areas of information. At some point, fire staff at some point would be invited to look at their budget.

Electing a Chair –

Moe self-nominated herself as the Chair of the budget subcommittee. Matthew nominated Konkel as Vice-Chair of the subcommittee. There were no counter proposals and no objections to the nominated chair/vice-chair. There was unanimous consent.

Next meeting -

Review the 2021 report and 2022 report in the current format. Identify additional staff to invite to the following meeting to identify budget items. The fire department report was discussed and would possibly be worked on at some point.

Adjournment –

Moe made a motion to adjourn. Giesfeldt seconded the motion. The meeting ended at 2:06pm.

Public Safety Review Committee Budget Subcommittee

March 2, 2022, 3:30pm

Present: Alder Heck, Brenda Konkel, Matthew Giesfeldt, Aisha Moe

Absent: Alder Bennett

Additional Attendees: Bonnie Roe

Minutes: Konkel made a motion to approve the minutes from August 4, 2021 and February 16, 2022. There was unanimous consent for approval.

Disclosures or Recusals: None

Public Comment: Item #2

Bonnie Roe
4410 Somerset Lane
Madison, WI 53711

This meeting was recorded and can be viewed at the City of Madison Cable Channel under additional meetings.

1. Review the 2021 report and 2022 report in the current format

Konkel shared her screen with the subcommittee briefly going over the 2021 budget roadmap. Information contained in the report was received mostly from city staff; Finance (Larsen) and Police (Patterson/Winter/Mawer). Next Konkel showed the 2022 draft report which had several highlighted areas where information was needed. In the end the 2022 report was not completed due to various factors. Alder Heck explained from what year the budget information is extracted to put into the report. For the 2023 budget report the subcommittee will be working on, information will be produced from the 2022 adopted budget. A suggestion to include process information at the beginning of the report on where and what year the budget information was obtained could be helpful for others to understand. Alder Heck referred back to a suggestion that was made at a previous budget subcommittee meeting regarding information included in the 2021 budget roadmap that shared police budget cuts and he suggested in the upcoming budget report to also include information on what it would look like with additions (ex: an increase in police officer positions). The subcommittee discussed the process for obtaining information needed for the report. Giesfelt made a motion to invite Christine Koh (Budget and Program Evaluation Manager) from City Finance and Assistant Chief Patterson (Support) and Teague Mawer (Finance Manager) from the Madison Police Department. Konkel seconded the motion. Alder Heck made an amendment to the motion to

also invite Captain Drescher (Police Support for the PSRC). Alder Heck and Konkol discussed going over the report by compare/contrasting through a google document to determine which areas of information will be needed for the report. They felt some information they may be able to gather themselves and others they would need to request from others. Konkol had to leave the meeting so she shared a few dates/times that could work for her schedule when scheduling the next subcommittee meeting.

2. Identify additional staff to invite to the following meeting to identify budget items

Public Comment – Bonnie Roe

The subcommittee once again discussed what personnel should be invited to the follow-up meeting and determined a few dates/times for the upcoming meeting. Giesfelt seconded the amended motion to invite Captain Drescher. There was unanimous consent. Alder Heck and Konkol will work on items they can gather themselves and then will have to inquire with Finance and Police on items they are unable to obtain.

The subcommittee discussed potential meeting dates for the next meeting and arrived on the date of March 22 at 3:30pm.

3. Next Steps/Next Meeting

Focus on the police budget for now. A suggestion at the PSRC meeting may be to work on a budget subcommittee for fire.

4. Adjournment

Giesfeldt made a motion to adjourn. Alder Heck seconded the motion. The meeting was adjourned at 4:26pm.



City of Madison

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Master

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