

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

DATE: February 20, 2023

TO: All Alders

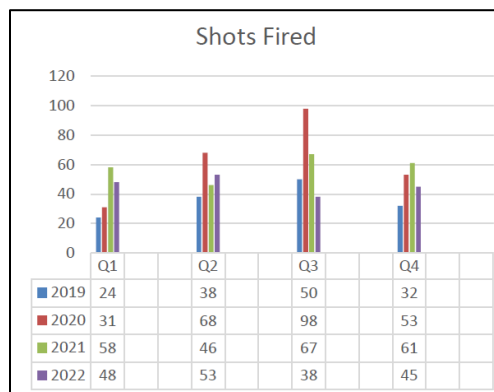
FROM: Shon F. Barnes, Chief of Police

SUBJECT: Quarterly Report

This document provides an update on selected MPD topics for the fourth quarter (October, November, and December) of 2022. **Please consider the data included in this update as preliminary and subject to modification.**

Significant Incident Types

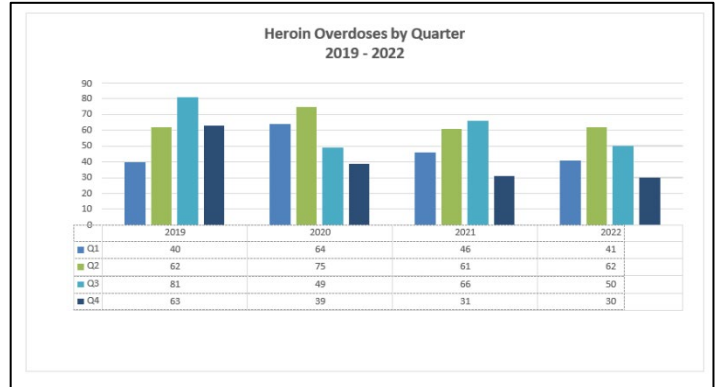
Shots Fired – there were forty-five (45) shots fired incidents in the City from October 1st through December 31st (2022). This is a 26% decrease from the fourth quarter of 2021 where there were sixty-one (61) shots fired incidents. The 3-year average (4th quarter) of shots fired incidents is forty-nine (49). The forty-five (45) shots fired in Quarter 4 of this year is an 8% decrease over the previous 3-year average.



	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Total
Property Damage	16	13	11	12	52
Subjects Struck by Gunfire*	9	6	9	5	29
Accidental Discharge	0	0	0	2	2
Self-Inflicted (intentional)	4	6	1	2	13
Casings Recovered	179	133	196	121	629

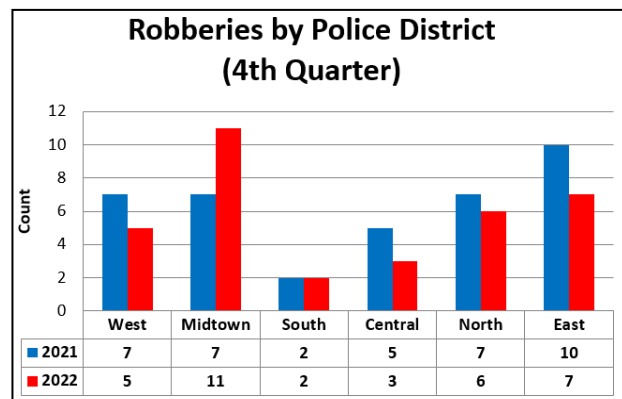
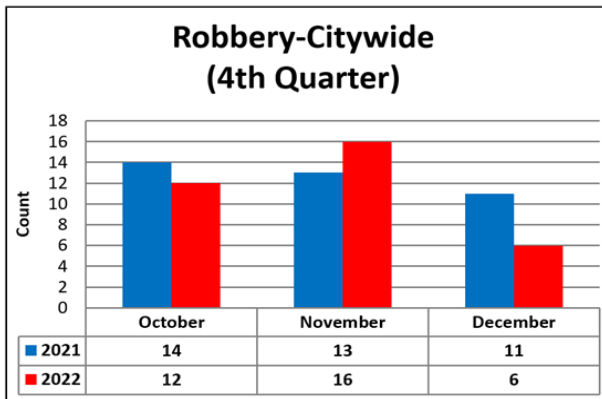
*Excludes accidental discharge & self-inflicted

Heroin Overdoses – MPD responded to thirty (30) known heroin overdoses during the fourth quarter of 2022. This is a 17% decrease from the fourth quarter of 2021 where we responded to thirty-six (36) known heroin overdoses. The 3-year average (4th quarter) of known heroin overdoses is forty-four (44). The thirty (30) known overdoses in Quarter 4 of this year is a 32% decrease over the previous 3-year average. Note that these figures refer to known overdoses...it is likely that many overdoses are occurring without any report to MPD or MFD.

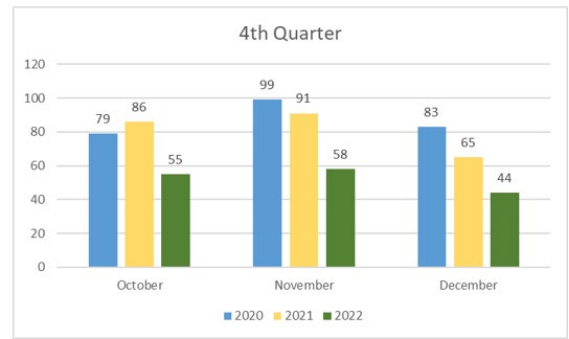


There were seven (7) overdose deaths during the fourth quarter of 2022. This is a 17% increase from the fourth quarter of 2021 where there were six (6) overdose deaths. The 3-year average (4th quarter) of overdose deaths is seven (7). The seven (7) known overdose deaths in Quarter 4 of this year is no change over the previous 3-year average. [note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

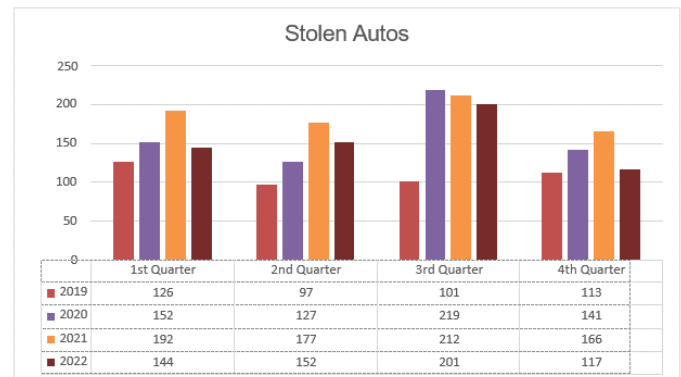
Robberies – Thirty-four (34) robberies occurred in the City during the fourth quarter of 2022. This is an 11% decrease from the 4th quarter of 2021 where there were thirty-eight (38) robberies. The 3-year average (4th quarter) of robberies is forty-six (46). The thirty-four (34) robberies in Quarter 4 of this year is a 27% decrease from the previous 3-year average.



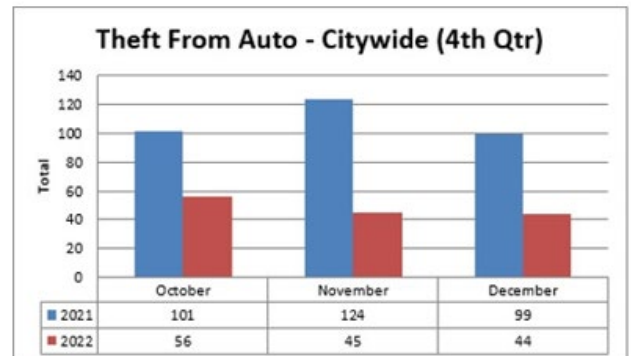
Burglaries – MPD responded to 157 burglaries during the fourth quarter of 2022. This is a 35% decrease from the fourth quarter in 2021 where we responded to 242 burglaries. The 3-year average (4th quarter) of burglaries is 220. The 157 burglaries in Quarter 4 of this year is a 29% decrease over the previous 3-year average.



Stolen Autos – MPD investigated 117 stolen autos during the fourth quarter of 2022. This is a 30% decrease from the fourth quarter in 2021. The 3-year average (4th quarter) of stolen autos is 140. The 117 stolen autos in Quarter 4 of this year is a 16% decrease over the previous 3-year average.



Thefts from Vehicles – MPD investigated 145 thefts from vehicles during the fourth quarter of 2022. This is a 55% decrease from the fourth quarter in 2021. The 3-year average (4th quarter) of thefts from vehicles is 345. The 145 thefts from vehicles in Quarter 4 of this year is a 58% decrease over the previous 3-year average.



Arrest Data

Fourth quarter arrest data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	1,125	1,384	1,641	1,380	5,530	72.0%
Female	403	546	619	584	2,152	28.0%
Unknown	1	0	1	0	2	0.0%
Total	1,529	1,930	2,261	1,964	7,684	100.0%
Race	Q1	Q2	Q3	Q4	Total	%
Asian	17	28	43	31	119	1.5%
African-American	725	891	1,046	895	3,557	46.3%
Native American	13	10	13	13	49	0.6%
Other	30	58	50	45	183	2.4%
Caucasian	744	943	1,109	977	3,773	49.1%
Total	1,529	1,930	2,261	1,961	7,681	100.0%
Hispanic*	104	152	181	3	440	5.7%

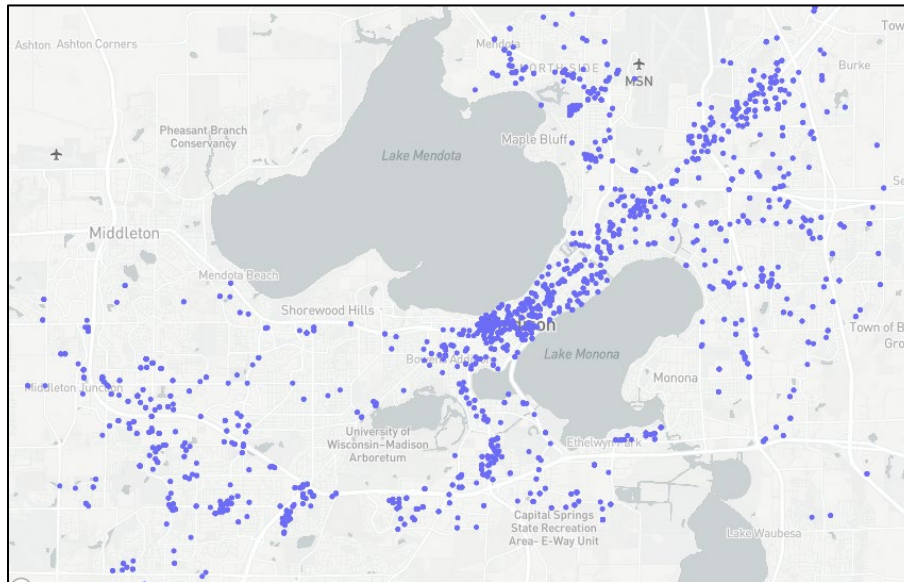
*“Hispanic” is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD’s records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race 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	0	0	1	1	2	0.0%
Arson	1	2	4	2	9	0.1%
Assault Offenses	345	394	373	418	1,530	11.9%
Bribery	0	0	0	0	0	0.0%
Burglary	29	25	51	30	135	1.0%
Counterfeiting/Forgery	10	7	4	8	29	0.2%
Damage to Property	95	113	146	108	462	3.6%
Drug/Narcotic Offenses	139	180	210	182	711	5.5%
Embezzlement	6	9	3	7	25	0.2%
Extortion	0	0	3	1	4	0.0%
Fraud Offenses	24	14	23	25	86	0.7%
Gambling Offenses	0	0	0	0	0	0.0%
Homicide Offenses	3	8	3	1	15	0.1%
Human Trafficking Offenses	0	0	0	0	0	0.0%
Kidnapping/Abduction	20	20	12	19	71	0.6%
Larceny/Theft Offenses	117	172	261	202	752	5.8%
Motor Vehicle Theft	50	41	54	36	181	1.4%
Pornography/Obscene Material	6	7	2	5	20	0.2%
Prostitution Offenses	2	0	0	1	3	0.0%
Robbery	17	21	14	14	66	0.5%
Sex Offenses, Forcible	18	19	24	29	90	0.7%
Sex Offenses, Non-Forcible	0	3	0	3	6	0.0%
Stolen Property Offenses	8	8	13	9	38	0.3%
Weapon Law Violations	49	66	67	74	256	2.0%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	2	0	0	1	3	0.0%
Curfew/Loitering/Vagrancy Violations	0	0	0	0	0	0.0%
Disorderly Conduct	509	646	649	609	2,413	18.7%
Driving Under the Influence	93	84	76	90	343	2.7%
Drunkenness	0	0	0	0	0	0.0%
Family Offenses, Nonviolent	9	18	30	20	77	0.6%
Liquor Law Violations	74	178	270	187	709	5.5%
Peeping Tom	0	0	0	0	0	0.0%
Runaway	0	0	0	0	0	0.0%
Trespass of Real Property	80	115	135	124	454	3.5%
All Other Offenses	940	1,056	1,265	1,135	4,396	34.1%
Total	2,646	3,206	3,693	3,341	12,886	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 2021 to 2022 fourth quarter arrest data:

Sex	2021 (Q4)	2022 (Q4)
Male	1,189	1,380
Female	413	584
Unknown	0	0
Total	1,602	1,964

Race	2021 (Q4)	2022 (Q4)
Asian	22	31
African-American	815	895
Native American	11	13
Other	26	45
Caucasian	726	977
Total	1,602	1,961
Hispanic*	112	3

*"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 2022, MPD officers responded to 32,937 calls for service. In that time, there were sixty-six (66) contacts in our community 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	29,785	35,958	36,241	32,937	134,921
Contacts Where Force Was Used	64	77	84	66	291
% of CFS Where Force Was Used	0.21%	0.21%	0.23%	0.20%	0.22%
Force					
Decentralization/Takedown (e.g. officer pushing or pulling a subject to the ground)	57	64	51	60	232
Active Counter Measures (e.g. officer striking a subject with hand, forearm, foot or knee)	11	16	21	10	58
Taser Deployment	11	7	7	5	30
Hobble Restraints (a belt system that restricts a subject's ability to kick at officers, squad windows, etc.)	6	11	11	8	36
OC (i.e. Pepper) Spray Deployment	3	8	17	3	31
Baton Strike	0	0	0	0	0
K9 Bite	0	2	1	2	5
Firearm Discharged Toward Suspect	1	0	0	0	1
Impact Munition (firearm delivered projectile launched at a lower than normal velocity)	1	2	4	1	8
Specialty (SWAT/SET)	0	0	0	0	0
Total	90	110	112	89	401
Firearm Discharged to Put Down a Sick or Suffering Animal	7	16	9	13	45

*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	7	4	9	26	8.9%
Midtown	9	15	15	8	47	16.2%
South	7	8	5	7	27	9.3%
Central	15	17	38	24	94	32.3%
North	10	15	10	9	44	15.1%
East	16	15	10	9	50	17.2%
Out of County	0	0	0	0	0	0.0%
Within County - Assist	1	0	2	0	3	1.0%
Total	64	77	84	66	291	100.0%

Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
1 st Detail (7am – 3pm)	14	11	17	13	55	18.9%
3 rd Detail (3pm – 11pm)	30	36	39	27	132	45.4%
5 th Detail (11pm – 7am)	20	30	28	26	104	35.7%
Total	64	77	84	66	291	100.0%

Comparison of fourth quarter 2021 with fourth quarter 2022 use of force data:

Force	2021 (Q4)	2022 (Q4)
Decentralization/Takedown	54	60
Active Counter Measures	6	10
Taser Deployment	10	5
Hobble Restraints	10	8
OC (i.e. Pepper) Spray Deployment	13	3
Baton Strike	0	0
K9 Bite	4	2
Firearm Discharged Toward Suspect	2	0
Impact Munition	2	1
Specialty (SWAT/SET)	0	0
Total	101	89

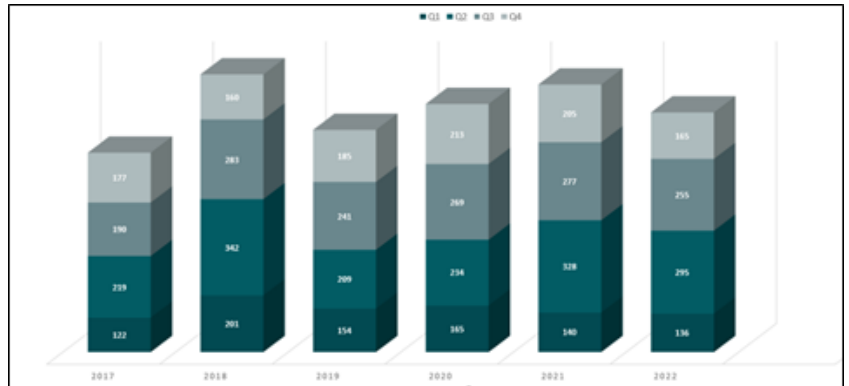
Restorative Justice Data (4th Quarter, 2022)

12-16 Year Old Youth Data from YWCA	17-25 Year Old Data from CRC
Total referrals: 48 Opted-in: 33 Opted out: 3 Neither: 4 (these referrals voided due to defendant's age or per officer) Waiting for Opt-in/Opt-out responses: 8 Offenses: Battery: 7 Damage to Property: 5 Disorderly Conduct: 17 Resist/Obstruct: 1 Theft (3 Retail, 1 Regular): 4 Trespass: 4 Graffiti: 2 Underage Possess/Consume: 2 Unlawful Use of a Facsimile Firearm: 2	Total referrals: 43 Total MPD referrals by offense type: 45 *Total is more than 43 due to multiple citations for some respondents. Offenses: Battery: 2 Disorderly Conduct: 25 Damage to Property: 2 Resisting/Obstructing: 5 Retail Theft: 7 Theft: 3 State – Theft: 1

Traffic

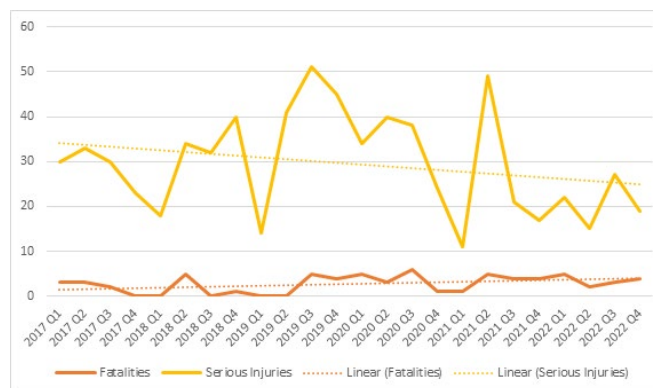
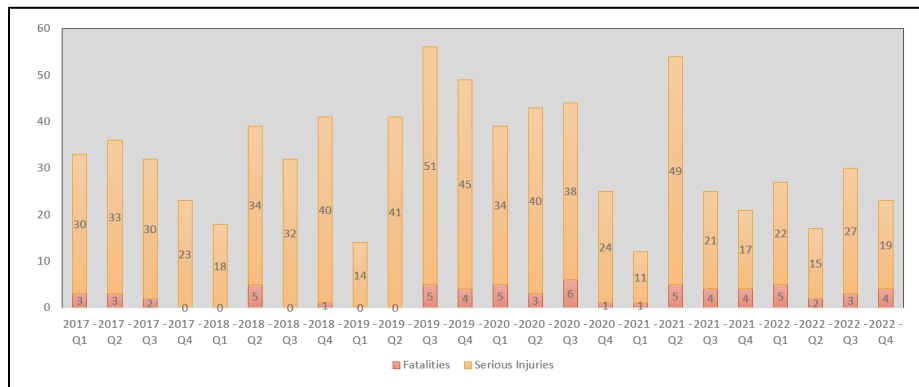
Traffic Complaints –

Community members may submit a traffic complaint or concern to the Madison Police Department by utilizing [online submissions](#) or calling the speeders hotline (608-266-4624). Since 2017, there are an average of 860 traffic complaints submitted to MPD annually, and 184 complaints on average in the 4th quarter. In the 4th quarter of 2022, MPD received 165 traffic complaints.



Serious/Fatal Crashes

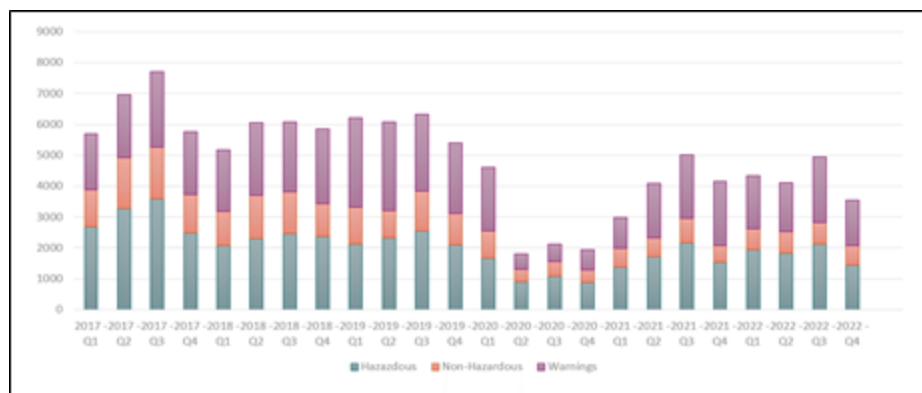
The Madison Police Department investigates traffic crashes that result in approximately 118 serious injuries and 11 fatalities each year. In the 4th Quarter of 2022, MPD investigated crashes resulting in 4 fatalities and 19 serious injuries.



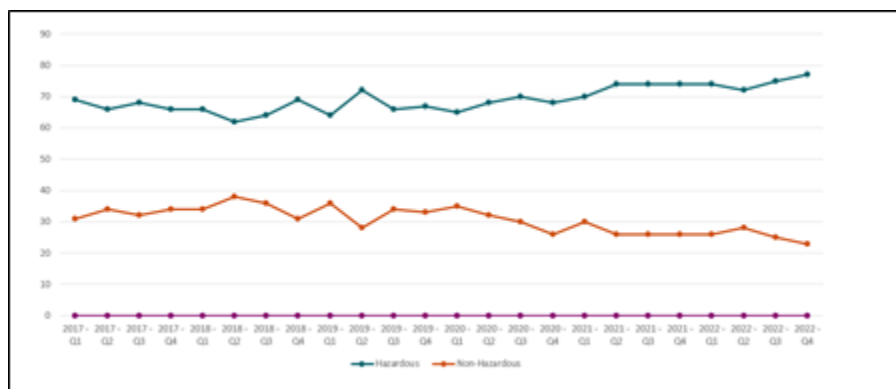
Enforcement

Overall traffic citations include those issued by MPD personnel pursuant to traffic stops and crash investigations, those issued by Traffic Enforcement Safety Team (TEST) personnel, and those issued during traffic grant overtime deployments. MPD has five primary goals in traffic enforcement:

1. Focus on the High Injury Network (HIN): East Washington Avenue, the Beltline, and Mineral Point Road
2. Focus on Hazardous Moving Violations
3. De-emphasize Non-Hazardous Violations and Support Alternative Outcomes (i.e., Warnings)
4. Support School Zone Safety
5. Respond to Community Member Complaints



MPD's #1 traffic goal is to focus on hazardous moving violations and to de-emphasize (supporting 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 has increased that ratio to almost 3:1. MPD continues to maintain an approximate 3:1 ratio.



Training

In the 4th quarter of 2022, the MPD Training Team closed out the 2022 Academy Class, sending 41 recruits out into field training. On November 17th, Chief Barnes addressed the class at their graduation ceremony where we also recognized the 2019, 2020 and 2021 classes whose graduation ceremonies were not held to the covid-19 pandemic. Shortly after our newest class went off into field training, the Training Team

began an accelerated academy with three lateral recruits. Simultaneously, the team supported the districts in preparation for 2023 district in-services and assisted in planning rapid deployment training for all commissioned members of the department.

On November 14th, the application process for the 2024 class officially closed. Thanks to council-approved hiring bonuses and an extended application deadline, we welcomed a good number of candidates into our annual hiring process in the final month of the process. As we concluded 2023, we completed final rounds of applicant testing and held oral board interviews. While applicant numbers remain low, we are encouraged by the quality of the diverse candidates who desire to serve Madison in this important role and look forward to our next pre-service academy set to begin in May of 2023.

On the professional development front, Training continues to create and refine our 5-year plan for in-service while exploring new approaches to meet the ongoing training needs of MPD. In 2023, we will update our Employee Feedback process and work to develop a new leadership development program to better prepare our employees for focal leadership roles in the department.

Also in the 4th quarter, the Training Team made preparations for a multitude of instructor development and certification courses that occur in the 1st quarter each year. These include Instructor Development, Professional Communications, Firearms and OMVWI instructor courses.

SOP Updates

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

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

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

MPD did not acquire any property through DLA/LESO during the fourth quarter of 2022.

Priority/emergency call response

During the fourth quarter, there were 90 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 90 instances occurred on sixty-one (61) dates (some days required limited call response multiple times); this means that at some point on about 66.3% of the days during the fourth quarter MPD patrol response was limited. The 90 instances spanned about 243.3 total hours of limited call response, an average of 2.7 hours per instance. In terms of total hours during the fourth quarter, MPD patrol response was limited to emergency and priority calls about 11% of the time.

Promotions

2022 – Fourth Quarter Promotions

Detective Sergeant Matthew Nordquist to Lieutenant
Detective Glenn Davis to Detective Sergeant
Police Officer Brian Covington to Sergeant
Police Officer Clare Gloede to Sergeant
Police Officer Hannah Johnson to Detective

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

<https://www.cityofmadison.com/police/documents/psiaSummary2022OctDec.pdf>

<https://www.cityofmadison.com/police/documents/psiaRecognition2022OctDec.pdf>

Updated/New SOPs for MPD: October-December, 2023

NIBIN: 11/11/2022 (NEW)

Superhailer: 10/03/2022

Traffic/Parking Enforcement and Crash Investigation: 10/03/2022

Vehicle Use, Assignment, and Maintenance: 10/03/2022



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



NIBIN Use

Eff. Date: 11/11/2022

Purpose

The National Integrated Ballistic Information Network (NIBIN) is an automated ballistic imaging network that provides local law enforcement partners with the ability to compare fired casings from crime guns with other such casings to connect crimes. NIBIN is vital to a violent crime reduction strategy because it provides investigators the ability to compare their ballistics evidence against evidence from other crimes on a national, regional, and local level, thus generating investigative links that would rarely be revealed absent the technology.

These policies and procedures are designed to ensure that firearms that meet the standards defined herein and collected fired cartridge casings are processed and uploaded to NIBIN to generate timely and actionable investigative leads for all participating agencies.

As a NIBIN site, the City of Madison Police Department (MPD) strives to meet the Bureau of Alcohol, Tobacco, Firearms, and Explosives' (BATFE or ATF) most current Minimum Required Operating Standards (MROS) as they relate to ensuring the quality, integrity, and timeliness of the ballistic data shared in NIBIN.

The purpose of this standard operating procedure is to set forth standards, methodologies, and safety protocols for the use of NIBIN by MPD personnel, as well as for the sharing of NIBIN technology with area law enforcement agencies.

DEFINITIONS

The following terms shall have the meanings specified:

- **BRASSTRAX™:** A cartridge case acquisition station that captures highly detailed images of cartridge cases to include breech face firing pin impressions on the primer and ejector markings.
- **Correlation:** The automated comparison of an acquired digital image to other images in the databases using an algorithm that provides a list of possible matches.
- **Correlation Review:** The on-screen comparison of digital images made by an authorized technician/specialist to determine the potential for multiple cartridge casings to have been fired from the same weapon.
- **Crime Gun:** Any firearm used, or suspected to have been used, in a crime, including firearms that are abandoned, found, or otherwise taken into law enforcement custody if they are either suspected to have been used in a crime or their proper disposition can be facilitated through a firearms trace.
- **Crime Gun Intelligence Center (CGIC):** An ATF-led interagency collaboration focused on analyzing and investigating gun crime in a local community. CGIC unites cutting-edge technology and a dedicated multiagency investigative team to identify, disrupt, and prosecute serial shooters and their sources of crime guns.
- **Firearm:** A weapon that acts by force of gunpowder as defined in Wisconsin State Statute 167.31 (c). For tracing, a firearm also includes the frame or receiver of a firearm.
- **Firearms and Toolmark Examiner ("Firearms Examiner"):** A forensic scientist who is an expert in evidence regarding firearms, ballistics, and toolmarks, who may also be required to serve as an expert witness, prepare courtroom evidence, provide courtroom testimony, and provide training to law enforcement personnel.
- **Found gun:** Any gun discovered with no apparent owner or abandoned on either private or public property.
- **IBIS (Integrated Ballistics Identification System):** An automated ballistics imaging and analysis system that populates a computerized database of digital ballistic images of casings from crime guns, or the technology that enables the imaging and identification of large quantities of firearm

evidence across a network of sites, as well as the automated identification of likely matching cartridge casings.

- **IBIS Technician (“IBIS Tech” or “NIBIN Technician”):** A trained technician/specialist able to use IBIS equipment for the acquisition and correlation review of digital images of firearms ballistic evidence. IBIS Technicians can determine potential links of two or more cartridge cases fired from the same weapon.
- **IBIS User (“NIBIN User”):** A person who has successfully completed the ATF approved NIBIN Acquisition Training or BRASSTRAX Data Acquisition Course and has been authorized by ATF to log into the NIBIN system.
- **MATCHPOINT™:** The system that stores the images uploaded from BRASSTRAX and contains the algorithm program for correlation reviews.
- **Microscopic Comparison (“Scope” or “Confirmation”):** The process employed by a trained firearms examiner to determine whether two or more fired casings were fired by the same firearm.
- **NIBIN:** National Integrated Ballistic Information Network is a database managed by the ATF that automates the imaging of the unique identifiers of casings fired from crime guns and stores the digital images for comparison across a national network of participating sites.
- **NIBIN Hit:** The result of two or more firearms ballistic evidence acquisitions that have been microscopically identified as a match after microscopic examination by a firearms examiner. NIBIN Hits are based on correlation review of digital images using MATCHPOINT™ and microscopic confirmation by a firearms examiner which generates a crime laboratory report. This information/intelligence can be used for investigative purposes and is suitable for court purposes.
- **NIBIN Lead:** An association between two or more pieces of firearm ballistic evidence based on a correlation of the digital images in the NIBIN database by at least a trained IBIS technician, but not yet confirmed by microscopic examination by a firearms examiner. A NIBIN Lead is intended to provide a lead for investigative purposes, support a finding of probable cause, and does not necessarily require microscopic confirmation.

NIBIN PROCESS

Qualified NIBIN users enter fired cartridge casing evidence into the Integrated Ballistic Identification System utilizing a BRASSTRAX station located in a secure area within the MPD Forensic Services Unit (FSU) laboratory. The images acquired by the BRASSTRAX station are entered into the MATCHPOINT program which compares uploaded images against the NIBIN database using an algorithm that provides a list of possible matches. A trained technician/specialist compares possible matches to determine the potential for two cartridge casings to have been fired from the same weapon.

A NIBIN Lead is generated when two NIBIN technicians and a firearms examiner all agree that there is a high probability that the fired cartridge casings in question have been fired from the same weapon. At this point, a NIBIN Lead notification will be sent to the originating agency. **NIBIN Leads shall be used for investigative purposes only. A NIBIN Lead shall not be used as the sole basis for a search or arrest warrant.**

A match or NIBIN Hit can only be determined after microscopic comparison and confirmation by a firearms and tool mark examiner from the Wisconsin State Crime Lab (WSCL). This information/intelligence can be used for investigative purposes and is suitable for court purposes.

Test-firing and/or submission of spent cartridge cases for NIBIN submissions does not constitute a complete function test and/or laboratory examination of these items. If a function test of a firearm is needed for investigative reasons, a complete examination must be completed by the Wisconsin State Crime Lab using standard request protocols.

PROCEDURES

MPD personnel will continue to respond to incidents involving firearms and fired cartridge casings per policy and standard operating procedures.

MPD personnel will continue to preserve, collect, package, and document all evidence including firearms and fired cartridge casings per MPD policy and standard operating procedures.

Qualified IBIS (NIBIN) Users will work with MPD Property personnel to ensure the timely identification and retrieval of evidence relevant to the NIBIN system. Evidence recovered prior to July 23, 2021 will need to be identified and individually requested for consideration into the NIBIN system.

Qualified IBIS (NIBIN) Users will enter test fired and/or evidence cartridge cases into the NIBIN database per their training and experience, knowing that not all ammunition components or firearms will fit the criteria needed to use NIBIN most effectively.

Qualified IBIS (NIBIN) Users will complete an entry in the Activity tab of the MPD Law Enforcement Records Management System (LERMS) to document the entry of any fired cartridge casing(s) into NIBIN.

A. EVIDENTIARY FIRED CARTRIDGE CASINGS

The following criteria will act as a guide in determining which cartridge cases should be entered into NIBIN:

- Any firearm of any caliber that ejects the fired cartridge case during its cycle of operation has potential for entry
- Characteristics of each casing will be reviewed to determine if each casing has potential for entry.
- Multiple cartridge cases will be visually screened and grouped according to class characteristics. If one or more groups are found to be visually distinguishable from each other, one cartridge case from each group may be entered. Absent distinguishable groups, only one casing from each incident will be entered.

B. TEST FIRING OF CRIME GUNS

In general, NIBIN test firing is mandatory for all weapons deemed to be crime guns as defined above, to include semi-automatic pistols, semi-automatic rifles, and long guns that use handgun ammunition.

Prior to test firing any crime gun, the NIBIN user will notify the Detective Lieutenant of the district in which the incident involving the crime gun occurred, or the Investigative Services Lieutenant who oversees the Violent Crime Unit (VCU)/Burglary Crime Unit (BCU), of the NIBIN user's intent to conduct a test fire. Once permission is received from the lieutenant, the NIBIN user will swab the crime gun for the presence of touch deoxyribonucleic acid (DNA) prior to conducting a test fire.

PRELIMINARY FIREARM EXAMINATION

When examining any firearm, proper safety procedures shall always be followed. If there are any questions regarding the safety of test firing a firearm, an MPD armorer shall be consulted.

Firearms that are not typically test fired include revolvers, single shot or bolt action rifles, shotguns, weapons never fired, or firearms deemed unsafe, inoperable, or incomplete.

Possible reasons for not test firing include, but are not limited to, the following:

- the firearm is unsafe
- the firearm was deemed unsuitable for NIBIN entry
- the firearm was never fired and was never licensee-transferred
- the firearm is contaminated in such a way as to make it a potential biohazard
- a NIBIN partner has already test fired and submitted the firearm for NIBIN entry
- the firearm is a law enforcement officer (LEO) issued firearm and involved in an officer involved shooting. LEO firearms from officer-involved shootings are not test fired and are not entered into NIBIN.

CRIME GUN PROCEDURE

Based on a thorough examination of the submitted firearm by the Forensic Unit Investigator, determine whether the firearm will be fired manually or remotely. If it is deemed necessary to fire the weapon remotely, make arrangements with an outside agency with remote weapon firing capabilities.

If the firearm is determined to be suitable for entry into the NIBIN system, it will be test fired twice with unaltered, complete, live rounds. Choose test ammunition based on the firearm caliber or gauge, design, and fired evidence for potential comparison. Trained personnel will examine the ammunition for any defects, manufacture marks, corrosion, or other factors that may influence test firing and quality of tests. If the firearm is unsafe to fire with standard ammunition, a primed empty (cartridge or shot shell) or reduced load may be used to test fire the firearm.

Test firing will be conducted by a minimum of two MPD personnel at the MPD Training Center indoor range. All range safety rules must be followed to include donning of appropriate hearing and eye protection, and the use of ventilation and warning systems.

The two test fired casings will be collected and the casing that represents the best marking will be selected for entry into the BRASSTRAX machine. Upon the completion of the test fire, the firearm will be repackaged and returned to evidentiary property room. The test fired casings are not considered evidence and will be placed in an envelope and retained for 30 days after entry into the BRASSTRAX machine.

All NIBIN Leads will be forwarded to the Detective Lieutenant of the district in which the incident involving the crime gun occurred, or the Investigative Services Lieutenant who oversees the Violent Crime Unit (VCU)/Burglary Crime Unit (BCU).

INTELLIGENCE SHARING

Pertinent, investigative information is added to a case management system that allows investigators the ability to review NIBIN leads and share with external law enforcement entities. This information will be logged via MPD's records section.

FOLLOW-UP

NIBIN leads are forwarded to the assigned Lead Detective or Detective Lieutenant and will be investigated thoroughly and appropriately. If a NIBIN Lead is later confirmed by a Tool Mark Examiner, FSU personnel shall be notified for reporting purposes to the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

EXTERNAL USE OF MPD EQUIPMENT

MPD will make available its NIBIN system to other law enforcement agencies by appointment. Other law enforcement agencies must provide a certified NIBIN user for entering their casings as MPD will not be responsible for entering casings from outside jurisdictions. Certified users must make an appointment, provide identification, sign in and out, and agree to the terms detailed in the signed memorandum of understanding (MOU) between the ATF and the City of Madison Police Department when using MPD's NIBIN system.

PUBLICITY AND DISCLOSURE OF INFORMATION

Per MPD's MOU with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, any MPD personnel who become aware of, or participate in, publicity related to the NIBIN system and investigations within their jurisdiction should advise ATF personnel of same in advance of or as soon as practicable, but no later than within 48 hours. NIBIN system information may be shared with other law enforcement and prosecutor's offices in furtherance of criminal investigations and prosecutions. All requests for police records should be facilitated by the MPD Records Custodian. Where there is objection to release of ATF records to the public, the MPD Records Custodian will work with ATF Regional Counsel to follow state and federal law.



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Use of the SUPERHAILER Long Range Communication System

Eff. Date ~~09/19/2022~~ 10/03/2022

Purpose

The purpose of this standard operating procedure (SOP) is to establish guidelines for the deployment and use of the SUPERHAILER. The Madison Police Department (MPD) will utilize the SUPERHAILER to maximize the safety of all individuals involved in, or in close proximity, to an incident.

Definition

The SUPERHAILER is ~~designed as~~ a high assurance, long range, audible communication system which allows the operator to gain the attention of a person, or persons, and to project extremely clear verbal messages to them (even at significant distances from the operator). The system can be used to de-escalate situations and to safely modify dangerous and criminal behavior through clear communication. Use of the SUPERHAILER may allow for communication at distance with persons in open-air environments, inside vehicles, and inside closed structures.

The SUPERHAILER is ~~NOT a weapon, nor is it intended to be used as a less lethal device or as a pain compliance tool. It is~~ an audio communication device with built-in safety features to ensure subjects, operators, and bystanders will not exceed safe sound exposure levels as defined by Occupational Safety and Health Standards (OSHA) Standard Number 1910.95. To maximize safety, the SUPERHAILER should not be used at ranges less than 6 feet between the device and the intended target of its audio output.

Procedure

AUTHORIZED USAGE

The SUPERHAILER shall only be used by MPD personnel who are trained in its deployment and it shall be used in a manner consistent with MPD standard operating procedures. The SUPERHAILER shall only be used when authorized by a Lieutenant or higher authority. The SUPERHAILER shall always be deployed with the acoustic foam collar attached to the device and should not be picked up or carried by the acoustic foam collar.

DEPLOYMENT CONSIDERATIONS

The SUPERHAILER may be used to communicate messages in the following circumstances when other forms of communication would be ineffective or not practical:

- To communicate lifesaving information to residents during natural disasters or civil emergencies
- To communicate information to large crowds during special events (such as concerts, festivals, demonstrations, etc.)
- To broadcast dispersal orders during crowd control and civil unrest situations
- To conduct Special Weapons And Tactics (SWAT) operations (such as serving warrants and responding to barricaded person incidents, hostage situations, and active shooter incidents)
- To communicate with persons threatening suicide who are in an inaccessible location, or who cannot be approached due to safety concerns
- To conduct search and rescue operations

Deviation from these approved circumstances shall be approved by a Captain or higher authority, unless exigent circumstances are present.

Attention Grabber Tone

The SUPERHAILER “Attention Grabber” tone is a safe and effective means of alerting and gaining the attention of a person, or persons, prior to the broadcast of a verbal message.

When authorized for use in the field, the “Attention Grabber” shall only be used in three (3) second bursts:

- To gain the immediate attention of a person or persons
- As needed during SWAT operations
- For other reasons determined by the incident commander

Unless extenuating circumstances are present under which the SUPERHAILER could be used to alert people to community members of possible dangerous situations and/or to provide emergency instructions life or limb threatening emergencies (such as violent acts of civil unrest, SWAT operation, natural disaster, etc.), the Attention Grabber tone should not be directed at distances less than 100 feet/33 yards and verbal messages at distances less than 50 feet/17 yards at vulnerable persons including, but not limited to, the following:

- Infants
- Young children
- Elderly persons
- Persons who are visibly pregnant or known to be pregnant
- Persons with visible physical limitations that would prevent them from leaving the immediate area
- Persons with an apparent altered state of mind due to alcohol, drugs, or some other influence

DOCUMENTATION OF USE

Officers shall document any use of the SUPERHAILER in an original or supplemental report on the involved incident.

PRESERVATION OF SYSTEM DATA

Following each pre-recorded verbal message broadcast or use of the Attention Grabber tone, the SUPERHAILER system will create video and telemetry data files. Following each broadcast of a verbal message recorded via the use of the SUPERHAILER’S SmartMIC, the SUPERHAILER system will create video, audio, and telemetry data files. The SUPERHAILER saves all files associated with broadcasted messages to an onboard USB device.

After the conclusion of any deployment of the SUPERHAILER during which any audible sound was broadcast from the SUPERHAILER, a commanding officer overseeing the deployment (or designee) shall take the following steps to ensure the preservation of all evidentiary SUPERHAILER files under the appropriate MPD case number:

- Remove the USB device from the SUPERHAILER and insert the USB into a computer connected to the City of Madison network
- Move all SUPERHAILER files from the USB to an incident-specific folder on the network
- Return the blank or insert a new USB device to the SUPERHAILER
- Compose and send an email message to the Forensic Video Analyst to request the transfer of video and audio files from the network folder to the secure audio/visual evidence server; telemetry files will remain in the incident-specific network folder
- Document the data transfer process in an original or supplemental police report on the involved incident

STORAGE OF SUPERHAILER

Prior to storing the SUPERHAILER after any field use, officers should ensure the device is ready for a subsequent deployment by doing the following:

- Place a fully charged battery in the device
- Place the other battery on the charging unit
- Insert a blank USB device into the USB port
- Inspect the device for any damage

Any damage or issues that would prevent the SUPERHAILER from deploying to the field should be reported as soon as practicable to a supervisor from the team overseeing the deployment. Small tears in the acoustic foam collar may happen over the life of the device and the device can still be used despite such tears; however, if the collar suffers the loss of sizeable chunks of foam, a new acoustic foam collar should be installed on the device before deployment.

If the SUPERHAILER or its case was exposed to precipitation or other sources of moisture during a deployment, the SUPERHAILER and its case shall be placed in a dry, climate controlled storage location separate from each other until both are completely dry. Once both are completely dry, the SUPERHAILER shall be placed in its case and stored in its designated storage location.

Original SOP: 09/19/2022
(Revised: 10/03/2022)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Traffic/Parking Enforcement and Crash Investigation

Eff. Date ~~12/28/2021~~ 10/03/2022

Purpose

The traffic enforcement objective of the Madison Police Department (MPD) is to reduce traffic crashes and injuries and to facilitate the safe and expeditious flow of vehicular, bicycle, and pedestrian traffic through voluntary compliance with traffic regulations.

Procedure

PUBLIC EDUCATION

MPD stands committed to the concept of education as an important factor in prevention and law adherence. Whenever appropriate, MPD will preface any new or concentrated traffic enforcement initiative with a period of public education or reeducation.

TRAFFIC ENFORCEMENT

MPD commissioned personnel should take appropriate enforcement action to address unsafe driving and bicyclist or pedestrian behavior, focusing on areas with a high incidence of traffic crashes as well as being responsive to neighborhood and citizen complaints.

PARKING ENFORCEMENT

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 standard review process:

- 1) A written request for review is submitted to the Traffic Section (online or paper form).
- 2) A Parking/Traffic & Specialized Services Supervisor will review the circumstances of the issuance of the parking citation and will make a determination on the status of the citation.
- 3) A written response from the reviewing Parking/Traffic & Specialized Services Supervisor will be sent to the requestor notifying the requestor of the outcome of the review.

Commanding Officers may request withdrawal of parking citations for employees under their command if the citation resulted from an emergency call-in, holdover, or other unusual work related circumstances.

The Chief of Police or Commanding Officers may authorize withdrawal of parking citations issued to citizens if the citation resulted from department related issues.

A Traffic & Specialized Services Supervisor may withdraw a citation for "malfunctioning meter" when such conditions are verified.

When a parking citation is withdrawn for any of the above reasons, the disposition must be noted on the original citation, or on the written or electronic citation disposition record. No other method of withdrawing a citation is authorized.

TRAFFIC CRASH INVESTIGATIONS

~~Traffic crash investigations are conducted by commissioned members of our department.~~ Commissioned members of our department conduct traffic crash investigations in order to protect the rights of citizens, to detect traffic violations, and to determine enforcement, engineering, and educational needs.

Officers will respond to, investigate, and **complete a Wisconsin Motor Vehicle Accident Report (DT4000)** within 10 days **of the crash** per Wisconsin State Statute 346.70(4) when the crash occurred on public property or private property held open to the public, ~~and~~ the crash resulted in a reported injury or fatality of a person, or resulted in damage to government-owned property, to the apparent extent of \$200 or more, or to a government-owned vehicle, to an apparent extent of \$1,000 or more.

- ~~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 should generally not be dispatched to private property vehicle crashes unless an injury is involved or other circumstances warrant a response (impaired driver, disturbance, etc.). Officers should also generally not be dispatched to crashes not involving injury or road blockage unless other circumstances warrant a response (impaired driver, disturbance, uncooperative driver, etc.). Involved parties should be referred to the Wisconsin Department of Transportation (WI DOT) website for self-report crash reporting.

If officers respond to a private property and/or a non-injury crash due to circumstances that warranted a response, officers will complete a Wisconsin Motor Vehicle Accident Report (DT4000) when the crash resulted in damage to one person's property to an apparent extent of \$1,000 or more. Officers responding to such crashes may complete a Madison Police Department crash report (MPD4000) when the crash resulted in less than an apparent \$1,000 damage to any involved owner's property/vehicle and there are community members requesting police documentation of their crash.

Officers will respond to, investigate, and may **complete a Madison Police Department accident report (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.~~

If ~~After~~ an officer responds to a crash scene and determines that the crash does not meet the criteria for a reportable DT4000, ~~citizens~~ the involved community members can mutually decide that they would rather simply exchange names at the crash scene and request not to have an MPD4000 accident report completed.

An MPD "Driver Information Exchange" form (with the case number and officer name only listed) should be provided to each driver to complete the remaining information. Officers themselves shall not provide identifying information of those involved in the crash to the other **involved** parties. Officers shall not utilize the Driver Exchange Form in Traffic and Criminal Software (TraCS) program.

Officers are **also** not required to complete a DT4000 or an MPD4000 **accident crash** report **only** under the following **additional** circumstances:

- a) When the crash resulted in property damage only and occurred during a time period when the Officer in Charge (OIC) has determined that severe weather conditions, or other unusual circumstances have **increased** the number of crashes beyond the department's capacity to respond, or
- b) When all of the vehicles/pedestrians involved in the crash have left the scene of the crash prior to calling police, unless special circumstances prompted their leaving, such as, following a hit and run vehicle, seeking medical treatment, or moving to a nearby safe location.

When a. or b. above occur, the officer should advise citizens, community members involved in the crash should be referred to the WI DOT website to obtain and complete a DT4002 Self Report of Accident form 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, officers shall document the incident in a regular police report should be completed as an Incident Report.

Officers will submit addendum reports (Officer's Report Form) related to crash incidents under the following circumstances:

- a) When any charges are issued/pending (the DT4000 cannot be used in any criminal case), or
- b) When all of the information cannot be adequately reported in the narrative section of the DT4000 or MPD4000, e.g., hit & run, witness statements.

Issuance of Citations at Motor Vehicle Crashes

Officers shall issue citations in any crash where probable cause exists for a violation that is a causal factor in the crash, regardless of which crash form is used to document the crash investigation.

Investigation of Motor Vehicle Crashes Involving Serious Injury or Death

In order to ensure that motor vehicle crashes involving serious injury or death are handled consistently, the case management of such crashes will be the responsibility of Traffic and & Specialized Services personnel.

Serious injuries are those injuries that which appear life threatening. Crashes with injuries of questionable severity will be investigated as if they were serious injury/fatal crashes. An MPD Field Supervisor will be responsible for assessing the crash scene and any associated injuries to determine if an Forensic Services Unit (FSU) Investigator and a Traffic Specialist should be called to the crash scene.

If the MPD Field Supervisor determines a crash is a serious injury or fatal crash, the following procedural steps shall be considered and requested as necessary:

- a) The MPD Field Supervisor will be in charge of the crash scene and will be responsible for coordination of the initial investigation.
- b) The MPD Field Supervisor at the scene will consult with the OIC to determine if a Traffic Specialist, Detective, and/or additional Investigators are needed. The OIC should give particular consideration to the need for a Traffic Specialist when a driver has fled the scene of a serious injury/fatal traffic crash.
- c) If the OIC deems it necessary that a Traffic Specialist is needed to assist with the crash investigation, Traffic & Specialized Services and Forensics Commanders should be contacted:
 - i. Lieutenant of Traffic & Emergency Management
 - ii. Lieutenant of Forensics Services Unit
 - iii. When unable to contact either lieutenant, contact the Captain of Traffic & Specialized Services.
- d) At least one FSU Forensics Services Unit Investigator will be dispatched to manage the collection of evidence and documentation of the crash scene. If determined appropriate after consultation with above command staff, a Traffic Specialist, Detective, and additional Investigators will be assigned.
- e) The MPD Field supervisor(s) will make all assignments, with specific attention to witnesses' statements, facilitation of blood specimen(s) collection, and collection of other evidence relative to the investigation (video evidence collection and/or preservation). Detective resources should be requested and utilized as needed.
- f) Whenever possible, investigating officers should obtain a signature authorizing the release of medical information from injured persons who are conveyed to medical facilities for treatment. 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. Officers should use the current version of the MPD Consent for Release of Medical Records form; this form is available for download under the Consent heading of the A to Z Forms section of the Police Intranet. All medical facilities also have their own release

forms that can be used if the investigating officer does not have access to the Police Intranet. Proper documentation of injuries is particularly critical in cases that may result in criminal charges against a driver. The signed medical release form should be filed with the officer's police report.

- g) MPD Field supervisors will ensure that a "Supervisor Serious and Fatal Crash Investigation" form is completed. MPD Field supervisors will also ensure that all essential witnesses' statements have been taken and that all Investigators, Detectives, and Officers assigned to the crash investigation reports complete their reports before ending their shifts when appropriate.
- h) The Dane County Medical Examiner (ME) will be contacted in cases involving a fatality and information detailing the ME's office personnel must be included in the appropriate report.
- i) The Major Case Investigations Standard Operating Procedure (SOP) should be followed for report completion.
- j) The Traffic & Emergency Management Lieutenant will make all follow-up investigation assignments as needed, in consultation with the Detective Lieutenant of the involved district. Detectives are to be assigned when appropriate.
- k) **Per WI State Statutes – 165.785(1)(b)3, 165.785(2r), and 175.51(2m)**, if law enforcement receives a report of a hit and run violation, the agency shall disseminate the report through the integrated crime alert network if the law enforcement agency determines that **all** of the following conditions are met:
 - i. A person has been killed due to the accident that is related to the violation;
 - ii. The law enforcement agency has additional information that could help identify the person who has allegedly committed the violation or the vehicle involved in the violation; and
 - iii. An alert could help avert further harm or could aid in apprehending the person who allegedly committed the violation.

DEPARTMENT VEHICLE TRAFFIC SAFETY

Proper and safe driving of department vehicles is an important job-related responsibility of MPD employees. Injuries and damaged property resulting from preventable employee crashes reflect adversely upon the department's image as a public safety agency. Therefore, the following procedure is intended as a positive education program aimed at reducing preventable motor vehicle crashes by correcting higher risk driving behavior.

All department employees who drive city-owned vehicles may be required to participate in crash prevention in-service programs which will include a review of existing policies, "good practices" in police driving, and special requirements of emergency driving, especially the use of speed and the approaching of intersections.

Madison Police Employee Involved Traffic Crash Protocol

Members of the MPD shall promptly report to any on-duty supervisor any traffic crash with, or damage to, any City-owned motor vehicle operated by them or in their charge.

If an off-duty MPD employee operating a privately owned motor vehicle is involved in a reportable traffic crash resulting in evident damage or reported injury within the City of Madison, an MPD field supervisor shall be dispatched to supervise. If no field supervisor is initially dispatched, the responding officer shall request a supervisor respond.

CITY VEHICLE/EMPLOYEE TRAFFIC CRASH INVESTIGATION PROCEDURE

Definitions

The following definitions will apply for reporting purposes under this SOP:

Traffic Crash: Any contact between a City-owned or on-duty City of Madison employee driven vehicle and another vehicle, bicyclist, pedestrian, or object, resulting in evident damage or reported injury.

Incident: Any time a City-owned or on-duty City of Madison employee driven vehicle:

- 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 an MPD Field Supervisor be dispatched to the scene to oversee the investigation; any non-MPD City of Madison employee involved in an on-duty crash will follow the provisions of Administrative Procedure Memorandum (APM) 5-2.
- 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 MPD employee complete a DT4000 or an MPD4000 crash report for an incident in which they employee was were involved. If an MPD Field Supervisor is not available, the MPD OIC will make the determination as to whether an Investigator or Police Officer will investigate the crash. If the operator of the MPD vehicle involved is a commissioned officer, the involved officer may be required to complete a supplemental report.

Supervisor Responsibilities: An MPD Field Supervisor will be required to respond to all motor vehicle crashes involving City of Madison vehicles or on-duty City of Madison employees that occur within the City of Madison. ~~as well as those involving off-duty MPD employees.~~

For crashes involving City of Madison vehicles or on-duty employees that occur outside of the City limits, but within Dane County, only a Field Supervisor from the same City agency as the involved City of Madison employee is required to respond. An MPD supervisor will also be required to respond to all reportable motor vehicle crashes involving off-duty MPD employees as drivers that occur within the City of Madison.

MPD supervisors shall complete a City Involved Crash Notification form for any crash involving a City of Madison employee as a driver to which they respond and shall send the completed form and any photos to the following personnel:

- Captain of Traffic & Specialized Services
- City of Madison Risk Manager
- City of Madison Risk Manager Assistant

Supervisors shall send this information via email prior to clearing from the crash investigation, or as soon as practicable thereafter.

MPD supervisors shall also complete a Squad Damage Log entry in SharePoint as soon as practicable after any crash involving an MPD vehicle.

~~If probable cause exists for a violation by an on-duty City employee, the on-scene/Field Supervisor shall:~~

~~• For non-MPD City employees:~~

~~• Issue the appropriate citation.~~

- **For MPD employees:**

- Do not issue a citation at the scene.

For all crashes involving an on-duty MPD employee, the ~~The~~ on-scene/MPD Field Supervisor must also complete, within ~~four~~ **two** days of the crash incident, a Blue Team entry and a memo to the Captain of Traffic & Specialized Services ~~for all crashes involving an on-duty MPD employee~~. The investigative memo should include all pertinent details of the crash to include probable cause for any applicable moving violation as well as any **duty related mitigating factors** that may exist. Follow the memo template attached to this SOP.

In the event of a serious injury crash involving on-duty City employees, the **steps outlined under the "Investigation of Motor Vehicle Crashes/Accidents Involving Serious Injury or Death" heading of this SOP** will be followed. As a standard procedure, all crashes involving on-duty City employees in which serious injury or death occurs shall be submitted to the City of Madison Attorney's Office and to the **Dane County District Attorney's Office** for review.

Citation issuance: If probable cause exists for a violation by an **on-duty** City employee, the investigating officer shall:

- **For non-MPD City employees:**

- Issue the appropriate citation.

- **For MPD employees:**

- Do not issue a citation at the scene.

For crashes that occur within the City of Madison and that involve on-duty law enforcement personnel from another law enforcement agency as an involved driver, do not issue a citation at the scene and route the crash report(s) to the Captain of Traffic & Specialized Services and to the Lieutenant of Traffic & Emergency Management for review.

Review and Follow-Up

For crashes involving on-duty MPD employees, the following review and follow-up process shall be followed:

- All traffic crash memos involving on-duty MPD employees will be entered into Blue Team by a supervisor and will be routed to Professional Standards & Internal Affairs (PS&IA). PS&IA will review and will assign the incident to the Lieutenant of Traffic & Emergency Management as well as **to** 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 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 route the entry to the **MPD** employee's Commander/Manager for further review.
- The Captain of Traffic & Specialized Services will coordinate with PS&IA to present the findings from the crash review and will offer recommendations to the Chief of Police. The Chief will make the final determination as to the issuance of a citation to the **MPD** employee.
- If it is determined that a citation is warranted, the **MPD** on-scene/Field Supervisor will be responsible for issuing the citation. The involved **MPD** employee's Commanding Officer will be notified of the decision.

- In addition, the department will assess whether remedial training or internal discipline is appropriate for the involved employee.

For crashes involving all other on-duty City of Madison employees, the following review and follow-up process shall be followed:

- All traffic crash reports involving on-duty (non-MPD) City employees will be routed to the Captain of Traffic & Specialized Services for review.
- The Captain of Traffic & Specialized Services (or designee) will review the circumstances of a crash involving an issued citation. Consideration should be given to establishing probable cause, mitigating circumstances, and equity with similar incidents. For this review, the employee's supervisor or Department Head may be consulted. The Captain of Traffic & Specialized Services will be responsible for a decision regarding whether the citation will stand or be withdrawn.

Recordkeeping

All crash data will be stored in a designated MPD database. Details regarding crashes involving MPD employees will be shared with the Chief and Assistant Chiefs on a biweekly basis.

Vehicle Operations Review Committee

The Vehicle Operations Review Committee (VORC) will review crashes involving on-duty City of Madison Police Department employees as directed by the Captain of Traffic & Specialized Services. This may include operations of City-owned vehicles, leased vehicles, or privately owned vehicles if the operator is on duty. The committee may also be asked to review operations that Command staff consider potentially hazardous or unprofessional.

The Lieutenant of Traffic & Emergency Management will chair the VORC committee. In addition to the chair, the VORC 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 VORC members, consideration should be given to the prospective members' training and assignment, utilizing persons who regularly operate city vehicles in conditions similar to those experienced by field-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 crash review meetings based on the number of incidents requiring review. Minimally, the VORC committee shall meet biannually.

The Vehicle Operations Review Committee will consider the following factors in their review of an employee-involved crash:

- 1) Type of vehicle involved.
- 2) Environmental factors.
- 3) Training and experience of the operator.
- 4) Past incidents involving similar circumstances.
- 5) Applicable policy and procedures.

The results of the review will be recorded in memo format composed by the Lieutenant of Traffic & Emergency Management and will be disseminated through Blue Team to the appropriate MPD managers/commanders. This review may include recommendations for additional training or equipment modifications. Once the review of a crash is completed, PS&IA will consider MPD employees' actions for compliance with Codes of Conduct and/or Standard Operating Procedures.

Original SOP: 02/25/2015

(Revised: 02/29/2016, 03/11/2016, 05/18/2016, 05/19/2016, 01/09/2017, 02/03/2017, 04/27/2017, 11/09/2017, 02/06/2020, 12/28/2021, 10/03/2022)

(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



Vehicle Use, Assignment, and Maintenance

Eff. Date ~~01/14/2022~~ 10/03/2022

Purpose

Proper vehicle use and maintenance are an essential elements to the efficient operation of the Madison Police Department's (MPD) ability to deliver services. The following procedures will be in effect for vehicle use and maintenance. Compliance and cooperation is needed by all MPD vehicle operators.

Procedure

VEHICLE USE

All MPD Vehicles

1. Vehicles are to be used for City business only.
2. When traveling outside of Dane County in a City car, MPD employees must have written permission (email) from a supervisor to have a passenger in the vehicle, unless that passenger is also on duty. Any potential passenger must be identified before permission is granted.
3. **MPD vehicles are not to be left idling while unattended, even if locked, unless one of the following exemptions is present** (Note: After a squad engine is turned off, the Arbitrator in-car video system will stay powered for up to one (1) hour and the computer system will stay powered for up to two (2) hours.):
 - a. The overhead emergency lights are in use.
 - b. The weather is extremely cold or inclement and shutting down the vehicle would delay the deployment of patrol resources (clearing snow, ice, or fogging from windows and lights) to respond to a call for service.
 - c. Canine vehicles with the dog in the vehicle.
4. If it is necessary to leave any MPD vehicle parked and unattended on the street at the end of an employee's tour of duty, the employee, or a supervisor, shall notify the Officer in Charge (OIC) to make arrangements to return the vehicle to its normal storage location.

Patrol Vehicles

1. All officers not using a permanently assigned squad for a patrol shift shall notify the **Dane County Public Safety Communications (911)** Center of their vehicle number for that patrol shift.
2. Marked patrol squads are assigned to various districts or stations. If a vehicle is taken from a station, it should be returned to that location barring an issue requiring maintenance, or a special circumstance. Notification by email to the District Commanders impacted is required.

Non-Patrol Vehicles

1. All non-patrol vehicles, except loaner/pool cars, are assigned to specific employees or units for specific purposes. These vehicles may only be used by other employees after a check with the assigned employee, unit supervisor, or a commanding officer for the unit impacted.
2. Employees must be trained in the proper operation of specialty vehicles. Uses of these vehicles are limited to trained personnel.
3. The Captain of Traffic & Specialized Services will maintain the listing of MPD vehicle assignments.

SPECIAL DUTY RESTRICTIONS

1. Marked squad cars shall not be used for off-duty assignments unless the request for off-duty employment form indicates a squad car is necessary.

2. Officers must get OIC or District Command approval before taking a squad to ensure there is adequate availability of marked squads for on-duty patrol shifts.

MAINTENANCE AND REPAIR OF VEHICLES

1. All employees should check the interior and exterior of the vehicle to be used at the beginning and throughout their shift. Any damage discovered shall be reported to a supervisor.
2. Crashes are to be reported immediately; refer to the Traffic/Parking Enforcement and Crash Investigation standard operating procedure (SOP) for specific procedures.
3. Preventive maintenance is regularly scheduled. The MPD Fleet Coordinator will provide a temporary vehicle during maintenance when possible.
4. When a vehicle is disabled or in need of mechanical repair during a tour of duty, it must be towed or driven to the Fleet Services garage on Nakoosa Trail. When the garage is closed, the vehicle is to be locked. A "Vehicle Problem Report" form must be completed and left on the dashboard of the vehicle.
5. Technology issues: In Car Video, Toughbooks, and connectivity should be reported to Information Management and Technology (IMAT) via the support line Monday-Friday 8:00am-4:30pm at 261-9655 or send an email containing the district, vehicle number and problem to imat@cityofmadison.com.
- ~~5-6.~~ Vehicles shall be fueled if the gas gauge indicates one quarter of a tank or less and vehicles are to be kept clean.
- ~~6-7.~~ Occasionally a police vehicle may be driven in a manner that could compromise later safe operation of the vehicle (e.g., jumping curbs, prolonged high-speed pursuit, driving on unpaved roadways). In order to identify potential hidden damage, any the extreme use should be documented on the Vehicle Problem Report so that Fleet Services personnel can conduct a more thorough safety inspection of the vehicle.
- ~~7-8.~~ Reports of damage from a crash or other problem also require the investigating supervisor to whom the crash or damage was reported report to complete a Squad Damage Log entry in SharePoint as soon as practicable prior to the end of the supervisor's shift. the damage through the reporting system with routing to the Captain of Traffic & Specialized Services and to record the damage in the Vehicle Damage Book in the OIC's office prior to the end of that shift.

GPS/AVL

Department vehicles may be equipped with technology that provides real-time and historical Global Positioning System (GPS) location/automatic vehicle locator (AVL) information. This technology is intended to enhance officer safety and to improve departmental efficiency.

Employees shall not remove, disable, or tamper with GPS devices in any way without prior authorization from the Chief or designee. Any observed problems with GPS functionality must be reported promptly to MPD Information Management and Technology (IMAT) personnel no later than the end of the shift in which the problem is noted. Employees are only permitted to access or view GPS data for legitimate work-related purposes in conjunction with their official duties.

While the primary focus of this technology is not discipline or performance evaluation, GPS data may be utilized for appropriate internal purposes (complaint investigation, audits, crash or pursuit review, etc.). Employees with personally assigned vehicles equipped with GPS technology are encouraged to log out of their mobile data computer (MDC) at a district station prior to ending their shift and traveling home.

Historical GPS data will be maintained in accordance with MPD's records retention schedule. These records may only be released in accordance with MPD's SOP on Records Inspection and Release.

Original SOP: 12/23/2015
(Revised: 12/02/2019, 01/14/2022, 10/03/2022)
(Reviewed Only: 01/22/2016, 11/01/2016, 12/26/2017)