

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

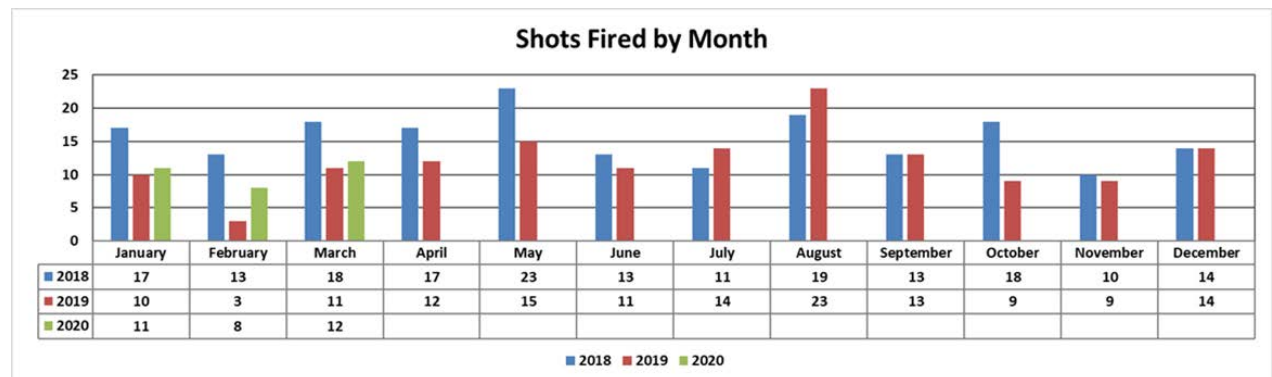
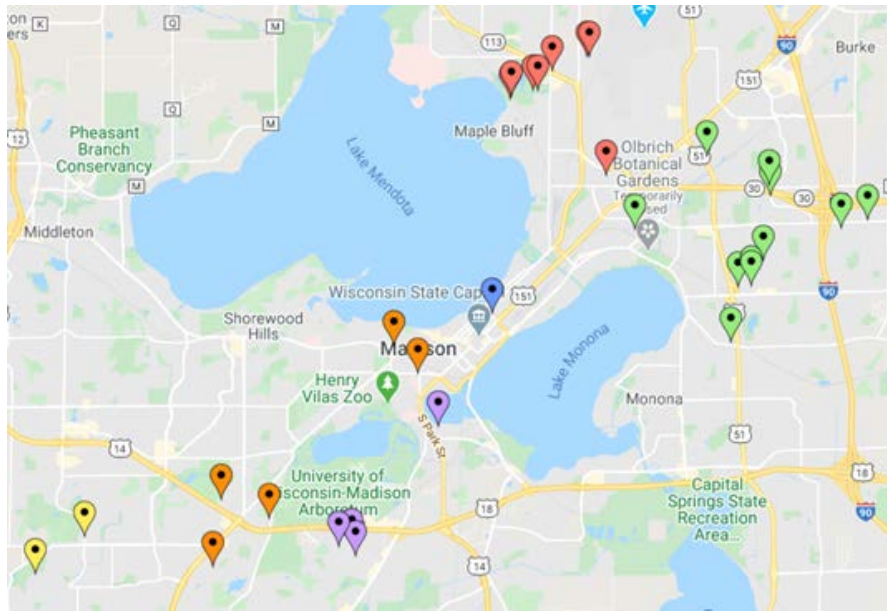
**DATE:** April 17, 2020

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

This document provides an update on selected MPD topics for the first quarter (January, February, and March) of 2020. **Please consider the data included in this update as preliminary, subject to modification.**

**Significant Incident Types**

*Shots Fired* – there were thirty-one (31) shots fired incidents in the City from January 1<sup>st</sup> through March 31<sup>st</sup>. This is a **29.2%** increase from the first quarter of 2019. Thirteen (13) shots fired incidents were reported during the 4pm – midnight period; eight (8) were reported during the midnight – 8am time period; and ten (10) were reported during the 8am – 4pm time period.

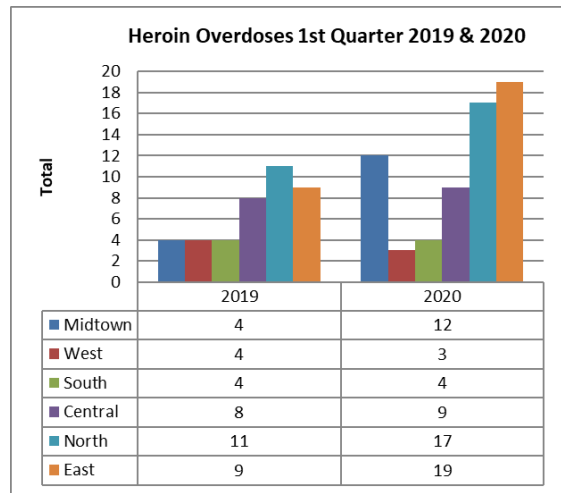
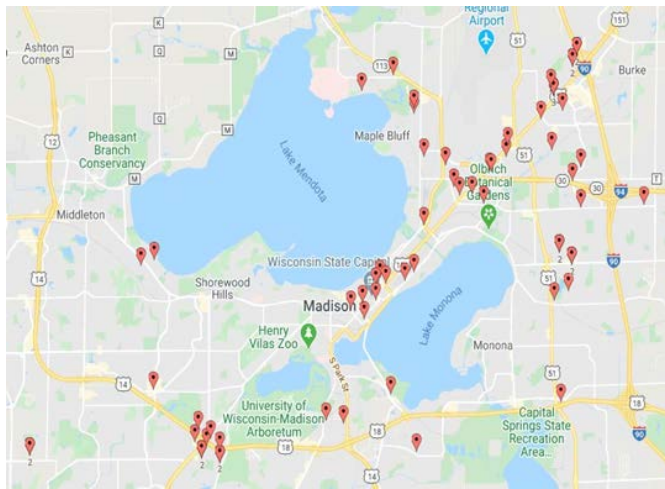


	1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter	Total
<b>Property Damage</b>	6				6
<b>Subjects Struck by Gunfire*</b>	7				7
<b>Accidental Discharge</b>	4				4
<b>Self-Inflicted (intentional)</b>	2				2
<b>Casings Recovered</b>	70				70

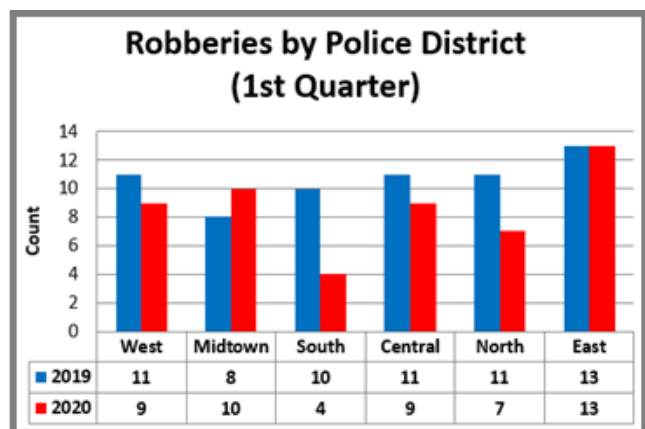
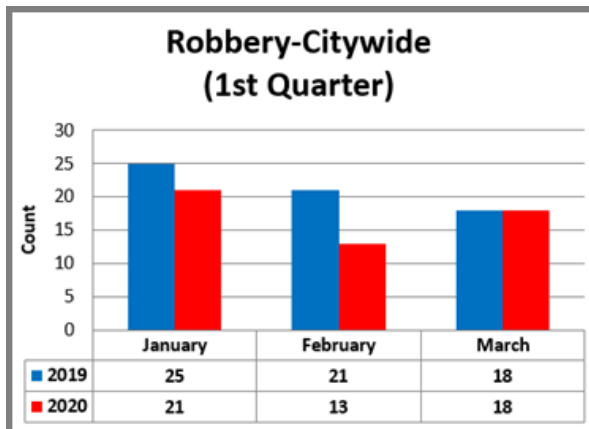
\*Excludes accidental discharge & self-inflicted

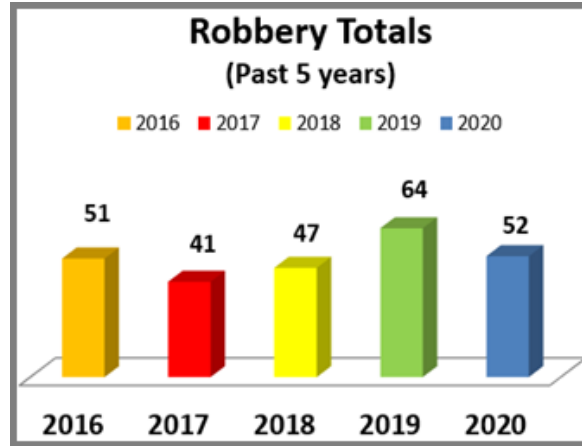
*Heroin Overdoses* – MPD responded to sixty-four (64) known heroin overdoses during the first quarter of 2020. This is an increase of 60% from the first quarter of 2019. Note that these figures refer to known overdoses...it is likely that many overdoses are occurring without any report to MPD or MFD.

There were ten (10) overdose deaths during the first quarter of 2020. This is a 25% increase from the first 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].

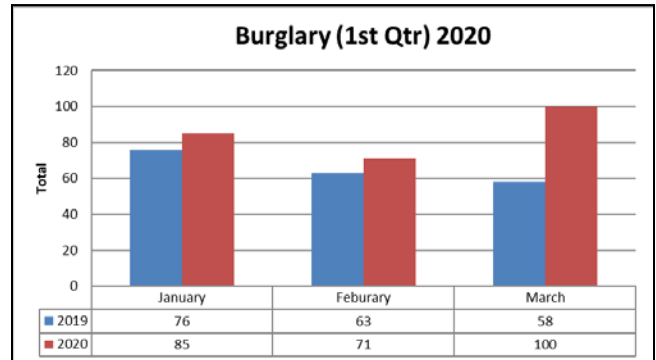


*Robberies* – fifty-two (52) robberies occurred in the City during the first quarter of 2020. This is a 19% decrease from the first quarter of 2019.





*Burglaries* – MPD responded to 256 burglaries during the first quarter of 2020. This is a 29.95% increase from the first quarter in 2019, and a 5.54% decrease from the fourth quarter of 2019.



**Arrest Data**

First quarter arrest data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	1,371				1,371	71.7%
Female	539				539	28.2%
Unknown	1				1	0.1%
<b>Total</b>	<b>1,911</b>				<b>1,911</b>	<b>100.0%</b>

Race	Q1	Q2	Q3	Q4	Total	%
Asian	28				28	1.5%
African-American	905				905	47.4%
Native American	7				7	0.4%
Other	38				38	2.0%
Caucasian	933				933	48.8%
<b>Total</b>	<b>1,911</b>				<b>1,911</b>	<b>100.0%</b>
<b>Hispanic</b>	<b>155</b>				<b>155</b>	<b>8.1%</b>

\*\*\*"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	308				308	9.8%
Bribery	0				0	0.0%
Burglary	22				22	0.7%
Counterfeiting/Forgery	6				6	0.2%
Damage to Property	117				117	3.7%
Drug/Narcotic Offenses	235				235	7.4%
Embezzlement	4				4	0.1%
Extortion	1				1	0.0%
Fraud Offenses	24				24	0.8%
Gambling Offenses	0				0	0.0%
Homicide Offenses	0				0	0.0%
Human Trafficking Offenses	0				0	0.0%
Kidnapping/Abduction	13				13	0.4%
Larceny/Theft Offenses	233				233	7.4%
Motor Vehicle Theft	63				63	2.0%
Pornography/Obscene Material	2				2	0.1%
Prostitution Offenses	4				4	0.1%
Robbery	30				30	1.0%
Sex Offenses, Forcible	24				24	0.8%
Sex Offenses, Non-Forcible	0				0	0.0%
Stolen Property Offenses	6				6	0.2%
Weapon Law Violations**	38				38	1.2%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	1				1	0.0%
Curfew/Loitering/Vagrancy Violations	11				11	0.3%
Disorderly Conduct	642				642	20.3%
Driving Under the Influence	132				132	4.2%
Drunkenness	0				0	0.0%
Family Offenses, Nonviolent	13				13	0.4%
Liquor Law Violations	91				91	2.9%
Peeping Tom	0				0	0.0%
Runaway	0				0	0.0%
Trespass of Real Property	165				165	5.2%
All Other Offenses	969				969	30.7%
<b>Total</b>	<b>3,155</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,155</b>	<b>100.0%</b>

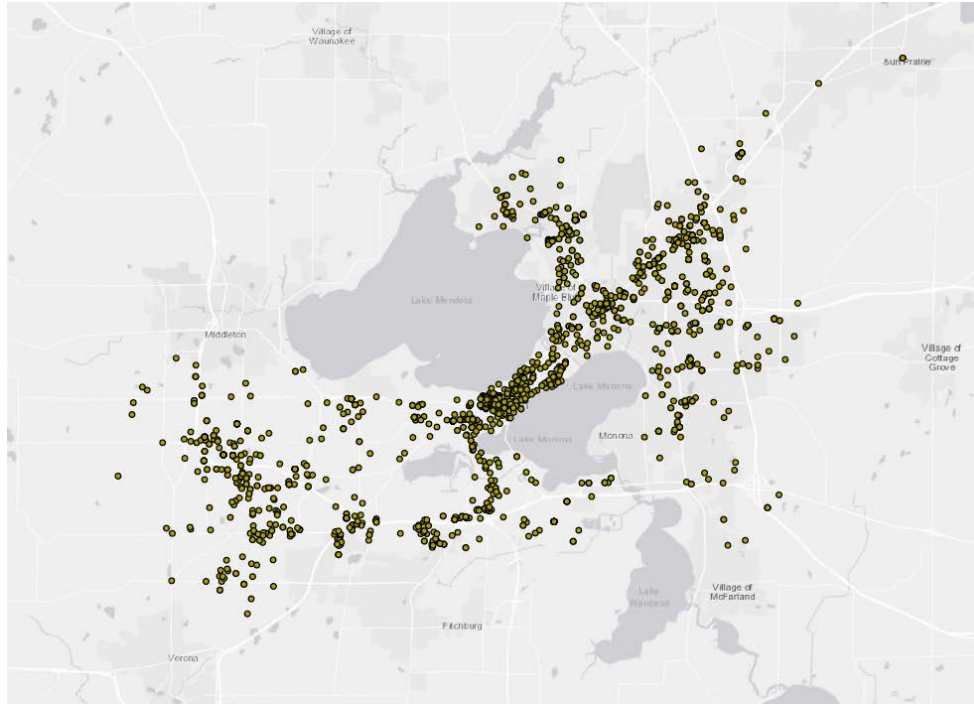
\* More than one charge may be connected to an arrest.

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.

Also, there has been some historical variation in the offense categories that the department has used when reporting crime data, particularly after the transition to Incident Based Reporting (IBR). Moving

forward, the department will report all IBR categories using the designated IBR titles. This format will also be used in the MPD annual report and quarterly public releases.

First quarter arrests reflected geographically:



Comparison of 2019 to 2020 first quarter arrest data:

Sex	2019 (Q1)	2020 (Q1)
Male	1,261	1,371
Female	511	539
Unknown	1	1
<b>Total</b>	<b>1,773</b>	<b>1,911</b>

Race	2019 (Q1)	2020 (Q1)
Asian	38	28
African-American	780	905
Native American	7	7
Other	32	38
Caucasian	916	933
<b>Total</b>	<b>1,773</b>	<b>1,911</b>

<b>Hispanic*</b>	<b>105</b>	<b>155</b>
------------------	------------	------------

\*"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 2020, MPD officers responded to 32,218 incidents. In that time, there were eighty (80) 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.

Description	Q1	Q2	Q3	Q4	Total
Calls for Service	32,218				32,218
Citizen Contacts Where Force Was Used	80				80
% of CFS Where Force Was Used	0.25%				0.25%
<b>Force</b>					
Decentralization/Takedown	59				59
Active Counter Measures	19				19
Taser Deployment	9				9
Hobble Restraints	13				13
OC (i.e. Pepper) Spray Deployment	12				12
Baton Strike	0				0
K9 Bite	0				0
Firearm Discharged Toward Suspect	0				0
Impact Munition	3				3
Specialty	0				0
<b>Total</b>	<b>115</b>				<b>11</b>
Firearm Discharged to Put Down a Sick or Suffering Animal	12				12

\*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	11				11	13.8%
Midtown	13				13	16.3%
South	5				5	6.3%
Central	23				23	28.8%
North	14				14	17.5%
East	12				12	15.0%
Out of County	0				0	0.0%
Within County - Assist Agency	2				2	2.5%
<b>Total</b>	<b>80</b>				<b>80</b>	<b>100.0%</b>

Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
<b>1<sup>st</sup> Detail (7am – 3pm)</b>	<b>13</b>				<b>13</b>	<b>16.3%</b>
<b>3<sup>rd</sup> Detail (3pm – 11pm)</b>	<b>29</b>				<b>29</b>	<b>36.3%</b>
<b>5<sup>th</sup> Detail (11pm – 7am)</b>	<b>38</b>				<b>38</b>	<b>47.5%</b>
<b>Total</b>	<b>80</b>				<b>80</b>	<b>100.0%</b>



## **MPD Response to COVID-19**

The COVID-19 pandemic is having 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 few updates on MPD's response:

- MPD personnel have been issued personal protective equipment (PPE) to allow for the delivery of core services. While the current supply is adequate, long-term re-supply is a concern.
- Most of MPD's civilian support employees are working from home.
- MPD facilities are closed to the public. Alternate processes for accessing services have been established and are noted on MPD's website.
- MPD has altered some call response protocols, to reduce opportunities for officer exposure.
- A process has been established to evaluate officers who have been exposed to symptomatic individuals. A number of officers have gone through isolation/quarantine as a result.
- Guidelines have been established for response to possible violations of the Governor's "Safer at Home" order.
- A mechanism/process has been established to provide COVID-19 testing for MPD personnel.

MPD patrol remains full staffed and responding to calls for service. However, some long-term projects/processes have been delayed as a result of the COVID-10 pandemic.

## **Mental Health Related Workload**

During the first quarter MPD personnel spent more than **4,000** hours of work on cases/incidents involving the mentally ill. This is an average of about **44** hours per day. The bulk of this workload was handled by patrol officers.

This work includes twenty-eight (**28**) emergency detentions. It took an average of about **twenty-two (22)** officer hours for each of these cases. MPD personnel also handled an additional **fourteen (14)** mental health commitment returns; these also averaged about **nineteen (19)** officer hours each.

## **MPD Activity at MMSD High Schools**

This area of the report highlights data involving physical arrest and citation incidents that occurred on the campuses of East, West, Memorial, and LaFollette High Schools during the first quarter of 2020. This data includes only incidents that occurred on campus during this time period and between the hours of 7:30am and 5:00pm. Arrest data include only instances of "physical arrest." This means an officer made a custodial arrest and the individual was removed from the high school and taken or released elsewhere.

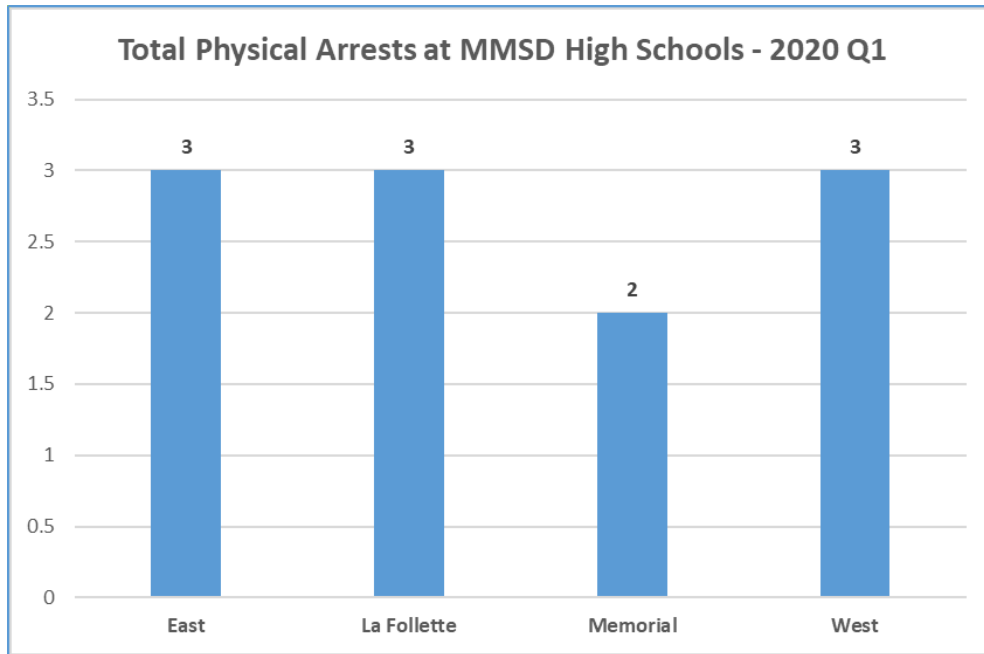
In 2015, MPD began partnering with the Dane County Timebank, Briarpatch and the YWCA to make restorative justice available to all youth ages 12-16 who committed a municipal offense. Since the inception of this partnership, an overwhelming majority of youth each year have chosen this option instead of receiving a citation, and have diverted away from Madison's Municipal Court. During the first quarter of 2020, 11 youth between the ages 12-16 were referred to restorative justice by MPD officers from the four MMSD high schools.



Arrest and citation numbers in this report should be not attributed only to MPD’s School Resource Officers (SROs) as the overall numbers can include those generated from other MPD officers (Patrol Officers, Community Policing Team Officers, Detectives, etc.).

One municipal citation was issued during the first quarter of 2020 at one of the MMSD high schools. This citation was for truancy. Truancy citations are only issued by officers when specifically requested by MMSD staff.

Eleven (11) total physical arrests were reported during the fourth quarter for a combined total of 20 referred charges:



The ages of the individuals arrested ranged from 14-35 years old. Six (6) of the individuals were male and five (5) were female. The charges varied for these eleven individuals, but included the following: Battery; Robbery; Disorderly Conduct; Possession of Weapon on School Premises; and Resist/Obstruct an Officer.

### Training

The COVID-19 crisis has significantly impact MPD training. MPD’s spring inservice – which was to incorporate emergency vehicle operation training – was cancelled. A remote, video-based training was developed in short order to provide content to officers. Specialized unit trainings have been suspended, and external use of the MPD Training Facility has been cancelled.

The MPD hiring process culminated in late-March, and we continue to plan on a late-May start date for the 2020 pre-service academy. MPD training staff are evaluating all aspects of the training curriculum to incorporate appropriate social distancing and exposure mitigation to the training.

## **SOP Updates**

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

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

## **Additional Updates**

*Priority/emergency call response* – During the first quarter, there were **76** 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 76 instances occurred on fifty-three (53) dates (some days required limited call response multiple times); this means that at some point on **58%** of the days during the first quarter MPD patrol response was limited. The 76 instances spanned about 420 total hours of limited call response, an average of 5.5 hours per instance. In terms of total hours during the first quarter, MPD patrol response was limited to emergency and priority calls about **19%** of the time.

## *Promotions*

### 2020 – 1<sup>st</sup> Quarter Promotions

Police Officer Gregory Sosoka to Sergeant  
Police Officer Kimberly Alan to Sergeant  
Police Officer Tyler Phillips to Sergeant  
Police Officer Amelia Levett to Detective  
Police Officer David Mertz to Detective  
Police Officer Zulma Franco to Detective  
Police Officer Roderick Johnson to Detective  
Police Officer Michael Barcheski to Detective  
Police Officer David Retlick to Detective

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

<https://www.cityofmadison.com/police/documents/psiaSummary2020JanMar.pdf>

<https://www.cityofmadison.com/police/documents/psiaRecognition2020JanMar.pdf>

## Updated/New SOPs for MPD: January-March, 2020

Arrest, Incarceration and Bail – Adults: 01/15/2020

Arson Investigations: 01/03/2020

Back-Up: 01/15/2020

Bomb Threats: 01/16/2020

Canine Use: 01/15/2020

CFS Dispatch Guidelines: 03/23/2020

Changes to Code of Conduct and Standard Operating Procedures: 01/03/2020

Deadly Force – Use of: 01/15/2020

De-Escalation: 01/15/2020

Detox, JRC, Jail, Probation and Parole Responses and Conveyances: 01/15/2020

Domestic Abuse: 02/28/2020

Handling of Informants: 02/17/2020

Hours Worked: 01/15/2020

Identification of MPD Employees: 03/09/2020

Identification Procedures: 01/03/2020

Incident Review Process: 03/16/2020

Intoxicated and Incapacitated Persons: 01/15/2020

Investigation of Crimes Involving Officers as Victims of Serious Crimes: 01/03/2020

Investigations of Incidents Involving Shots Fired: 01/15/2020

Labor Disputes and Picketing: 01/21/2020

LE Officer Safety – LEOSA – for Former Madison Police Officers: 01/06/2020

Line of Duty Death of an Employee: 01/28/2020

Lost and Abandoned Property: 03/09/2020

Mendota Mental Health Institute Response: 01/15/2020

## Updated/New SOPs for MPD: January-March, 2020

Mental Health Incidents and Crises: 01/27/2020

Military Leave: 01/27/2020

Missing Child: 02/03/2020

Mounted Patrol Use: 01/15/2020

Non-Deadly Force – Use of: 01/27/2020

Overtime Guidelines: 01/27/2020

Patrol Leave Requests: 01/15/2020

Patrol Staffing Hold Guidelines, Special Events and Special Assignment Scheduling: 01/15/2020

Personal Appearance: 01/27/2020

Personnel File Contents and the Process for Accessing These Records: 01/15/2020

Police Motorcycles: 01/15/2020

Pre-Employment Candidate Files: 01/15/2020

Preserve the Peace: 02/28/2020

PSIA Discipline Matrix: 01/03/2020 & 01/09/2020

PSIA Electronic Complaint File Management System: 01/03/2020

Recording Suspect Interviews: 01/03/2020

Robberies in Progress and Silent Robbery Alarms: 01/03/2020

Searches: 01/03/2020

SWAT Body Worn Cameras: 02/24/2020

Traffic Parking Enforcement Crash Investigation: 02/06/2020

Use of Force Data Collection: 01/15/2020

WI Prescription Drug Monitoring: 01/21/2020

Workplace Telestaff Requirements: 01/15/2020



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Arrest, Incarceration, and Bail - Adults**

Eff. Date ~~04/02/2018~~ 01/15/2020

**Arrest Authority**

The basic authority for police officers to make arrests derives from the Wisconsin 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 found<sup>1</sup> 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 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,<sup>2</sup> 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.<sup>3</sup>
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**

Wis. 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 outlines the circumstances under which Madison Police officers may intervene while outside of the territorial jurisdiction of the City of Madison and the actions that may be taken.

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

1. Madison Police 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 officers may take enforcement action including making arrests and issuing citations:
  - a. On the entire width of boundary highways and on the entire area of boundary intersections for any violation of either the state criminal code or any City of Madison ordinance.
  - b. When in fresh pursuit of a person suspected of having committed a violation of either the state criminal code or any City of Madison ordinance in the City of Madison.

<sup>1</sup> "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.

<sup>2</sup> "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.

<sup>3</sup> "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.

3. Determining appropriate enforcement action.
  - a. This policy 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;
    - 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 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. 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 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 OMVWI related.

Any person physically arrested for a traffic violation, pursuant to this policy, may be conveyed to Patrol or to the Dane County Jail. There are times when the arrested person is 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. 345.26 (driver posts on the citation); or
2. Comply with Sec. 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. 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 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 Data Terminal Operator of identity of person served with the warrant to ensure removal from the MAPS Wanted Person File.

## WHEN SERVING A WARRANT PROCEDURE

1. Read warrant to defendant.
2. If paying, place money, receipt, warrant, and jacket in Patrol 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, ~~or Juvenile Reception Center (JRC).~~
2. Prior to transporting an arrested ~~person adult~~ to jail ~~or JRC~~, 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 along with the completed Probable Cause 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 a medical facility, 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 with the nurse at Detox.
  - g. Copies of the Booking Forms received at the jail are to be returned to the Patrol Counter 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)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



## Arson Investigations

Eff. Date ~~05/09/2018~~ 01/03/2020

### PURPOSE

To provide ~~arson~~ investigative resources for ~~arson-related~~ investigations. These resources will be available at a district's request for any fire/arson related investigations.

### MISSION

Arson Detectives or Investigators will work closely with Madison Fire Department (MFD) investigative personnel in the investigation into the cause and origin of fires, collection of evidence and scene processing, interviewing of suspects and witnesses, and preparing cases for prosecution.

### PROCEDURE

Upon receiving any of the following calls for service, an officer(s) and supervisor will be dispatched to the scene and/or victim's location:

1. Structure fire;
2. Vehicle fire;
3. Tampering with fire safety equipment.

The supervisor at the scene shall work with MFD command to determine if additional investigative resources are needed from either/both MFD and/or MPD.

If MFD advises they are dispatching an MFD Fire Investigator to the scene, the scene supervisor shall notify the Officer in Charge (OIC) and advise of the circumstances surrounding the incident. Scene supervisors should also advise the OIC of any requests by MFD for additional MPD resources, beyond scene management/control.

Whenever ~~a fire incident~~ ~~arson/fire investigation~~ results in loss of life, significant injury or property damage, or the cause of the fire appears intentional:

- During normal working hours, contact the Detective Lieutenant ~~or other~~ command staff of the district where the incident occurred.
- If outside normal working hours, contact the on-call Detective Lieutenant.

~~Upon direction from the District Detective Lieutenant or Command Staff, or the On-Call Detective Lieutenant, the OIC or District Detective Lieutenant shall assign the case to an appropriate district detective utilizing normal assignment or call-in procedures. Detective resources will be assigned per normal case assignment or call-in procedures.~~ The request for assistance from an arson detective may be based ~~off of~~ ~~upon~~ immediately known circumstances (such as loss of life or significant property damage) or may be made once the primary detective has determined the need and relayed that request through their district Detective Lieutenant or the on-call Detective Lieutenant. Any Arson Detective assigned a case outside of their district, or normal work assignment, should notify their direct supervisor as soon as practical. A current list of all Arson Detectives shall be maintained by the Arson Lieutenant and made available in the OIC's office.

## PERSONNEL

The Arson Lieutenant shall maintain an active list of Arson Detectives. Detectives who have attended, or plan on attending the WI IAAI Basic Fire Investigation training, or **substantially equivalent directly related** training, are eligible to be an 'active' Arson Detective. Each year the list of Arson Detectives will be updated utilizing a supervisory input form.

All Investigators shall maintain a level of proficiency in their basic skills in order to adequately assist in the collection of evidence and processing of crime scenes. However, the Forensic Services Unit shall also maintain a minimum of two investigators with advanced training related to arson investigations. These Investigators may be assigned to assist any designated Arson Investigation as the Lead Investigator or to serve in an advisory capacity.

All Arson Detectives/Investigators will be assigned to the Fire/Arson Investigative Task Force.

While there is no cap on the number of Investigators or Detectives that may become Arson qualified, support of their immediate supervisor and a commitment to attend the requisite training within 6 month of selection is expected.

The Arson Lieutenant will be **the Lieutenant currently assigned to FSU or** a Lieutenant designated by the Captain of Investigative Services.

## TRAINING/STANDARDS

All designated Arson Detectives and Investigators shall successfully complete, at a minimum, the WI IAAI Basic Fire Investigation course. Any Arson Detective/Investigator who does not currently possess the WI IAAI Basic Fire Investigation training will need to complete this training no later than Dec 31, 2018.

In addition, each Arson Detective/Investigator shall complete at least 8 hrs of continuing training in arson-related investigations every two years. It is up to each Arson Detective/Investigator to maintain their own level of training. Training requests related to Arson Investigations should be routed through each Detective/Investigator's immediate supervisor – the same as other training requests.

The designated Arson Lieutenant shall review the training records of all Detectives/Investigators assigned to the Arson Investigation Task Force on a bi-annual basis, beginning on/near Jan 1, 2020. Detectives/Investigators who fail to maintain the required level of training will lose their designation.

## EQUIPMENT/SAFETY EQUIPMENT

A limited supply of turnout gear may be made available on an as-needed basis. Detectives and Investigators will not be expected to enter scenes that present an active fire hazard.

The Arson Lieutenant will maintain a supply of PPE to include boots, coveralls, gloves, half-face respirators, eye protect and hardhats. The PPE will be made available upon request.

Original SOP: 05/09/2018  
(Revised: 01/03/2020)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Back-Up

Eff. Date: ~~09/15/2017~~ 01/15/2020

### Purpose

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

### Procedure

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

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

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

- When approaching an individual whom they reasonably anticipate may be taken into custody (criminal suspects, potential chapter 51 protective custody/emergency detention, etc.)
- When officers reasonably anticipate the need to use force to temporarily detain persons as part of an investigatory stop
- Incidents involving violence or the threat of violence
- Incidents involving firearms or other weapons (use, display, or threat)

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

When responding to any type of incident, officers should be aware of factors that might result in limited backup availability (being in an area with poor radio communications, during peak workload times when officers are not available, etc.).

Original SOP: 09/15/2017  
(Reviewed Only: 12/26/2017)  
(Revised: 01/15/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Bomb Threats / Bomb Incidents / PBIED Incidents**

Eff. Date ~~05/28/2015~~ 01/16/2020

## Purpose

Establish standard operating procedure for Madison Police Department (MPD) response to incidents involving bomb threats, bomb incidents and Person Borne Improvised Explosive Device (suicide bomber) incidents.

## Procedure

The objectives of this MPD in dealing with bomb threats, bomb incidents and suicide bomber incidents are:

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., ~~suicide bomber~~ ~~person-borne IED~~ or vehicle-borne IED incident).

## Definitions

**Bomb Threat:** The communication through the use of mail, telephone, telegram, or other instrument of commerce; 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 unlawfully to 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 into a vehicle that is located to cause death, great bodily harm and property destruction (also known as a car or truck bomb).

**EOD:** Explosive Ordinance Disposal.

## Bomb Threat Response Procedures

### RECEIVING A BOMB THREAT

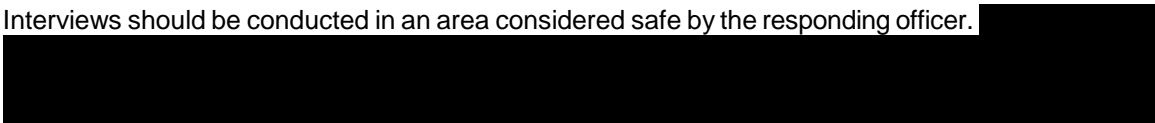
Most bomb threats will usually come through one of three mediums: telephone, mail delivery or online threats. While telephone calls are the most common means of conveying a bomb threat, threats via the mail do occur and threats via cyberspace and/or social media are becoming more common. Any individual, 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 your name?
  - Complete a Bomb Threat Checklist (see Attachment 1).
2. Signal a co-worker to contact the MPD Officer in Charge to advise them of the threat and provide all information received.
  - The co-worker should also contact the 911 Communications Center to alert them of the received threat.
3. Write down all statements. Attempt to keep the caller talking and note any distinguishable background noises. Also attempt to determine the sex, age, accent and level of excitement of the caller.
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.
5. MPD staff may consult the Dane County Sheriff Office's Explosive Ordinance Disposal Unit.

### 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.

1. Interviews should be conducted in an area considered safe by the responding officer. 
  - 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.
  - If a search is conducted, a floor plan should be used to facilitate a thorough search.
  - Officers should be particularly alert to explosives related pamphlets, excessive amounts of galvanized or PVC pipe, nipples and/or caps, especially with holes in them, fuses of any type, electrical switches, electrical matches, blasting caps or similar indicators.
  - 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 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.

## Bomb Incident Response Procedures

### UNEXPLODED BOMB INCIDENT

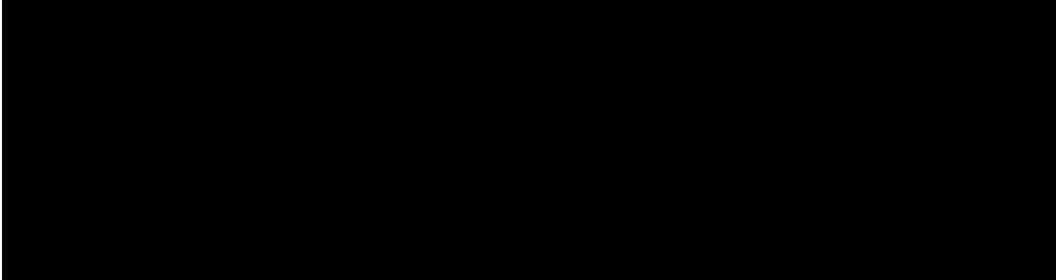
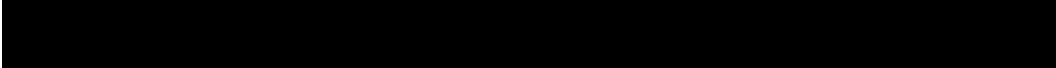
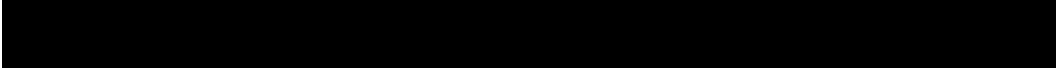
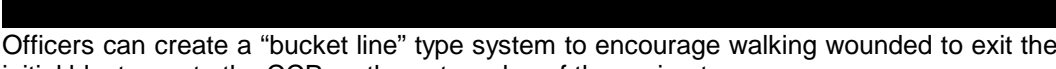
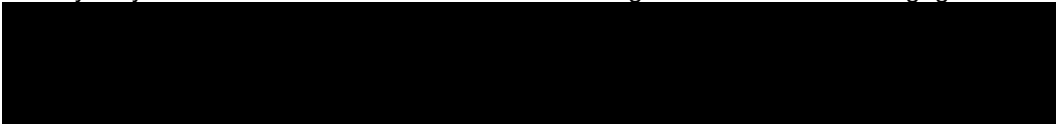
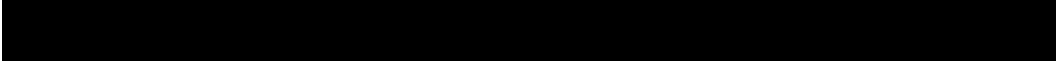
A bomb threat becomes a bomb incident if an object, which might be considered a bomb, suspicious object or vehicle borne improvised explosive device is located. The responding officer should attempt to conduct the following:

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.
  - [REDACTED]
  - Establish command and control with a supervisor.
  - Minimal personnel should enter the high threat zone to confirm the threat.
  - Officers shall not touch or move any suspicious device due to the possibility of initiating a detonation.
  - In the case of a VBIED, entry shall not be made into the vehicle, nor shall the vehicle be moved until it has been cleared by Dane County EOD.
  - An accurate description of the device 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.
  - [REDACTED]
  - [REDACTED]
  - [REDACTED]
3. The Dane County Sheriff's Explosive Ordinance Disposal Unit should be requested.
  - The perimeter can be widened prior to the arrival of Dane County EOD.
  - The on-scene supervisor may be called upon to establish communication with Dane County EOD staff to ensure a proper perimeter has been established (see Attachment 2).
  - No pedestrian or vehicular traffic should be allowed within the perimeter.
  - Notify FAA for airspace control **via UAS Team**.

- Control the release of media information (see Attachment 3).
  - Operational security on all communications must be maintained.
4. The supervisor and officers on scene will assist Dane County 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 EOD shall touch or move any object suspected or confirmed to be an explosive or incendiary device.
    - Once Dane County EOD personnel have arrived on scene, the ranking Dane County 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 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, 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.
  - 
  - 
  - 
  - 
  - Officers can create a "bucket line" type system to encourage walking wounded to exit the initial blast area to the CCP on the outer edge of the perimeter.
  - 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 insure that the scene remains protected and isolated until the arrival of investigative and Dane County 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.
  - 
  - 
  - The perimeter will be 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, but must realize that deadly force may have to be deployed immediately to prevent the bomber from detonating the explosive device.
  - Approach using cover and concealment and avoid alerting the suspect to your presence.
  - [REDACTED]
2. [REDACTED]
  - [REDACTED]
  - [REDACTED]
  - After deadly force has been deployed to stop a suicide bomber, there are unique follow-through considerations.
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.
  - Evacuate the area immediately [REDACTED]
  - Contact the Dane County EOD.
  - Follow the procedures under Unexploded Bomb Incident section.

### Stabilization

Once the immediate incident has been stabilized, the scene supervisor/incident commander will:

1. Establish a command post and unified command structure with other agencies (MFD, etc.) with security at the command post.
2. Establish a staging area for responding emergency personnel.
3. In conjunction with the Madison Fire Department, identify the final CCP for injured parties to be taken for triage, treatment and transportation with security.
4. Determine a final collection point/evacuation/interview center for non-injured evacuees from the location.
5. Initiate an investigation to determine exactly what has occurred and locate, isolate and debrief any witnesses.
6. Establish a staging area/contact and reunification point for friends and family members of potential victims/witnesses.
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. Consolidate 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.) and prepare a staffing and execution plan to hold the perimeter for an extended period of time.
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.
12. Once any suspects have been located and the threat eliminated, the Dane County EOD will advise of any additional resources needed to conduct secondary or tertiary searches for additional devices.
13. 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.
14. Supervisors should monitor responding officers for signs of critical incident stress.
15. Officers should be aware that bombings are often conducted in series or as a part of a larger attack.

Attachment 1: DHS Bomb Threat Checklist

Attachment 2: DHS Bomb Threat Standoff Chart

Attachment 3: General Media Rules for Bombing Investigations

Original SOP: 05/28/2015

(Reviewed Only: 01/27/2016, 01/09/2017, 12/26/2017)

(Revised: 01/16/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



## Canine Use

Eff. Date ~~01/15/2019~~ 01/15/2020

### Purpose

Subject to the provisions of this policy, 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 K9's 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 has voluntarily submitted to arrest or 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.

#### NARCOTIC 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 at all times.

## K9 HANDLER VEHICLE

1. Each handler will be assigned a squad for their 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 residence. K9 handlers are responsible for the care of their assigned K9 as follows:
  - a. Provide regular food and water as needed.
  - b. **Assure 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)  
(Reviewed Only: 11/01/2016, 12/26/2017)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



CFS Dispatch Guidelines

Eff. Date ~~07/22/2019~~ 03/23/2020

**Purpose**

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

**Procedure**

**CATEGORIES OF CALL TYPES**

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

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

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

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

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

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

**DISPATCHING OFFICERS**

Calls for service should be dispatched to an officer having responsibility for the sector where the incident is being reported, 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 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. Fifth detail officers may be required to assist as backup in the last hour of the shift.
- **Low priority calls:** Shall be held until late first detail cars are in service.

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

## OFFICERS IN THE LAST HOUR OF SHIFT

During the last hour of their shift, officers will be expected to be available in their assigned area. Officers should not be dispatched to low priority calls during the last hour of their shift (except to back up an officer if no other district officers are available) and should not be dispatched to routine calls in the last 30 minutes of their shift (except to back up an officer if no other district officers are available). When appropriate, an officer may go into the station prior to the end of their shift to complete necessary tasks when approved by the OIC. Approval should be requested via MDC or telephone, rather than through dispatch. Officers are reminded that MPPOA contract provides for eight minutes prior to the end of the tour to file reports and 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. ~~Guidelines to be used by OICs or field commanders when determining whether to modify MPD response include the following: call volume, significant incidents/crimes, staffing levels, tactical situations, special events, extreme weather conditions, or other unusual situations requiring significant MPD resources.~~

MPD will have three levels of response:

- **Normal:** The assignment of police units to calls for service will continue under current guidelines and practices as outlined in this document. Officers will respond to calls for police service (depending on officer availability) and can continue to engage in pro-active activity (traffic stops, foot patrol, etc.).
- **Priority Call Response:** MPD will only respond to priority calls for service as defined on page one of this document. ~~The OIC or a field commander can set this response level city-wide or limit it to a specific district. Patrol officers should refrain from pro-active activity to be available for calls. The OIC should assess the need for MPD personnel and the available staffing to determine whether additional resources are needed (mutual aid; shift holdover; use of non-patrol personnel; personnel call-in; SET or SWAT activation; etc.). Priority Call Response includes Limited Crash Response. Priority Call Response includes Limited Crash Response, 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 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, 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 (CPT officers, NPOs, 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 SET or 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 "PRCFS" unit. The OIC 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 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 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.

~~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 also create an "Information" incident and assign the "PRCFS" unit. The OIC or 911 Supervisor will document the reason for the modified call response (resource intensive call, snowstorm, etc.) and any changes in modified call response (from a city-wide limit to specific districts only, etc.) 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 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 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.~~

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

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

## **DANE COUNTY COURTHOUSE AND CITY-COUNTY BUILDING**

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

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

## **DETOX CONVEYANCES FROM HOSPITAL EMERGENCY ROOMS**

**Subject Conveyed to Emergency Room by Another Law Enforcement Agency** – If a law enforcement agency conveys an individual from their jurisdiction to a Madison emergency room for medical treatment and that person needs transportation to Detox after being medically treated, it is the responsibility of the agency that conveyed the individual to the hospital in the first place to convey the

incapacitated subject to Detox. This applies even if the officer/deputy has returned to their jurisdiction and applies to jurisdictions outside of Dane County. MPD officers will not make conveyances to Detox under these circumstances. If MPD conveys an individual from our jurisdiction to an Emergency facility in another jurisdiction for medical treatment and that subject needs transportation to Detox after being medically treated, it is the responsibility of MPD to convey the incapacitated subject to Detox.

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

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

Deviations from these procedures must be approved by a supervisor.

## EMERGENCY DETENTIONS FROM HOSPITAL EMERGENCY ROOMS

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

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

## TRAFFIC CRASHES (INCLUDING HIT AND RUNS)

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 number assigned. Officers who are unaware of their assigned radio number, or were not assigned one, should contact the data operator for their special duty radio number.

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

### OFFICER SELF-INITIATED ACTIVITY

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

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

Activity Type	Incident Type	
Traffic stop/enforcement	L60T	
Directed foot patrol	L66F	Check Area/Foot Patrol
Property Checks	L66P	Check Property
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 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, 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 TO SELF-REPORT CALLS FOR SERVICE**

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

\*\*For PSC staff: place the unit on duty, assign them, clear them, 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/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 reporting system)
- U** – Unfounded report (the incident is unfounded; no report is completed)

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

### **PARKING ENFORCEMENT DISPATCH PROTOCOLS**

The following guidelines are to help assist Dane County 911 Dispatch when dispatching Parking Enforcement Officers (PEO) to parking related calls. It is important to understand that PEOs are not



armed law enforcement officers and should not be dispatched to a call requiring a sworn officer. These three guidelines should be followed at all times:

1. **Contesting Citations** – A PEO should never be dispatched to respond to a citizen contesting a citation. All questions should be forwarded to the Traffic 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 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 in call:

- 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](mailto: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 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. ~~When enforcing at the schools they will change over to TEST channel B10.~~

### ***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](http://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)



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



**Changes to Code of Conduct and Standard Operating Procedures**

Eff. Date ~~09/09/2019~~ 01/03/2020

**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:

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

## 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**)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Deadly Force – Use of**

Eff. Date: ~~03/01/2019~~ 01/15/2020

**Purpose**

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

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

As used in this SOP, deadly force refers to the intentional use of a firearm or other instrument, ~~the use of which would result in~~ **that creates** a high probability of death or great bodily harm.

**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.

**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).
4. When its use unreasonably risks the lives of innocent bystanders.

## USE OF FORCE TECHNIQUES/INSTRUMENTS

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

## DE-ESCALATION

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

## DUTY TO INTERCEDE

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

## AFTERCARE

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

## INVESTIGATION OF THE USE OF DEADLY FORCE

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

Original SOP: 03/23/2015  
(Revised: 03/26/2015, 05/26/2016, 07/10/2017, 12/06/2017, 03/01/2019, 01/15/2020)  
(Reviewed Only: 12/22/2016)





# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## De-Escalation

Eff. date: ~~03/01/2019~~ 01/15/2020

### Purpose

To outline the guidelines for Madison Police Department (MPD) De-escalation. De-Escalation tactics and techniques are actions used by officers, when safe and without compromising law enforcement priorities, that seek to reduce the likelihood of the need to use force during an incident and increase the likelihood of a positive resolution.

### Procedure

When safe and feasible under the totality of circumstances, officers should attempt to slow down or stabilize the situation so that more time, options and resources are available for incident resolution. Officers should utilize appropriate tactical and officer safety principles to avoid **unreasonably** placing themselves at risk **unreasonably**.

Examples of De-escalation could include, but are not limited to:

- Placing barriers between an uncooperative subject and an officer
- Containing a threat
- Moving from a position that exposes officers to potential threats to a safer position
- Decreasing the exposure to potential threat by using
  - Back-up
  - Distance/time
  - Cover/concealment
- Communication from a safe position intended to gain the subject's compliance, using dialogue
- Any other tactics and approaches that attempt to achieve law enforcement objectives

An officer's awareness of these possibilities, when time and circumstances reasonably permit, should then be balanced against the facts of the incident facing the officer when deciding which tactical options are the most appropriate to bring the situation to a safe resolution.

Mitigating the immediacy of threat gives officers time to utilize extra resources and increases time available to call more officers or specialty units.

The number of officers on scene may increase the available force options and may **increase improve** the ability to reduce the overall force used. When feasible, officers should approach an individual whom they anticipate may be taken into custody (criminal suspects, potential chapter 51 protective custody/emergency detention, etc.) with back-up present or immediately available.

Original SOP: 11/16/2016  
(Reviewed Only: 12/26/2017)  
(Revised: 03/01/2019, 01/15/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Detox, JRC, Jail, and Probation & Parole Responses & Conveyances

Eff. Date ~~04/16/2018~~ 01/15/2020

## Purpose

This outlines guidelines for MPD response to Detox, the Juvenile Reception Center (JRC), the Public Safety Building (PSB)/Dane County Jail, and Probation and Parole offices under certain circumstances.

## Procedure

### PSB/Jail

- *BAC Refusals at the Jail* – If an MPD officer determines that an arrested person is incapacitated, they should be conveyed to Detox. If this is not the case and the person is presented to the jail for booking, MPD officers should not convey individuals to Detox based solely upon the BAC testing administered by jail personnel and subsequent request by jail staff to convey the arrested person to Detox.
- *Medical Clearances for Criminal Violations* – If an officer concludes that a person is in need of medical treatment prior to being booked into the jail, they should convey the arrested person to a hospital for a medical clearance. The general jail guidelines for requiring a medical clearance prior to booking include:
  - Any pregnancy beyond 6 months
  - Any pregnant female under the influence of alcohol or drugs
  - Anyone involved in a significant motor vehicle crash (ejection, roll-over, or head-on collision)
  - Anyone that sustained any traumatic injuries prior to arrest
  - Incapacitation due to alcohol or controlled substance
  - Anyone suspected of an overdose or who may be concealing drugs internally
  - Injuries needing sutures, casts, or complex wound care
  - Anyone with a blood sugar reading greater than 400
  - Anyone with a blood pressure over 180/120
  - Anyone exhibiting symptoms such as tremors, profuse sweating, chest pain, or shortness of breath

Officers should work cooperatively with jail staff to determine the need for medical treatment prior to booking. Disputes on appropriate dispositions should be referred to the officer in charge.

### Detox

- MPD officers will continue to handle calls for service at Detox.
- Once someone an incapacitated person is admitted to Detox as a result of their incapacitated state, MPD should **not** be conveying these individuals to a hospital or other treatment facility.
- MPD officers should **not** convey clients from Detox to jail if the client was initially placed into protective custody by another jurisdiction.
- MPD officers **will** continue to convey our arrests to jail when released from Detox.

### JRC

- MPD will respond to JRC for emergency calls for service and investigate any criminal activity that takes place at JRC.
- Officers shall conduct an assessment of each juvenile taken to JRC and if necessary,

should have him/her medically evaluated prior to JRC intake.

- If MPD officers are presenting a person to JRC and at the time of intake or shortly thereafter it is determined that a medical release/clearance is necessary, MPD officers should convey to a medical facility for that evaluation.
- MPD officers should not make scheduled conveyances from JRC.
- *Conveyances of Juvenile Females From Mendota Mental Health (MMH) to Winnebago Correctional Facility* – MPD will **not** be responsible for conveyances of juvenile females to the Winnebago Correctional Facility; DCSO is responsible for these conveyances. Officers should contact the OIC to make arrangements with DCSO for these conveyances.

Deviation from these guidelines may be approved by a supervisor or commanding officer under exceptional circumstances.

### Probation and Parole Conveyances

- Probation & Parole personnel will be responsible for all routine conveyances to the PSB. In most instances, agents will take the client into custody themselves and convey them to the PSB in a D.O.C. vehicle. Officers should be aware that these conveyances will be routinely taking place without law enforcement involvement and be prepared to respond to any emergency requests for assistance (either at a P&P office or during the transport).
- MPD officers may be asked to assist P&P with taking a client into custody and conveying him/her to the PSB if the client has a history of violent/resistive behavior or if there are other indications that the client will resist being placed into custody. In these instances, officers should respond to the appropriate P&P office and work cooperatively with the agents involved to take the offender into custody and then convey him/her to the PSB. A P&P agent will follow the officers, and will be responsible for the booking process. Officers should complete a short field report documenting the incident and title it as an Assist/Probation & Parole (call type 88P).
- If a P&P conveyance results in new criminal charges (contraband located on the client, client resists, etc.), officers should investigate and document the new charge as needed. The officer should also complete a PC affidavit for the new charge. P&P will still have primary responsibility for the booking process.
- P&P will be responsible for taking custody of any non-contraband property in the possession of a client being taken into custody that the PSB will not accept.
- A list of Madison P&P offices is attached. District personnel are encouraged to stop in at offices to get acquainted with staff and to become familiar with the physical layout.

Please contact your commanding officer with any questions or issues that arise regarding these conveyances.

Original SOP: 05/02/2014

(Revised: 02/11/2016, 01/13/2017, 04/16/2018, 01/15/2020)

(01/13/2017: Combined Detox, JRC and PSB Response SOP with Probation and Parole Conveyances SOP)

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



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Domestic Abuse**

Eff. Date 02/28/2020

**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, 2<sup>nd</sup>, 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.

## 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 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:
  - 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 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 Referral Form and Danger Assessment Form in instance 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 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 State Statute 968.075

## NOTIFICATION TO VICTIMS-VICTIM RIGHTS' INFORMATION FORM

These requirements are mandated by Chapter 950 of the WI 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 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 District. A DAIS advocate will contact the victim as soon as possible the next business day following a weekend or holiday.
3. The district PRT will scan the LEAP form to the LEAP O: 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 s. 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 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 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 1<sup>st</sup> or 2<sup>nd</sup> Degree Homicide, or 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> Degree Sexual Assault, or 1<sup>st</sup> Degree or 2<sup>nd</sup> 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 Data or Spillman.
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 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 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 ER for medical assistance and a Forensic Nurse Exam. 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 a 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.

Original SOP: 07/01/2015  
(Revised: 02/24/2016, 03/31/2016, 01/15/2019, 02/28/2020)  
(Reviewed Only: 01/09/2017, 12/26/2017)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



## Handling of Informants

Eff. Date ~~01/20/2017~~ 02/17/2020

### Purpose

The purpose of this Standard Operating Procedure (SOP) is to establish a procedure for proper documentation, utilization and compensation of: "Confidential Informants" (CI's), "Citizen Sources of Information" (CSOI), and "Anonymous Sources of Information (ASOI)."

The preference in any criminal investigation is that the investigating officer documents information received from citizen/witnesses and their identity is recorded in a police report. This document provides guidance to officers in those limited situations where a citizen/witness is only willing to cooperate if their identity is protected.

This SOP applies to all commissioned members of the Madison Police Department (MPD).

### Definitions

- A. Confidential Informant (CI):** Any person who provides information to law enforcement or acts under the direction and control of law enforcement for a law enforcement purpose, and, in return for providing such information or assistance, has an expectation of receiving a benefit, including financial remuneration, charging consideration or sentencing consideration. This person will first be vetted and assigned a Confidential Informant number (CI#) by a supervisor of the Dane County Narcotics Task Force.
- B. Citizen Source of Information (CSOI):** Any person who provides information useful for investigative purposes, does not want their identity revealed, and is not acting under the direction or control of a law enforcement officer. CSOI control numbers will be maintained/managed by the Madison Police Department Criminal Intelligence Section (CIS).
- C. Anonymous Source of Information (ASOI):** An Anonymous Source of Information (ASOI) is any person that reports information to a law enforcement officer, when that person does not want to be identified and the law enforcement officer does not know the person's identity.

### Confidential Informants (CI)

Prior to considering an individual as a confidential informant, the officer/detective will evaluate the individual's credibility, truthfulness and appropriateness for use as a confidential informant. This evaluation should include review/consideration of:

- Individual's criminal history
- History of law enforcement/MPD contacts
- Motivation for providing information/assistance
- Relationship with criminal targets
- Public safety risk posed by individual
- Substance abuse concerns
- Any known prior work as a confidential informant

If the individual is deemed as appropriate for use as a confidential informant, the following process must be followed:

- Contact a DCNTF supervisor
- Complete DCNTF CI documentation

- CI Identification and background document
- DCNTF statement of Understanding
- Informant Activity log
- All CI related documentation will be housed with DCNTF

If approved, a DCNTF supervisor will then assign a control number (CI#) for use in all official documentation. Supervisory approval is required prior to utilizing an individual as a confidential informant.

Individuals who are incarcerated or are on probation, parole or extended supervision will not be utilized as confidential informants without approval from the Department of Corrections. Juveniles will not be used as confidential informants except in cases of compelling need, with the approval of the Chief.

#### *Confidential Informant Management*

Every in-person meeting with a confidential informant requires the presence of two (2) law enforcement personnel. This requirement may be satisfied by any qualified persons from local, state, or federal agencies.

Confidential informants must be closely monitored by the officer and unit associated with the informant for circumstances which could warrant a deactivation or termination of the informant's service. These circumstances include, but are not limited to:

- Committing an act which could endanger the life or safety of a law enforcement officer.
- Compromising an official investigation, to include revealing the identity of a law enforcement officer.
- Providing false or misleading information to law enforcement.
- Stealing evidence (controlled substances), department equipment, or "buy" funds (U.S. currency).
- Using the department to further criminal goals.
- Engaging in conduct that brings discredit or embarrassment to the department.
- New criminal charges brought against a confidential informant will not automatically preclude an informant from continuing to work with the department. Any new criminal charges must be documented in the CI activity log and will be reviewed on a case-by-case basis. Continued use of a CI will require the approval of the commanding officer of the Dane County Narcotics Task Force, or his/her designee.

Credible information provided by a CI may be used in an affidavit in support of a search warrant or arrest warrant.

Any deviation from this process for exigent reasons requires approval from the Dane County Narcotics Task Force Commander.

### **Citizen Source of Information (CSOI)**

Management of citizen sources of information will be as follows:

- CSOI control numbers will be maintained/managed by the Madison Police Department Criminal Intelligence Section (CIS).
  - CSOI's shall be assigned a control number (CSOI#), but do not require the same detailed background investigation that is required of a CI.
  - Credible information provided by a CSOI may be used in an affidavit in support of a search warrant or arrest warrant.

- When utilizing a CSOI, it is imperative that the investigating officer make it known to the CSOI that:
  - The information provided to the investigating officer will be documented in an official police report.
  - The source of the information will initially appear as a number (i.e., CSOI# 23) in police reports and other documents.
  - If the investigation results in legal proceedings, the identity of the CSOI may have to be disclosed to the judge, the defendant, and the defendant's attorney.

The process for obtaining a CSOI number is as follows:

- Complete the CSOI Identification Form – located on the MPD Intranet (A to Z Forms).
- Email the CSOI Identification Form to “*PD CSOI Forms*”.
- CIS will document the form and assign a control number (CSOI #) for use in all official documentation.

How to document information provided by a confidential source of information (CSOI) in a police report:

Information provided by a confidential source of information (CSOI) shall be documented in all police reports through an assigned CSOI number provided by CIS:

- Investigating officers should consider whether or not the report needs to be completed prior to receiving a CSOI number from CIS, or if the report can wait until the next business day.
- In situations where the investigating officer cannot wait to receive a CSOI number from CIS, they shall complete a supplemental report documenting the assigned CSOI number once it is assigned.
  - If more than one CSOI is used in the same investigation, they must have separate CSOI numbers assigned for purposes of clarification in the police report.
- If an investigating officer receives information from a known person that wishes to remain anonymous, the investigating officer shall document the information received and report as follows:
  - “On (date), I learned from a Citizen Source of Information that”... or,
  - “On (date), I learned from CSOI #23 that”...
  - The investigating officer shall also document that the Citizen Source of Information is known to the law enforcement officer by name, but for the purposes of this investigation the Citizen Source of Information wishes to remain anonymous.

CIS will maintain the Citizen Source of Information (CSOI) database, and will track the usage of CSOI's in MPD investigations. Each CSOI will retain his or her unique CSOI number in all subsequent investigations.

### **Anonymous Source of Information (ASOI)**

- This type of information is typically provided/received on a one-time basis.
- This information shall be documented as an “Anonymous Source of Information” and does not require any type of registration.
- Anonymous Sources of Information shall be documented in a manner that does not identify the gender of the anonymous source, if the law enforcement officer should happen to know the gender of the anonymous source.
- The “Anonymous Source” provision is not intended to be utilized as a means to circumvent the procedures governing CI's, or CSOI's established in this SOP.

- All anonymous information received from “Crime Stoppers” shall be referred to as an “Anonymous Source of Information” in the police report without reference to Crime Stoppers as the entity that gathered the information.

Original SOP: 04/01/2015

(Reviewed Only: 01/22/2016)

(Revised: 01/11/2017, 01/20/2017)

(Replaces Handling of Confidential Informants SOP:02/17/2020)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Hours Worked

Eff. Date ~~01/25/2018~~ 01/15/2020

### Purpose

The Madison Police Department recognizes that police officer fatigue can adversely impact officers' performance and interaction with the community. The purpose of this SOP is to describe details related to maximum hours allowed to work, as well as required breaks.

### Procedure

Accordingly, to avoid excessive work hours, members should generally not be scheduled for:

- More than sixteen (16) hours of work per day
- More than eighty-four (84) hours of work per calendar week

~~This~~ **These totals** includes any type of pre-scheduled work for the City (normal duty assignment, grant/event overtime, court, training, special duty, etc.), but does not include on-call/stand-by time or phone calls made from home. For purposes of this SOP, "day" refers to a twenty-four (24) hour period commencing with the start of the employee's normal shift time.

These limitations do not restrict an employee's work under unanticipated or emergency circumstances (with appropriate supervisory/command approval).

"Normal duty shift" refers to an employee's regularly scheduled work shift on a regular workday.

### Time Off Between Work Periods

No member will be scheduled for two normal duty shifts with less than six (6) hours off between shifts. Members who work unanticipated or unavoidable overtime (non-voluntary) that extends their normal duty shift must have a six (6) hour break before returning to their normally scheduled duty shift. Administrative leave with pay will be granted to accommodate this required break period. Supervisors making these entries should note "Hours Worked SOP" in the Telestaff note field **and choose the "HW – Hours Worked" detail code.**

Original SOP: 01/25/2018  
(Revised: 01/15/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Identification of MPD Employees

Eff. Date ~~07/28/2015~~ 03/09/2020

## Purpose

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

## Procedure

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

## Employee Photos

All commissioned and civilian employees are required to have an official employee photo taken when they are hired, change rank or are promoted, and/or every five years that they are employed with the department. The MPD Human Resources Coordinator will contact employees when they are in need of having an updated photo taken.

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





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Identification Procedures**

---

Eff. Date ~~05/12/2017~~ 01/03/2020

**Purpose**

This outlines procedures to be used for conducting all identification procedures (show-ups, photo arrays and in-person lineups).

**Procedure**

**GENERAL RULES FOR ALL EYEWITNESS IDENTIFICATION PROCEDURES**

**When Unnecessary**

---

An eyewitness identification procedure may be unnecessary when the witness:

1. Would be unable to recognize the perpetrator of the offense being investigated; or
2. Knew the identity of the suspect before the offense occurred or learned the suspect's identity without police assistance after the offense.

**Avoiding Multiple Views**

---

A suspect—or likeness (a photograph, composite drawing or sketch) of a suspect—should not deliberately be displayed to more than one witness at a time.

Avoid multiple identification procedures in which the same witness/victim views the same suspect more than once.

**Avoiding Viewers' Suggestions**

---

A witness who has taken part in an identification procedure must not be permitted to state conclusions within earshot of another person who is about to be, or has been, a viewer.

**Avoiding Officers' Suggestions**

---

A police officer must not, by word or gesture, suggest opinions to any witness that the suspect committed the crime. Witnesses making inquiries about an officer's opinion shall be informed of this restriction.

**Maintaining a Record**

---

A complete record of each identification procedure must be made. The time, location, and the identity of those present, including persons being viewed who are not the suspect, must be noted. Statements made by a witness viewing the suspect must be recorded documented, along with any significant remarks made by an officer, lawyer or suspect.

**Show-Ups**

---

A show-up is a limited usage identification procedure in which a suspect is presented singly to the witness.

---

### When Permissible

---

An officer may arrange a presentation between a suspect and a witness whenever the suspect is detained within a reasonable length of time. Consideration should be given to the freshness of the pursuit, the total amount of time elapsed since the offense and the distance from the crime scene. The witness must be cooperative and state they might recognize the person who committed the offense.

If there is probable cause to arrest, then no show-up should be conducted. In these cases, consideration should be given to completing a photo or in-person line-up as soon as feasible depending on the circumstances.

---

### Show-up Following Temporary Detention

---

If an officer reasonably suspects that a person located has committed the offense, but probable cause to arrest the person is not present, the officer may detain the person for a reasonable period of time for show-up purposes. In exercising this authority, the officer may use such force (see MPD SOP *Stop and Frisk*) as is reasonably necessary to stop the person or to cause the person to remain in the officer's presence.

1. Location of Show-up: The witness should be brought to the scene of the detention as soon as possible. A suspect should not be taken to the police station for a one-to-one show-up. Only with consent, may the suspect be conveyed to the witness location.
2. Extending Detention: The suspect cannot be detained for longer than a reasonable period of time. If probable cause to arrest develops during the detention, an arrest should be made and no show-up shall be completed.
3. Release After Show-up: If the suspect is not identified by the witness and you lack probable cause, the suspect should be released after obtaining the suspect's name and DOB pursuant to appropriate departmental procedures.

---

### Minimizing Suggestiveness

---

1. Obtain and document complete description of suspect(s) from witness separately from other witnesses if possible, before the show-up.
2. If possible, do not show the suspect handcuffed or in a squad car. If handcuffed, take measures to conceal this fact from the witness, when possible.
3. Do not convey to a witness before identification that police have a suspect. Advise the witness that the person may or may not be the perpetrator, and they should not feel compelled to make identification, and the investigation will continue whether or not they identify the suspect.
4. Police should not confirm a witness's positive identification; do not tell the witness they made the correct choice or provide information which corroborates the identification.
5. Document the procedure. Attempt to quote the witness's statements.
6. If there are multiple suspects, only show one suspect at a time to the victim/witness.
7. Document the process with in-car video if possible.

---

### Multiple Witnesses

---

If there are several witnesses to a crime, and a show-up is feasible and proper, arrangements should be made for each witness to view the suspect separately. If an identification is made by the first witness, arrest is appropriate and further identification by other witnesses should not occur. Witnesses should be instructed not to discuss their identifications with others.

---

### **Cruising Area of Offense**

---

Nothing in these guidelines bans the common procedure of transporting witnesses in police cars to cruise the general area in which a crime has occurred in hopes of spotting the perpetrator and arranging a show-up.

---

### **Emergency Presentations**

---

In emergency circumstances, such as when a witness is in danger of death or blindness, or when a suspect is in danger of death, an immediate show-up may be arranged if medical authorities permit. In these situations, time and location limitations contained in the preceding guidelines can be disregarded. But if the suspect will be hospitalized for a lengthy period and is not in danger of death, then it is proper to follow the guidelines above.

---

### **Right to a Lawyer**

---

No person has a right to have a lawyer present at any show-up procedure.

---

### **When Single Photographs May be Used**

---

If the victim/witness knows the suspect then a single photograph of the suspect can be presented to the victim/witness to confirm the suspect's identity. This procedure should only be considered if the officer can establish that the suspect is actually known to the victim/witness and when the victim/witness can identify the suspect sufficiently. If such a method is utilized, the photograph should be preserved through property tagging and described within the subsequent report (for example, "A Summit photograph of (name) was shown to (name)"). However, if the victim/witness does not know the suspect, or only knows the suspect by nickname or other partial identifier, a sequential photo array is the preferred method of identification procedure if an in-person lineup is not practical.

---

### **Sequential Photo Arrays**

---

Identifying suspects in a timely matter is essential to resolving investigations. However, making these identifications as unbiased as possible is equally essential in ensuring the identifications withstand courtroom scrutiny. The sequential photo array is one such procedure utilized by the Madison Police for identification of suspects when the suspect is unknown or only partially known by the victim or witness.

---

### **Creating and Presenting the Sequential Photo Array**

---

In order to ensure that inadvertent verbal cues or body language do not influence a witness identification, ***the person conducting the photo array should not know the identity of the suspect.*** The case detective may prepare the photo array, but another detective/officer (photo array administrator) who does not know the identity of the suspect should present the photo array to the victim/witness.

If it is not practical to utilize a photo array administrator, the case detective may utilize the folder system and administer the photo array him/herself.

In composing a photo array, the person administering the identification procedure should ensure that the photo array is comprised in such a manner that the suspect does not unduly stand out. However, complete uniformity of features is not required.

---

### ***Creating the Sequential Photo Array Using an Administrator***

1. Include only one suspect in each identification procedure.
2. Select fillers (non-suspects) who generally fit the witness' description of the perpetrator and resemble the suspect in significant features. (Case detective)

3. Select a suspect photo that resembles the suspect's description or appearance at the time of the incident, if multiple photos of the suspect are reasonably available to the investigator. Driver's License photos obtained from the Department of Transportation may not be used in photo arrays.
4. There should be five filler photographs and one suspect photograph. Do not reuse fillers in arrays shown to the same witness when showing a new suspect. Place photo in folder.
5. Give the administrator one folder with filler photograph to be used as the first photo shown. (Case Detective)
6. Give the administrator folders containing the suspect photo and remaining four filler photos and have him/her mix-up the folders and number them 2-6. Do not tell the administrator which photo is the suspect. (Case Detective and Administrator)
7. Folders 7 and 8 are empty and are not shown to the witness, but are used so the witness does not know when they are viewing the last photo. (Administrator)
8. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness on the photos, folders, or any other materials available for the witness to see.

### ***Creating the Sequential Photo Array Using the Folder System (Case Detective)***

1. Include only one suspect in each identification procedure.
2. Select fillers (non-suspects) who generally fit the witness' description of the perpetrator and resemble the suspect in significant features.
3. Select a photo that resembles the suspect's description or appearance at the time of the incident, if multiple photos of the suspect are reasonably available to the investigator. Driver's License photos obtained from the Department of Transportation may not be used in photo arrays.
4. There should be five filler photographs and one suspect photograph. Do not reuse fillers in arrays shown to the same witness when showing a new suspect.
5. Place one filler photograph in folder number 1.
6. Have someone out of your sight place the remaining four filler photographs and the suspect photograph in folders 2 through 6. Or, you place the four filler photographs and the suspect photograph into the folders and shuffle the folders so you do not know which folder the suspect is in, then number the folders 2 through 6.
7. Folders numbered 7 and 8 are empty and are used so the witness does not know when they have seen the last photo.
8. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness on the photos, folders, or any other materials available for the witness to see.

Sign "Witness Instructions for the Sequential Photo Lineup Procedure" form and attach to report.

### **The Sequential Photo Array Procedure**

---

1. Create photo array as outlined above.
2. Read the "Witness Instructions for the Sequential Photo Array Procedure" to the witness and sign the form. Have the witness sign the form to indicate the instructions were read to them as well. Confirm that the witness understands the nature of the sequential procedure. The witness should not know how many folders will be shown.
3. Present each folder to the witness separately, in the previously determined order, removing those folders shown as the array continues. If the case detective is present during the photo array, they must be in a position that they cannot see who is in the photo. The witness should be informed not to show any of the photos to the case detective (if present). As the witness looks at each photo, ask if they recognize the person in the photo as the one they previously observed (in connection with the crime being investigated). If an identification is made, ask the witness how certain they are. Use similar language for each photo presented.
4. Avoid any statements or actions that may influence the witness' selection. No one should be present during the photo identification procedure who knows the suspect's identity, unless the

folder system is being utilized (in which case the case detective should not know the suspect's position in the photo array or be able to see the photos).

5. Document in writing the array procedure, including:
  - a. Identification information and source of all photos used; for example, include jail ID numbers if Summit used to create array, Facebook URL's, or other source.
  - b. Names of all persons present at the photo array.
  - c. Date and time of the identification procedure.
6. When conducting a photo array, the array administrator or investigator shall preserve the outcome of the procedure by documenting any identification or no identification results obtained from the witness. When conducting an identification procedure, the array administrator or investigator should:
  - a. Record identification (suspect or filler), partial identification and no identification results in writing, including the witness' own words.
  - b. Ensure that the photos are signed and dated by the witness when possible on the bottom or back of the photo if identification is made. This marking should not obscure the photo itself.
  - c. Ensure that no materials indicating previous identification results are visible to the witness.
  - d. Ensure that the witness does not write on or mark any materials that will be used in other identification procedures.
  - e. Do not give any feedback to the witness on an identification or non-identification.
  - f. After the full photo array has been presented, the administrator or investigator should do a follow-up interview and document the victim/witness statements thoroughly.
7. The witness, if requested, may view one or more of the photos again after the sequential photo array procedure has been completed. This should occur only if the witness requests it after the procedure is completed and **should never be at the suggestion of the person administering the photo array**. All photos in the array should be viewed even if an identification is made.
8. The photo identification procedure should be recorded (video or audio) unless it is impractical to do so or the victim/witness declines to have the procedure recorded.
9. Preserve the presentation order of the photo array.
10. The photo array will be preserved as indicated below (Recording and Preserving).

### **Recording and Preserving**

---

An adequate record of each photograph shown in each display must be made. Photographs must be preserved so that the display can be reconstructed at trial, and all photo arrays be properly tagged as evidence in their entirety. Include the original folders (in order they were presented) and the "Witness Instructions for the Sequential Photo Array Procedure" form. A copy of the array and the "Witness Instructions for the Sequential Photo Array Procedure" form should also be scanned (in color) as an attachment to your report as well.

### **Right to a Lawyer**

---

No person has a right to have a lawyer present at any pictorial identification procedure, whether it takes place before or after arrest.

---

## Sketches and Composites

---

When there is no viable suspect and the use of the photo array is impractical due to lack of suspect leads, a composite drawing may be utilized. A composite drawing is an investigative tool, used to develop additional leads that may contribute to probable cause for arrest. It shall not be relied upon solely as probable cause for arrest.

Facial composite sketches may be appropriate under certain circumstances:

- The victim/witness is relatively certain that he or she recalls the suspect description and can provide it.
- The suspect is a stranger to the victim/witness.
- A photo array or in-person lineup is not practical due to a lack of suspect leads.
- The suspect's facial features were not significantly covered or masked at the time of the incident.

Command approval is required for performing a composite sketch process, and for releasing a facial composite to the public. The following process should be utilized:

- Avoid showing the witness any photos immediately prior to the development of the composite (unless part of the procedure).
- The most reliable witness to the appearance of the suspect should be utilized for the composite. Generally, only one sketch per suspect/incident should be created.
- Once the drawing is finished, the witness shall be shown the drawing to make any recommendations for adjustments by the artist. Once the victim/witness is satisfied that the drawing most accurately represents their recollection of the suspect's appearance, the drawing is then complete.
- The original composite should be property tagged, with a copy scanned into LERMS with the case.
- Once the sketch is completed, any leads that are developed should be followed and documented. If a suspect is developed, a photo or in-person lineup procedure is permissible.

## IN-PERSON LINEUPS

An in-person lineup is an identification procedure in which a suspect is placed in a live group setting and presented to a witness. In-person lineups are generally appropriate when the use of photographs would not be suitable for a victim/witness to identify a suspect or if the display of additional characteristics is needed (voice, gesture, walking, etc.).

---

### Time of the Lineup

---

A lineup, when conducted, should take place as soon as practicable after the arrest of a suspect.

---

### Right to a Lawyer

---

A suspect has the right to a lawyer for any in-person lineup and has the right to have a lawyer appointed for this purpose if he/she cannot afford one.

---

### Advising the Suspect of the Right to a Lawyer

---

The suspect shall be told of the right to have a lawyer present to observe the lineup procedure; that if he/she cannot afford a lawyer, one will be provided free of charge; and that the lineup will be delayed for a reasonable time until the lawyer appears.

1. Counsel Already Retained: If the suspect already has a lawyer—whether retained or appointed—and indicates he/she wants the lawyer to attend the lineup, he/she must be allowed to notify the lawyer about the planned lineup and the offense involved.
2. Non-Indigent Suspect Without Lawyer: If the suspect has no lawyer but wants one to attend the lineup, and the suspect states that he/she can afford a lawyer, a reasonable time to retain a lawyer must be allowed.
3. Indigent Suspect Without Lawyer: If the suspect has no lawyer, cannot afford a lawyer, but wants an attorney to attend the lineup, the officer conducting the lineup should contact the District Attorney's Office to provide a lawyer.

### Preparing the Lineup

---

1. The appropriate district detective lieutenant will oversee all in-person lineups. A planning detective should be assigned to prepare the lineup.
2. Prior to the lineup, the case detective should coordinate with the District Attorney's office to ensure the presence of a District Attorney's Office representative at the lineup. The case detective should also work with the District Attorney's Office to coordinate the presence of the suspect's defense counsel.
3. Utilize five fillers (non-suspects) in addition to the suspect in each lineup.
4. Persons placed in the lineup should have approximately similar physical characteristics. Factors such as age, height, weight, hair length and color, and physical build should be considered. Sex and race should be the same for all participants, except in unusual cases where the characteristic is difficult to determine (e.g., female impersonator). The planning detective should select the fillers, and contact the DCSO Jail Officer in Charge one day before the planned lineup to coordinate access to inmates.
5. The planning detective should coordinate any special needs (clothing, dialogue, etc.) with the case detective. Similar attire and numbered placards should be arranged for all lineup participants. If a witness describes the suspect as wearing a distinctive item of clothing, and the item (or something similar) is in police custody, the suspect can be compelled to wear the item. Each participant must don the clothing in the order of their appearance in the lineup.
6. The planning detective should coordinate with the detective lieutenant to arrange for adequate personnel to provide for transportation and security of lineup participants.
7. The case detective should arrange for FSU assistance at the lineup to photograph and video record the procedure. FSU personnel assisting with the lineup should not know who the suspect is.
8. Prior to the lineup, all lineup participants should be conveyed to the holding area and evaluated for similarity of appearance. All participants should be photographed at this time.
9. Lineup participants should be instructed on how to conduct themselves during the procedure. The suspect can be instructed to utter specified words, make gestures, or assume a particular pose, if the viewer so desires. All participants should do whatever reasonable act is required of the suspect. The non-suspects in the lineup should be instructed to conduct themselves so as not to single out the actual suspect.
10. The planning detective should then establish the sequence in which the participants will be presented to the victim/witness. The first person presented must be a filler.
11. If possible, perform a preview practice run of the lineup (with no victims/witnesses present) with both attorneys present.
12. The planning detective will complete a supplemental report documenting the identities of all lineup participants and an overview of the procedure.

### Lineup Procedure

---

1. Assign one detective to each victim/witness. Each victim/witness should be provided with instructions on the lineup process. Detectives assigned to victims/witnesses should not know who the suspect is.
2. The suspect should be allowed to consult with his/her attorney prior to the lineup.

3. The planning detective should coordinate forming the lineup in the holding area. Ensure that witnesses do not encounter the suspect or fillers at any time before or after the lineup procedure.
4. Utilize the MPD lineup facility, and ensure a quiet environment in the area. Ensure that no one who knows the suspect's identity (other than defense counsel) is present during the lineup procedure.
5. The entire lineup procedure should be video recorded.
6. Escort victim/witness into viewing area. If multiple victims/witnesses are involved, conduct individual lineups for each victim/witness or set up physical barriers in the lineup room to ensure that the victims/witnesses do not influence one another. If multiple lineups are conducted, the planning detective should ensure that the suspect is placed in a different position for each lineup conducted.
7. Present lineup participants to victim/witness one at a time. Have each lineup participant enter the lineup area with their placard displayed. They should then follow the instructions provided to them, including any special instructions (dialogue, etc.). The planning detective should observe each participant to ensure that all actions are performed by each lineup participant.
8. After each participant is shown, the victim/witness should mark the lineup form if an identification is made. Do not provide any feedback to the victim/witness regarding any identification they make.
9. Once one lineup participant has left the lineup area, the next can enter. The planning detective should coordinate this movement, allowing for time after each individual is displayed for the victim/witness to make identification to the detective accompanying them. All lineup participants should be shown to the victim/witness, even if identification is made.
10. Only upon request of the victim/witness, the victim/witness may view one or more of the lineup subjects again after the lineup have been completed. If this occurs it must be thoroughly documented. The detective should never suggest additional viewing.
11. After the procedure is completed, the non-suspect fillers should be returned to jail. The suspect should be allowed to consult with his/her attorney. The detective assigned to the victim/witness should do a follow-up interview and document the victim/witness statements thoroughly.
12. The planning detective should thoroughly document the lineup procedure (identities of suspect and fillers, all people present for procedure, etc.).

### **Refusal to Participate**

---

Suspects who refuse to participate in a lineup, or to perform as required by the Lineup Procedure shall be informed that they have no right to refuse, and that evidence of their refusal may be used against them at trial. A record of the precise words of the refusal should be made for subsequent use.

If suspects continue to refuse, they should not be physically forced to participate in the lineup or to perform a certain act. Instead, a court order should be obtained directing the suspect to cooperate and participate in the lineup.

### **Role of the Lawyer**

---

1. The suspect's lawyer shall be allowed to consult with the suspect prior to the lineup, and to observe the lineup procedure. The lawyer may make suggestions, but may not control nor obstruct the procedure.
2. Any suggestions the lawyer makes about the procedure should be considered and recorded. Those suggestions which would render the procedure more consistent with these guidelines should be implemented.
3. A lawyer should be permitted to be present when a witness states a conclusion about the lineup. However, the lawyer should be instructed to remain silent during both the lineup and the giving of the witness' conclusion. The lawyer may speak with any witness after the procedure if the witness agrees to speak with the lawyer.
4. Witnesses taking part in a lineup procedure may be told that they are under no obligation to speak with the lawyer, but that they are free to speak with the lawyer if they wish. The witness' name and address will not be revealed to the lawyer without consent.



## INFORMAL IDENTIFICATION PROCEDURES

An “informal” identification procedure occurs when an officer arranges to take a witness to observe a suspect who is at liberty. Generally, the suspect will be unaware of the observation.

### General Rule

---

“Informal” identification procedures may be used when a suspect is not in custody because there has been no offense charged.

1. Exceptional Circumstances: Released on Bail – If a suspect has been charged with the offense but has been released on bail, “informal” identification procedures shall not be used, unless the Hospitalization Exception (below) applies. Rather a court order shall be obtained directing the suspect to appear in a lineup.
2. Exceptional Circumstances: Hospitalization – In addition, an “informal” identification procedure may be used when prompt identification is essential and a suspect has been charged with the offense under investigation, but the suspect is hospitalized for extended treatment under non-emergency circumstances. An attorney for the suspect shall be present if the suspect so desires.

### Specific Procedures

---

1. Single Locale: A witness may be taken to a single locale where the suspect is likely to appear, provided the locale is a place where a large number of people of physical characteristics roughly similar to the suspect are likely to be, or pass by at random. This technique can be used when the suspect is known, or when the suspect is unknown but is believed to frequent the locale chosen for viewing.
2. Multiple Locales: When no single locale is likely to meet the above requirement, then the witness may be taken to five or more similar locales—at one of which the suspect is believed to be.

### Recording Informal Procedures

---

A detailed record of any “informal” identification procedure must be made. Such a record should include (a) the precise location of any observation; (b) the approximate number of people, similar in description to the suspect, that were viewed; (c) the time period during which the identifications were made; (d) the suspect’s reaction if they became aware that they were being observed; and (e) the witness’ reaction upon seeing the suspect.

## WHEN FOREGOING PROCEDURES MAY BE MODIFIED

Whenever a situation arises in which there is a need for eyewitness identification, and none of the foregoing guidelines appear to be adequate or appropriate for the situation presented, alternate procedures may be utilized with the approval of a commanding officer.

Original SOP: 03/01/2014  
(Revised: 02/24/2016, 05/12/2017, 01/03/2020)  
(Reviewed Only: 12/26/2017, 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Incident Review Process Proficiency, Continuous Improvement &  
After Action Reports**

Eff. Date ~~11/11/2015~~ 03/16/2020

## Purpose

The Madison Police Department (MPD) has maintained a long, historical commitment to continuous improvement. Amongst the seven “Core Values” listed in our Code of Conduct Manual is the following:

### PROFICIENCY AND CONTINUOUS IMPROVEMENT

*We are accountable to the public and ourselves for the quality of our service. We strive for proficiency in all facets of our work. We seek to continually improve ourselves and those systems in our midst and those in the community where the police can effect meaningful change for better outcomes.*

The MPD utilizes many different methods in our efforts to continually improve ourselves and the systems we work within every day. However, there are times when more formal, critical analysis of our operations is necessary. This procedure outlines mechanisms for reviewing incidents to identify areas for improvement. An “After Action Report” (AAR) is a formal, retrospective analysis of an incident or event. AARs were first developed and used by U.S. military generals. In more recent years, the Department of Homeland Security, National Parks Service, emergency management and public safety agencies, as a matter of best practice, routinely create AARs following any planned, or unplanned, significant or extraordinary event.

The focus of incident reviews conducted pursuant to this SOP is to identify areas for agency, unit or individual improvement. Incident reviews conducted pursuant to this SOP are independent of the Professional Standards & Internal Affairs function; evaluation of individual employee compliance with MPD’s Code of Conduct or Standard Operation Procedures are not part of the review.

## Incident Review Team

The MPD incident review team (IRT) will have primary responsibility for reviewing events as outlined in this standard operating procedure. The IRT will be comprised of the following members:

- Lieutenant (designated by Chief)
- Training Team Sergeant
- Use of Force Coordinator
- Defense and Arrest Tactics Master Instructor
- Professional Communications Master Instructor

The positions designated above will be core IRT members. Additional assistance should be sought as appropriate during the review process. Incident-specific members could include the following:

- Firearms Master Instructor
- Emergency Vehicle Operations Master Instructor
- Tactical Response Master Instructor
- Mental Health Unit
- Special Weapons and Tactics team representative
- Special Events Team representative
- External law enforcement agency subject matter expert (DAAT, tactical response, etc.)
- External non-law enforcement subject matter expert (dispatch, mental health, etc.)

## Selection of Incidents for Review

The Incident Review Team will review any officer involved death or other officer involved critical incident as defined in MPD's "Officer Involved Deaths and Other Critical Incidents" SOP. In addition, the IRT will review at least two additional incidents per year. Incidents selected for bi-annual review can include the following:

- Use of force incidents
- Vehicle pursuits
- SWAT deployments
- SET events
- Less lethal impact projectile deployments
- Armed person encounters not resulting in use of force
- Incidents resulting in officer injury
- Other incidents referred to the IRT by MPD command staff

## Incident Review Process

*Bi-annual review* – The IRT Lieutenant will identify the incident/event to be reviewed, in consultation with the Chief, MPD Command Staff and other members of the IRT. If the incident/event selected has not been screened for Code of Conduct/SOP compliance, it will be referred to PS&IA for this review before the incident review process.

*Officer involved death or critical incident review* – The IRT review will not take place until after the MPD administrative PS&IA investigation has completed (unless determined otherwise by the Chief). The City Attorney's Office will be consulted prior to commencing the review and an alternate review process may be utilized at the direction of the City Attorney.

The IRT process will generally be as follows:

- The IRT Lieutenant will obtain the relevant documents and information relevant to the incident (police reports, video, photos, dispatch audio, etc.) and make it available to IRT members. The IRT Lieutenant will ensure that no members of the core IRT have a conflict that would impact their objectivity or review of the incident.
- Core IRT members will review the material and determine whether additional information is needed for the review. The team will also consider whether additional personnel should be utilized to assist in the review process. The IRT Lieutenant will ensure that no personnel assisting with the review process have a conflict that would impact their objectivity or review of the incident.
- The IRT may ask to speak to any involved employees if doing so would provide information helpful to the review. Participation on the part of the employee is optional unless directed by the Chief. When reviewing officer involved deaths or critical incidents, the IRT should consult with MPD Peer Support prior to contacting officers.
- The IRT will discuss and evaluate the incident; any areas for improvement will be identified with specific proposals for addressing the issue if possible. Emphasis should be placed on identifying department-level areas for improvement. Specific subjects for review and recommendation include the following:
  - Training
  - Equipment
  - Communications
  - Tactical deployment and teamwork
  - Decision-making

- o Supervision
  - o Unit structure
  - o MPD standard operating procedures or other departmental directives
  - o Any other factor that contributed to the outcome of the incident and can reasonably be impacted by MPD
- The IRT will provide a presentation to the Chief providing an overview of the incident and recommended areas for improvement.
  - The Chief is responsible for determining specific actions to take in response to the IRT review and for sharing any appropriate information to the department.

Nothing in this procedure precludes any MPD team or unit from conducting informal after action reviews of incidents or events.

## Procedure

For purposes of this SOP, a Significant Event will be defined as a planned, or unplanned event (or incident), which requires (or required) the deployment of an extraordinary amount of resources (staffing, equipment, outside agency support, etc.). If requested by the Office of Chief of Police, the Command Officer in charge of the Significant Event will be responsible for completing the following tasks:

- **Coordinate and conduct a tactical debriefing on the Significant Event.** This tactical debriefing **does not** need to include **all** officers who responded to or were involved in the event. However, a "reasonable representation" of staff (e.g., officers, supervisors, command, OIC, 911 staff, etc.) who were directly involved, should be present at the debriefing so the Command Officer responsible for the AAR can complete a sufficient review of the event.
- **Create and submit the AAR to the Office of Chief of Police.** The AAR format should include the following sections:
  - **Special Event Overview:** This section provides background information on the event and participating agencies and jurisdictions, such as the dates and location of the event, the type of event/disaster, the lead agencies, the participating agencies, and an overview of the event.
  - **Event Goals and Objectives (if planned event).**
  - **Event Synopsis:** This section provides a synopsis of the scenario and the major actions that were taken. This information is useful in understanding what happened, when and where it happened, and how the events affected performance of critical tasks and achievement of mission outcomes.
  - **Critical Analysis of Identified Issues:** This section analyzes the issues raised during the tactical debriefing. The issues evaluated should be based on the exercise objectives. It should be organized by objective and should address each objective, including those that were performed as expected. Each issue write-up should be organized as described below.
  - **Recommendations for Future Improvement:** This section should detail out any and all ideas so as to improve future MPD proficiency and operational effectiveness.

Original SOP: 11/11/2015  
 (Reviewed Only: 02/11/2016, 01/09/2017, 12/26/2017)  
 (Revised: 03/16/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Intoxicated and Incapacitated Persons**

Eff. Date ~~05/04/2016~~ 01/15/2020

**Purpose**

The "Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act" gives law enforcement officers authority to respond to the self-destructive behavior of alcoholics and intoxicated persons. Specifically, Wis. Stat. 51.45, "Prevention and control of alcoholism" states:

*"It is the policy of this state that alcoholics and intoxicated persons may not be subjected to criminal prosecution because of their consumption of alcohol beverages but rather should be afforded a continuum of treatment in order that they may lead normal lives as productive members of society."*

The officer's role under Wis. Stat. 51.45(11), "Treatment and Services for Intoxicated Persons and Others Incapacitated by Alcohol," necessitates all officers understand the legal definitions for, and the difference between, those individuals who are simply intoxicated by alcohol and those whom are determined to be incapacitated by alcohol. It shall be the procedure of this department that the authority and responsibility outlined in Wis. Stat. 51.45(11) will be applied in a manner consistent with the intent of the State's "Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act," and with the objectives of this department.

**Procedure**

**INTOXICATED PERSON – DEFINED & ROLE OF LAW ENFORCEMENT**

*"A person whose mental or physical functioning is substantially impaired as a result of the use of alcohol;"* Wis. Stat. 51.45(2)(f). An intoxicated person is likely one who has had too much to drink but does not appear to need medical attention and **who** has not done, nor threatened to do, physical harm to himself/herself, others, or property.

**Procedures - Intoxicated Person**

1. When an officer encounters an "intoxicated person," discretion may be exercised to offer, or not to offer, help to the person. The individual may accept or reject the offer. An officer cannot take the "intoxicated person" home, nor to any treatment facility, unless the person voluntarily consents.
2. A threat of arrest designed to coerce an "intoxicated person" into accepting assistance is improper.
3. If the "intoxicated person" **accepts a ride home**, the officer may transport the individual or may arrange to shuttle the person through adjoining districts. If an "intoxicated person" refuses to be conveyed, the officer may also suggest and arrange for public transportation at the person's expense.
4. If the "intoxicated person" consents to be voluntarily taken to a **treatment facility** (including emergency medical facilities), s/he will be transported and turned over to the facility staff. Officers are not required to wait until admission procedures are completed. Further disposition, e.g., treatment, transportation, etc., will be the responsibility of the facility staff who may admit the person, refer to another facility, take the person home, or give the person shelter.
5. A case number and a case report **are required** when an officer conveys an "intoxicated person" home or voluntarily to a treatment facility. The report should be entitled "Intoxicated Person/Conveyance." If the individual is unwilling to provide any information, the report will be completed to the extent possible.

**INCAPACITATED BY ALCOHOL – DEFINED & ROLE OF LAW ENFORCEMENT**

*A person who as a result of the use of or withdrawal from alcohol, is unconscious or has his or her judgment otherwise so impaired that he or she is incapable of making a rational decisions, as evidenced objectively by such indicators as extreme physical debilitation, physical harm, or threats of harm to himself or herself or to*

any other person, or to property; Wis. Stat 51.45(2)(d). Persons found to be incapacitated by alcohol are clearly in need of immediate protection and medical attention, whether conscious or unconscious.

Wis. Stat. 51.45(11)(b) defines a specific role and responsibility for law enforcement when dealing with persons found to be incapacitated by alcohol:

*“A person who appears to be incapacitated by alcohol shall be placed under protective custody by a law enforcement officer. The law enforcement officer shall either bring such person to an approved public treatment facility for emergency treatment or request a designated person to bring such person to the facility for emergency treatment. If no approved public treatment facility is readily available or if, in the judgment of the law enforcement officer or designated person, the person is in need emergency medical treatment, the law enforcement officer or designated person upon the request of law enforcement shall take such person to an emergency medical facility. The law enforcement officer or designated person, in detaining such person or in taking him or her to an approved public treatment facility or emergency medical facility, is holding such person under protective custody and shall make every reasonable effort to protect the person’s health and safety.”*

### Procedure - Protective Custody

1. **Extreme Debilitation** is evidenced by one or more of the following:
  - a. Inability to stand without assistance (the need to cling to objects such as buildings, or posts in order to remain standing).
  - b. Manner of walking (staggering, falling, wobbling).
  - c. Presence of vomit, urination, or defecation on clothing.
  - d. Dilation of eyes, flushed complexion, alcohol odor on breath.
  - e. Inability to understand and coherently respond to questions asked (name, age, address, destination).
  - f. Delirium tremens (sweating, trembling, anxiety, hallucinations).
  - g. Unconsciousness. (This alone constitutes sufficient grounds to evidence extreme physical debilitation if it is apparent that the condition is related to alcohol consumption. **Unconsciousness**, even when the individual has consumed alcohol, **could be caused by other factors, i.e., diabetic shock**. Any individual found unconscious should be conveyed to a hospital for examination.)
2. **Physical harm (or threats)** to self, others, or property is evidenced by one or more of the following:
  - a. Walking into streets or intersections, negligent of the flow of traffic.
  - b. Sleeping on the street or gutter, where they may be hit by a motor vehicle.
  - c. Sleeping on the sidewalk, where they are subject to being robbed, assaulted, or molested.
  - d. Anger or hostility expressed towards individuals, e.g., family, friends, pedestrians.
  - e. Threats of damage to property or persons, i.e., assault.
3. An officer who assesses and determines a person to be “incapacitated by alcohol” **has a statutory responsibility to take that person into protective custody, and to convey that person to a treatment facility**. Officers who have placed a person in protective custody due to incapacitation from alcohol should first seek to convey and admit him or her to the Dane County Public Detoxification Center, 2914 Industrial Drive. This facility is Dane County’s “approved public treatment facility” pursuant to Wis. Stat 51.45(2). Wis. Stat 51.45(11)(b) states “a person brought to an approved public treatment facility . . . shall be deemed to be under the protective custody of the facility upon arrival.” Hence, persons incapacitated by alcohol and placed by officers in protective custody can be involuntarily held at a public treatment center until such time their medical condition improves.

If a treatment bed is currently not available at the Dane County Public Detoxification Center, the officer shall convey the person whom they have placed in protective custody to an emergency medical facility (i.e., hospital emergency room) for medical evaluation and treatment. **Once admitted to the emergency medical facility, the role of law enforcement has been completed**. Wis. Stat. 51.45(11)(i) requires emergency medical facilities to provide necessary and immediate medical care, but emergency rooms are not required to provide “non-medical services including, but not limited to, shelter, transportation, or protective custody.” Hence an officer’s protective custody status does not

- transfer to the emergency room or hospital (in contrast to where it does at Detox) and the person cannot be involuntarily held against his or her will at a hospital emergency room.
4. **Protective Custody is NOT an arrest.** Officers acting in compliance with Wis. Stat. 51.45 are acting in the course of their official duty and are not criminally or civilly liable for false imprisonment (Wis. Stat. 51.45(11)(g)).
  5. An officer must make every reasonable effort to protect the health and safety of persons incapacitated by alcohol and take reasonable steps to protect themselves (Wis. Stat. 51.45(11)(b)).
  6. At no time will a person in protective custody be conveyed to their home.
  7. At the discretion of the officer, a person in protective custody may be placed in handcuffs. Anyone in protective custody will routinely be searched for weapons.
  8. The officer will advise the dispatcher once a person has been taken into protective custody for conveyance to a treatment facility.
  9. Incapacitated persons placed by officers in protective custody who are in need of emergency medical care (e.g., unconscious, lacerations, fractures, concussions); shall be transported to a hospital by the Madison Fire Department. Officers need not follow or wait with subjects who are receiving emergency medical care at a hospital unless they are also under arrest or violent. Once emergency medical care has been provided by the hospital, the hospital may deem additional medical monitoring of the incapacitated person is necessary. The hospital will contact the Dane County Public Detoxification Center and if a treatment bed is available, the hospital will contact Dispatch and request an officer to respond and complete a protective custody conveyance to Detox.
  10. A case number and a case report are **required** whenever an officer places a person in Protective Custody and conveys that person to the Dane County Public Treatment Center (Detox) or local hospital emergency room. The primary officer will complete the MPD Protective Custody Commitment Report form upon arrival at Detox **or at the hospital**. This form has been created to aid officers in detailing their probable cause as to why they believed someone was in need of protective custody pursuant to Wis. Stat. 51.45(11)(b). Once completed, a photocopy of the PC Commitment Report form should be left with Detox or hospital emergency room staff for their records. The original shall be submitted in a timely fashion to the Records Section thereby satisfying this reporting requirement.

### Procedure - Warrant Checks

---

A routine warrant check of all persons taken into protective custody will be made.

1. If a misdemeanor/municipal warrant(s) exists, the person will be taken to a treatment facility. The following documents **MUST** be completed and stored in the file cabinet: Jail Booking Form, PC Affidavit, if required, Injured Prisoner Medical Clearance when appropriate, and the original incident reports should be completed and routed in accordance with current reporting practices.
2. If a **felony** warrant(s) exists, the officer will consult with the Officer-in-Charge or designee to arrange for disposition.
3. If the wanted person needs emergency medical attention, s/he will be taken to a hospital where, depending on the charge, at least one officer will remain. If the person is admitted, hospital staff should be advised to call prior to his/her release. **Deviations will be with the approval of the Officer-in-Charge or designee.**

### Disorderly Conduct/Other Charges

---

Some behavior which evidences incapacitation by alcohol might also be used to substantiate a disorderly conduct charge, however, in order to ensure that officers' authority is applied in a manner consistent with the intent of the "Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act":

1. The Officer-in-Charge or designee may determine that a disorderly conduct arrest is not appropriate and if the person is incapacitated by alcohol, may direct that the person be released, taken into protective custody, and conveyed to a treatment facility.
2. Persons incapacitated by alcohol who have threatened or committed physical harm to themselves, others, or property should be taken into protective custody and conveyed to a treatment facility.
3. Officers may encounter resistance and may be required to physically restrain an incapacitated person, particularly if the person is taken into protective custody involuntarily.

4. Officers will respond to the treatment facility, upon request, if a client becomes belligerent, physically abusive, threatening, or clearly disorderly and will assist the facility staff in placing the person in restraints, if they are incapacitated by alcohol (reminder, use of force higher than compliance hold requires a report). Persons present at the facility on a voluntary basis, and not incapacitated may be escorted from the facility.

### OWI Charges

---

A person incapacitated by alcohol who has been arrested for O.W.I. violation, may be taken to a treatment facility after being processed, at the direction of the Officer-in-Charge or designee. This will **not affect** subsequent prosecution but is intended to provide treatment. The person must be advised that a court appearance is mandatory on the day and time designated on the ticket.

Original SOP: 03/06/2015  
(Reviewed Only: 02/11/2016, 01/09/2017, 12/26/2017)  
(Revised: 03/02/2016, 05/04/2016, 01/15/2020)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE  
Investigation of Cases Involving Officers as  
Victims of Serious Crimes



Eff. Date ~~11/02/2017~~ 01/03/2020

## Purpose

The purpose of this procedure is to establish more consistent guidelines for the investigation of cases where Madison Police Department (MPD) Officers are the victims of serious crimes and to deal with aftercare issues for those officers.

## Procedure

### Definitions -

**CISM Provider:** A select group of mental health professionals that are contracted to provide Critical Incident Stress Management services in response to critical incidents.

**Victim Officer:** Sworn Personnel who are on-duty, or off-duty but acting within the scope of their duties as Law Enforcement Officers, who are targeted with intentional violence which results in serious injury or the potential for death or great bodily harm to the officer. Any incident that is considered a serious physical or psychological threat to an officer in the line of duty, where the involved officer is considered a victim of a crime.

Uninjured Victim Officers shall report the incident to a supervisor at the earliest opportunity.

### Notifications

OICs should follow the Notification of Commanding Officers Standard Operating Procedure as well as Line of Duty, Life-Threatening Injury or Death of an Employee as appropriate. In addition to line #6 in Notification of Commanding Officers SOP, district command and the Chief should be notified whenever an officer is the victim of an attempted serious violent crime where likelihood of significant injury or death would have been high if the act had been carried out e.g. an officer who was shot at but not struck or an officer who the suspect attempted to run over with a vehicle. These examples are meant to be illustrative only and not all inclusive.

### Immediate Considerations

Victim Officers shall be extracted from the active investigation of the suspect as soon as it is practical.

Investigative personnel/detectives should be assigned to actively work the case as soon as it is practical.

Depending on the seriousness of the incident, Victim Officers or officers directly witnessing the event may be interviewed by investigators in lieu of completing a report on the incident. This decision will be made by the investigative supervisor managing the case, and should be communicated to the Victim Officer as soon as possible.

In the event that the officer completes their own report rather than being interviewed by a Detective, the Investigative supervisor will review the officer's report to make sure that the report addresses the incident properly (typically officers are taught not to include their own feelings and impressions in their reports but if we were interviewing a crime victim we would be asking for those things. Many officers might downplay or not address their feelings of being fearful, etc).

Personnel should remain cognizant of Victim Officer's status as a crime victim, and the associated rights provided under SS950. Contact with the Dane County Victim/Witness program will be made by investigators as early as practical. The Victim/Witness staff can assist with coordinating suspect bail

conditions, and requests for things like bail monitoring. Assigned investigators should verify that victim officers have been informed about victim impact statements (benefits of completing, timeline, etc.) and that the victim officer(s) are kept apprised of the case.

### **Follow up aftercare**

Upon being notified, district command staff will be responsible for checking in with involved officers prior to their next work shift. Officers will be offered the chance to take administrative leave if needed due to the physical/emotional after effects of the incident.

Every attempt should be made to have the officer(s) contacted by the CISM (Critical Incident Stress Management) provider prior to their return to duty. Exceptions can be made to this if the officer(s) feel strongly that it is not necessary. If contact with the CISM provider does not occur prior to return to duty, contact with the CISM provider will still need to occur in accordance with critical incident SOP.

When an officer becomes the victim of a crime through the course of a call for service, someone from the Victim/Witness Unit at the DA's Office will send a victim packet for the officer to the PD Subpoenas group ([pdsupoenas@cityofmadison.com](mailto:pdsupoenas@cityofmadison.com)). The Executive section PRT will forward it to the officer and to the officer's captain. The captain will then be responsible for checking in with the officer to make sure they have received the package and assign it to the officer's supervisor who will help the officer understand the process. The officer will need to request restitution and/or services by checking the right box and returning the form to the Victim/Witness Unit in the DA's Office.

### **Records**

All MPD reports and records, including relevant entries in LERMS, should not include individual officers' date of birth, home address or other personal information. Reports regarding officer victims should note the officer's age and use 211 South Carroll Street as a contact address.

### **Medical Records**

Where medical records are needed for a criminal investigation into an incident where an officer is a victim, the assigned detective will coordinate the appropriate collection and processing of the records. The victim officer will be asked to sign a consent for release of medical records, with the scope of the consent limited to that needed for the criminal case.

If consent is provided and the records are obtained, the assigned detective will meet with the victim officer, review the records and ensure that any information outside the scope of their consent is redacted. The redacted records will become part of the case file and be scanned into LERMS. The assigned detective shall notify the assigned prosecutor that redacted medical records have been scanned into LERMS. The unredacted version of the medical records should be destroyed.

Original SOP: 01/17/2017

(Revised: 11/02/2017, 01/03/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Investigation of Incidents Involving Shots Fired**

Eff. Date ~~05/02/2018~~ 01/15/2020

**Purpose**

Incidents involving possible shots fired will be treated as a confirmed shots fired incident if any of the following are present:

- A. A confirmed person struck by a bullet or otherwise injured as a result of an intentional firearm discharge by another.
- B. Recovery of shell casings or other physical evidence confirming the discharge of a firearm.
- C. Property damage resulting from a bullet strike.
- D. A single complainant reporting shots fired who is contacted and determined to be credible; this can include shots heard by an officer.
- E. Multiple complainants reporting shots fired who are not available for contact, but the circumstances of the incident and reports demonstrate that a firearm was discharged.
- F. A person struck by a bullet or otherwise injured as a result of an accidental firearm discharge (self or another).
- G. A person injured from an intentional, self-inflicted firearm discharge.

Incidents reported as shots fired but not meeting the above criteria or otherwise demonstrating the confirmed discharge of a firearm should be investigated as appropriate. Confirmed shots fired incidents will be investigated in accordance with this procedure.

**Initial Response**

- Respond to the area in a safe manner, and check for injuries, property damage, or other evidence. Render aid to any injured parties and request MFD paramedics if needed.
- Attempt contact with all witnesses/complainants. Fully document all appropriate witness/complainant information (names, addresses, phone numbers, etc.).
- Collect any physical evidence – including shell casings – and process in accordance with MPD evidence collection procedures. If shell casings are recovered, document the location where they were recovered, as well as the caliber and brand.
- Request FSU as needed to photograph damage or otherwise process scene.
- Contact a supervisor and the OIC to inform them of the incident. All shots fired incidents should be included in the daily OIC notes/shift summary.
- In cases involving injury, refer to the Major Case and Notification of Commanding Officers procedures.
- In cases involving injury, property damage, or evidence of targeted shooting, a supervisor will respond to the scene and complete an overview/summary report.
- A report must be completed on all shots fired incidents prior to the end of shift. Categorize the incident as involving a firearm discharge: select the appropriate Incident Type (generally Weapons Offense – Shots Fired, unless a different incident type is more appropriate) and by selecting “Weapons – Shots Fired” as Modus Operandi in Mobile/LERMS. Route report to Criminal Intelligence Section (CIS).

**Investigative Follow Up**

- All reports of shots fired incidents will be completed prior to the end of shift and routed to the Violent Crime Unit (VCU) for initial review/assignment.
- VCU will ensure that the appropriate District command staff (Detective Lieutenant) is notified of the incident. VCU will generally have responsibility for assignment and investigative follow-up for shots fired incidents involving injury, intentional targeting of a person (if no injury), or damage to buildings/vehicles. Districts will generally have responsibility for assignment and

investigative follow-up for shots fired incidents involving suicide, clearly accidental discharges with no criminal charges, and incidents lacking evidence of an intended target. The Investigative Services Lieutenant who oversees VCU will coordinate with the appropriate District on deviations from this or assignment of other shots fired cases.

- All shell casings recovered will be submitted to the WSCL for NIBIN analysis. Property room staff will be responsible for this transfer (except for major cases; the assigned detective will be responsible for arranging transfer of casings to WSCL).
- All firearms recovered in connection with a criminal case/investigation (including found firearms that appear operable) will be submitted to WSCL for NIBIN analysis. An assigned detective will be responsible for the transfer of recovered weapons.
- CIS will track all shots fired incidents.

Original SOP: 01/25/2018  
(Revised: 05/02/2018, 01/15/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Labor Disputes and Picketing**

Eff. Date ~~02/25/2015~~ 01/21/2020

**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.

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 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 to be lawful by officers unless told otherwise by a **Supervisor superior officer**.

Picketing restrictions are:

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 to 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)

(Revised: 01/21/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE  
**HR-218, LE Officer Safety Act (LEOSA)**  
for Former Madison Police Officers



Eff. Date ~~03/31/2015~~ 01/06/2020

## Purpose

The purpose of this SOP is to set forth the procedures for **former Madison Police Officers** to obtain the **Law Enforcement Officer Safety Act (LEOSA)** identification cards required to authorize them to carry a concealed firearm under certain conditions.

## Procedure

### ELIGIBILITY

1. A qualified former law enforcement officer is an individual who:
  - a. Separated from service with MPD in good standing. Good standing means that at the time of separation, the officer was not the subject of a disciplinary investigation and/or facing disciplinary action that could have resulted in his or her termination for misconduct or unfitness for duty. ~~This includes reasons related to mental instability.~~
  - b. Before the separation of service, the officer was authorized by law to engage in or supervise the prevention, detection, investigation, and prosecution of or the incarceration of any person for any violation of law and had statutory powers of arrest.
  - c. Before the separation of service, the officer was regularly employed as a law enforcement officer with MPD for ten (10) years or more, or separated from service with MPD due to a service connected disability after successfully completing the probationary period.
  - d. Has not been officially found by a qualified medical professional employed by the City to be unqualified for reasons relating to mental health; or, has not entered into an agreement with the City prior to separation from service acknowledging that he/she is not qualified under this SOP for reasons related to mental health.
  - e. The former officer is **NOT** prohibited by federal law from possessing a firearm.
2. A complete background check will be performed annually by MPD to check the legal ability of the former officer to possess a firearm and to determine the applicant's eligibility to participate in the weapons qualification test under this SOP. Grounds for failure of the background check include **the following**: any condition, circumstance, conviction, or event which would make it unlawful for the applicant to possess a firearm; and/or any conduct that would prohibit an individual from employment as a police officer in the Madison Police Department. An applicant who fails the background check will not be permitted to continue in the process and the application will be denied.
3. Former MPD officers will be required to pass the WI DOJ Training & Standards prescribed qualification course while using the weapon they intend to carry.
4. The Chief of Police ~~has full discretion or designee will exercise the right to question,~~ approve or deny any request for an identification card described in this procedure or the LEOSA.

### APPLICATION PROCESS FOR LAW ENFORCEMENT OFFICER SAFETY ACT IDENTIFICATION CARD

1. Eligible former MPD officers may request a Law Enforcement Officer Safety Act identification card by written application to the Madison Chief of Police or designee either upon retirement or anytime thereafter.
2. A complete application form must be submitted. Failure to submit a complete application will result in denial of the LEOSA identification card. The MPD application shall include the following:
  - a. Acknowledgement that the LEOSA identification card **does not confer any law enforcement authority** and is strictly limited to the provisions of the Law Enforcement Officer Safety Act.

- b. Acknowledgement that the retired officer has read and is familiar with the Law Enforcement Officer Safety Act of 2004 and that she/he meets the above listed eligibility criteria.
  - c. Acknowledgement that any authorization regarding concealed carry is strictly limited to the type of firearm on which the individual qualified.
  - d. A signed declaration that the former MPD officer is not prohibited from purchasing or possessing a firearm by either federal or state laws.
  - e. A signed waiver and release of claims and agreement to indemnify, defend, and hold harmless the City of Madison, its agents, officers, and employees from any and all liability arising from any and all claims, suits, and actions related to carrying a firearm as authorized by WI § 175.49 "Former Law Enforcement Officers Seeking to Carry Concealed Weapons."
  - f. With respect to any applicant who separated service on a "duty disability" under Sec. 40.65, Wis Stats., documentation that the retirement was not due in whole or in part to "reasons of mental instability" as that term is defined under the provisions of the Law Enforcement Officer Safety Act.
3. At the time of application submission, the applicant shall submit a non-refundable fee that is set by MPD to cover administrative costs, the background check, the test session, and supplies. The fees will be established by the Police Chief and adjusted as necessary.
  4. Final review of all eligibility requirements by the Chief of Police or his/her designee shall be completed prior to participating in the weapons qualification.

## WEAPONS QUALIFICATION

1. MPD or its designee agency will periodically host a firearms qualification test for MPD retired/separated officers. MPD will provide approved range personnel, including DOJ certified firearms instructors and a Supervisor, to administer the firearms qualification test established pursuant to this SOP.
2. Only former MPD officers who have been determined to be eligible, who have submitted a complete application, who have passed the background check, been approved by the Chief of Police (or designee), and who have paid all fees will be scheduled for the weapons test.
3. Any of the instructors may terminate the test session in his/her discretion in the event that he/she considers that an applicant is not eligible to participate or for safety reasons.
4. Former MPD officers will be notified of the elements of the qualification course and the time and date of the next qualification session after the eligibility requirements have been met.
5. The former officer shall provide all ammunition required for the course of fire.
6. Upon arrival for firearms testing, the former MPD officers shall be required to sign the following:
  - a. Release and waiver of liability and indemnification related to the use of any MPD designated weapons range used in the qualification process.
  - b. ~~The "Waiver and Release Form" shall be titled as such and provide: I am a retired/former MPD police officer who is eligible to attempt to qualify to carry a concealed firearm, pursuant to the Law Enforcement Officers Safety Act of 2004 (18 USC Sec. 926C). I recognize that MPD is not legally required to provide me with firearms instruction or a firearms qualification course. I understand that to do so, I will be required to fire my weapon under the direct supervision of MPD or Dane County or other MPD authorized entity instructors. I agree to indemnify, and hold harmless the City of Madison, its officers, agents and employees for any injury caused by my participation in this qualification test process. I further waive any claim for damages against the City of Madison, its officers, its agents and employees for injury suffered by me while participating in this qualification test process.~~
  - c. A completed release, waiver of liability, indemnification and assumption of risk form as required by the site owner.
  - d. ~~At the time of weapons qualification, the former MPD officer applicant must sign a~~ A declaration that: (1) s/he is not under the influence of alcohol or other intoxicating or hallucinatory drugs or substances; and (2) s/he is not prohibited by federal law from receiving possessing or carrying a firearm.
7. Successfully complete and pass the basic MPD firearms test to the standards as currently required for active duty officers.
8. Former officers who successfully complete the course will be given the following:



- a. An information sheet informing the retired MPD officer that issuance of a LEOSA identification card does not confer any authority to act as a law enforcement officer or an agent of the City of Madison or the City of Madison Police Department.
  - b. An information sheet advising each applicant that s/he is solely responsible for becoming familiar with the LEOSA of 2004 (HR 218) and all local, state, and federal laws relating to possession/use of firearms.
  - c. A LEOSA identification card.
9. An applicant who fails the weapons test shall be given one more opportunity to successfully complete the test during the same qualification session.
- a. An applicant who does not pass the second qualification attempt on the same day will not be afforded a third chance on that day, and may re-attempt on the next scheduled LEOSA qualification day.

### LEOSA IDENTIFICATION CARD

1. MPD will issue to the applicant in person the department's approved LEOSA identification card upon the successful completion of the weapons course.
2. All LEOSA I.D. cards shall remain the property of MPD. The cardholder shall surrender his/her card to the Chief of Police or designee upon written notice setting forth the reasons for such surrender.
3. LEOSA I.D. cards shall expire twelve (12) months from the date of issuance.
4. All LEOSA I.D. cardholders must maintain a current address and telephone number with MPD and report any changes within 10 days after the change.
5. I.D. card renewals, reapplication after application denial, reapplication after failure to successfully complete the weapons test, and/or request to be qualified on another approved firearm shall follow the same procedure as for initial application.

### RECORDS OF LEOSA PROCESS

The Lieutenant of Training, or their designee, will maintain all the records related to this SOP.

Original SOP: 03/31/2015

(Revised: 01/06/2020)

(Reviewed Only: 02/22/2016, 12/22/2016, 12/26/2017)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Line of Duty Death of an Employee

Effective Date: 01/28/2020

**Purpose**

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

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

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

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

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

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

**Definitions**

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

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

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

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

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

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

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

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

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

### **Procedures**

### **Pre-Incident**

1. All employee photographs shall be kept up-to-date.
2. Employees shall complete, and keep up-to-date, all paperwork related to critical incidents and emergency notifications. See MPD EmployeeNet for Emergency Notification forms, and Line of duty Death forms
  - a) In order to make prompt notification to an employee's family, in the case of a death, an Employee Emergency Notification file will be kept with the Officer-in-Charge. This alphabetical file will contain a notification sequence for each employee of the Madison Police Department, indicating who should be notified first, second, third etc., their addresses and phone numbers. Employees should include in this sequence someone who would be able to contact/locate dependents who are in school or additional people to contact. Employees may also identify an Employee Designated Representative. See attachment A: Employee Emergency Notification Form.
  - b) All employees are encouraged to make sure they have up-to-date beneficiary designations in place.
3. Peer support officers who can act as Family Liaison Officers should attend training that teaches best practices in dealing with line of duty deaths.

### **In the Event of a Line of Duty Death**

#### **A. Duties of LODD Involved Officer(s)**

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

#### **B. Duties of the On Scene Supervisor**

1. Assume responsibility for the security and preservation of the scene. The involved agency is responsible for the initial response unless relieved by an outside agency lead investigator.
2. Notify the Officer-in-Charge.

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

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

1. The Officer-in-Charge shall retrieve all employee paperwork completed by the deceased officer, which is maintained in the office of the OIC. The OIC will review the packet for the names of any on-duty officers who are requested to be part of the notification team. If possible, those officers will be taken out of service and immediately assigned to the notification team.
2. Notify the OIC team commander or his or her designee, and the Forensic Services Lieutenant.
3. Notify the Chief, the Assistant Chief of Operations, and the Assistant Chief of Investigative and Specialized Services.
4. Notify Commanders of the District where the incident occurred. If the incident occurred outside of the employee's assigned district, the District Commanders of the involved employees should also be notified.
5. In the event of an Officer Involved Death or Other Critical Incident, refer to that SOP.
6. Notify the Captain of the "back-up" District where the incident occurred. For example, West District is backed up by Midtown District. In most cases, this commander will eventually become the Hospital Supervisor.
7. Contact Dane County Public Safety Communications (911 Center) Supervisor to inform on-duty officers of the status of the incident (e.g., injuries to officers and citizens, important information). This should be done via silent dispatch, utilizing the MDC, and should contain the following information:
  - a. Name of the deceased officer(s);
  - b. Name of LODD involved employees and their status;
  - c. Directive to on-duty officers to refrain from any information sharing outside of MPD, including social media posting.
  - d. Advise on-duty officers it is appropriate to communicate to their own families their current status, but they should refrain from sharing any other information until authorized by a commander. It is critically important that information is not inadvertently shared with survivors.
8. Notify the MPPOA or AMPS President, or another member of the MPPOA/AMPS board if the President is not available.
9. Notify the Peer Support Team Coordinator and deploy any on-duty Peer Support Officers to initiate the Critical Incident Stress Management protocol.
10. After formal notification to the involved officer's family has been made, and in coordination with the Incident Commander, notify the department, via email (PD Group), that an MPD employee/officer was killed in the line of duty. The OIC will identify the officer by name, rank, and the location of the event, the location for all employees to assemble at if they decide to come in to work for support purposes. This email notification shall direct all employees to refrain from making social media notifications about this incident.
11. All media releases shall be cleared through the Internal Communications Commander and/or the Incident Commander. The name of the deceased employee will not be released to the media by the Department before the immediate family is notified. If the media obtains the

employee's name prematurely, the Chief of Police or designee will request the name to be withheld until proper notification can be made to the survivors.

#### D. Duties of the Notification Team

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

- c. Arrangements should be made through the notifying agency to facilitate a conference call with the notification team, so details of the incident can be relayed directly from the notification team to the survivor family.
11. During a line of duty death, the external monitoring of police frequencies may be extensive. Whenever possible, communications regarding notifications should be restricted to the telephone.
12. The notification team should complete written details specifying the identity, time, and place of the survivor notifications.
13. The notification team should remain at the hospital while the family is present until adequately relieved by the family liaison(s).

#### E. Duties of the Hospital Supervisor

1. The Hospital Supervisor is responsible for coordinating the activities of hospital personnel, the survivor's family, Department personnel, the press, and others. This person is typically a commander from the "back up" District. It is essential this role is filled without delay in order to prevent loss of control at the hospital. These responsibilities include, but are not limited to the following:
  - a. *Family Receiving Area.* Arrangements shall be made with hospital personnel to provide an appropriate, private waiting/receiving area for the family and others invited by the immediate survivors.
  - b. *Command Receiving Area.* Arrangements shall be made for a separate waiting area for the Chief, Command Staff, and other Officials (if needed).
  - c. *Officer Receiving Area.* Arrangements shall be made for fellow MPD officers to assemble.
  - d. *Press Area.* Establish a press staging area.
  - e. Ensure that the family is updated regarding the incident and the employee's condition upon their arrival at the hospital.
  - f. Ensure that medical personnel relay pertinent information regarding an employee's condition to the family on a timely basis and before such information is released to others.
  - g. Arrange transportation for the family back to their residence as needed. This should be coordinated with the Family Liaison.
  - h. Hospital Security- contact the head of hospital security to ensure patient privacy and the normal functioning of the hospital. Contemplate the need to designate officer-parking protocols for the hospital.
  - i. Coordinate with the OICI Hospital Supervisor if relevant.
  - j. Implement a squad-parking plan around hospital.
2. If it is possible for the family to visit the critically injured officer before death, they should be afforded that opportunity. While it may be appropriate to prepare the family for what they are about to see, no attempt should be made to dissuade the family from that final visit due to worry of them witnessing trauma. Evidence is a factor that should be considered and evaluated before contact is allowed. Consideration should be given to processing for evidence a small portion of the critically injured or deceased officer's body (hands, face) so that family members may touch those areas.
3. Do not be overly protective of the family. This includes sharing specific information as to how the employee died, as well as allowing the family time with the deceased employee.
4. Any promises, such as, "We will promote him/her posthumously," or "We will retire his/her badge," shall not be made to the family by any person except the Chief, and even then, strong consideration should be made to withhold such promises and actions until the emotion of the incident is under control.

#### F. Duties of Assistant Chief of Investigative & Specialized Services

1. Will make the request for an outside agency lead investigator, or outside agency observer. In the absence of an outside agency investigation, MPD will oversee any criminal investigation.

2. Will evaluate the need for an administrative review and/ or the need for PSIA investigation.

#### G. Duties of the Investigative Commander

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

#### H. Duties of the Incident Commander

1. This position is typically assigned to an MPD Assistant Chief or Captain, and is responsible for coordinating MPD operational resources. This person should not be in charge of any investigation related to the line of duty death. This person will typically be the Operations Captain.
2. Establish and staff a Department Command Post (CP), if necessary, to coordinate information and response to the tragedy.
3. Ensure a Hospital Supervisor has been assigned.
4. Ensure an Honor Guard Commander has been designated and the duties fulfilled.
5. Ensure that at least one Family Liaison Officer has been designated and the duties fulfilled.
6. Ensure a Staffing Commander has been designated and the duties fulfilled.
7. Designate an Internal Communications Commander.
8. In conjunction with the Honor Guard Commander, ensure the issuance of a teletype message to formally announce the line of duty death. As soon as practical, an initial TTY may be distributed with the announcement and that arrangements are pending. Details of arrangements should be withheld until completely verified; once that happens, subsequent TTY and email release should be considered. Extreme care should be given to releasing a TTY with information that will need to be changed or withdrawn. A follow-up TTY shall include the following:
  - a. Name of deceased.
  - b. Date and time of death.
  - c. Circumstances surrounding the death.
  - d. Funeral arrangements (state if service will be private or a police funeral).
  - e. Expressions of sympathy in lieu of flowers.
  - f. Contact person and phone number for visiting departments to call to indicate their desire to attend or to obtain further information.
9. Direct the wearing of badge mourning bands and any other Agency memorials.

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

1. This person will assign and oversee the Family Liaison Officer, and monitor the wellbeing of any designated Employee Designated Representative (EDR) from MPD. Typically, this person will be a lieutenant assigned to the Peer Support program. The Peer Support Commander of the Family Liaison Officers will report directly to the Incident Commander until the completion

of ceremonial events related to the line of duty death. Then s/he will report to the Commander of Support Services.

2. Designate at least one Family Liaison Officer with consideration not to designate someone so close to the survivor family that they would not be able to handle the responsibilities of this role.
3. Coordinate the schedules of the Family Liaison Officers to provide as much daily availability to survivors as possible.
4. Place the Family Liaison Officers on special assignment in order to fulfill their duties.
5. Ensure that the Family Liaison Officers have department issued cell phones and that the phone numbers are shared with the Incident Commander, and the Honor Guard Commander.
6. Work with the Family Liaison Officer to coordinate EAP and CISM responses for the survivors.
7. If a MPD Employee Designated Representative (EDR) is working with survivors, monitor the wellbeing of the EDR with recognition that this is an extremely emotionally taxing role.
8. Place the CIP on special assignment in order to fulfill their duties.

#### J. Duties of the Family Liaison Officer

1. This person is a facilitator between the survivors and the MPD. It is important that this person not be someone so close to the survivor family that they would not be able to handle the responsibilities of this role. This person(s) will report directly to a Peer Support Supervisor.
2. The Family Liaison Officer is not a decision-making position, but a "facilitator" between the survivors and the MPD. It is important that the person(s) assigned this role realize they are not to make decisions on behalf of the MPD. The Family Liaison Officer will have immediate access to the Department Incident Commander, the Honor Guard Coordinator, and the Benefits Coordinator so necessary decisions can be made immediately.
3. In conjunction with the Honor Guard Commander or their designee, assist the survivors with funeral arrangements and making them aware of what the Department can offer if they decide to have a law enforcement funeral.
4. Apprise the survivors of information concerning the death and the continuing investigation.
5. Provide as much assistance as possible, including overseeing travel and lodging arrangements for out-of-town family members, arranging for food for the family, meeting childcare and transportation needs, etc. The Peer Support Commander should contact the MPPOA or AMPS President, or board member if the President is unavailable, to discuss and coordinate financial and other logistics associated with these needs.
6. Work with the Benefits Coordinator to obtain needed information from the family for benefit processing, as well as keeping the family apprised of the progress with the death benefits.
7. Work with the deceased officer's district command to ensure that the officer's personal property is returned to the family.
8. Work with the department coordinator regarding "Donations" to the family.
9. If no court proceedings surround the circumstances of the member's death, the Family Liaison Officer will relay all details of the incident to the family at the earliest opportunity. If criminal violations surround the death, the Family Liaison Officer will:
  - a. Inform the family of all new developments prior to press release.
  - b. Keep the family apprised of legal proceedings.
  - c. Introduce the family to the Dane County Crime Response Unit and the Dane County Victim/Witness coordinator.
  - d. Arrange for investigators and prosecutor(s) to meet with the survivors, at the earliest opportunity before and following any trial, to answer all their questions.
10. The Family Liaison Officer acts as a long-term liaison with the survivors to ensure that, if desired, close contact is maintained between the MPD and the survivors and that their needs are met.

#### K. Role of the Employee Designated Representative (EDR)

1. This person is predetermined and of the deceased officer's choosing.
2. This person is identified when MPD commanders access your Emergency Death Information Packet (Form A), which is maintained in the OIC's office.



3. If an officer did not identify an Employee Designated Representative on the Emergency Notification Form the department may appoint one if requested.
4. The Employee Designated Representative will coordinate with the Family Liaison Officer.

#### L. Duties of the Honor Guard Commander

1. This person will oversee and coordinate the planning and implementation of all aspects of the funeral arrangements. The Honor Guard Commander will also be primarily responsible for external communications to the greater law enforcement community. This person will report directly to the Incident Commander.
2. Notify the Law Enforcement Death Response Team (LEDR). This notification can be made by contacting the Wisconsin State Patrol Regional Post, where all contact information for the LEDR Team is maintained. LEDR Team contact information is also located at [www.wichiefs.org](http://www.wichiefs.org).
3. Work with the Incident Commander and the Notification Team with regard to timely release of initial information via TTY and email. Details of arrangements should be withheld until completely verified; once that happens, subsequent TTY and email release should be considered.
4. Coordinate all movement of the deceased in a ceremonious fashion. This includes any procession from the hospital to the morgue.
5. As soon as possible, arrange for a 24-hour guard that is posted to stay with the fallen officer. While this is a function of the Honor Guard, other sworn employees of the Agency can be assigned this role. This 24-hour-a-day posting should start at a minimum following the release of the deceased by the Medical Examiner.
6. As soon as feasible and practical, in conjunction with the Family Liaison Officers, meet with the survivors to determine their wishes regarding MPD participation in the preparation of the funeral or services. Any information in the employee packet shall be shared with the family at this time. The family shall be assured that the MPD is willing and able to coordinate all arrangements, but no decisions will be made without their input and approval. (Should the family elect to not have a law enforcement funeral, the Chief must consider holding a Department memorial service in recognition of the need for co-workers to grieve and experience some closure to the line of duty death.)
7. Work closely with the family-identified Funeral Director and Clergy to develop arrangements. Attention will be given to selecting venues that will be capable of accommodating the large law enforcement response, and in the absence of such venues, developing contingency plans, as needed.
8. In accordance with Honor Guard Policy, ceremonial aspects of the visitation and funeral arrangements will be planned by the Honor Guard Coordinator.
9. Determine what public safety, church, fraternal, and labor organizations will provide in terms of financial assistance for out-of-town family travel, food for funeral attendees following the burial, etc.
10. Evaluate the necessity of reaching out other Honor Guard resources.
11. For the funeral, if necessary:
  - a. Designate a *Logistics Lead* whose responsibilities include the following:
    - i. Arrange for adequate water/food at each venue.
    - ii. Arrange for portable restrooms, if needed.
    - iii. If deemed necessary, arrange for bus transportation from alternate staging/parking locations to venues.
    - iv. Responsible for copying and distribution of funeral instructions for visiting agencies.
    - v. Responsible for documenting all visiting agencies and dignitaries.
    - vi. If directed, coordinate having someone video record services and document agencies present.

b. Designate a *Traffic Coordinator* whose responsibilities include the following:

- i. Coordinate/Manage traffic and parking at each venue including visitation, funeral, cemetery, and any fellowship function.
- ii. Collaborate with any involved jurisdictions for needed traffic control for visitation, funeral, and procession.
- iii. Under direction of the Honor Guard Commander, direct the assembly of the squad and vehicle procession.
- iv. Pre-plan and designate the procession route in consultation with the Honor Guard Commander.

M. Duties of the Internal Communications Commander

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

N. Duties of the PIO

1. This person will be responsible for external communications regarding the incident.
2. This person must coordinate all external releases of information regarding the incident with the Internal Communications Commander.
3. If the media obtains the decedent's name before the survivor notification
4. In, the PIO will request the name be withheld until proper notification can be made to the survivors.

O. Duties of the Staffing Commander

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

P. Duties of the District

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

Q. Duties of the Support Commander

1. This position is typically assigned to an MPD Assistant Chief or Captain, and will be primarily focused on providing support to commissioned and non-commissioned. This support will come

in many forms including, but not limited to, Peer Support, EAP, LEDR, and Finance (Benefits). This person will typically be the Peer Support Captain.

2. Designate a Peer Support Commander of the Family Liaison Officers.
3. Designate an Internally Focused Peer Support Supervisor and ensure that Peer Support is immediately activated.

#### R. Duties of the Internally Focused Peer Support Supervisor

1. This person is responsible for coordinating MPD's internal EAP, Peer Support, and CISM resources in response to a line of duty death tragedy. This assignment reports to the Support Commander.
2. Ensure that police witnesses and other employees, who may be emotionally affected by the death of another employee, will be afforded the opportunity to attend a Critical Incident Stress Management (CISM) debriefing held by a trained mental health professional (EAP).
3. Ensure that services of the LEDR Team, as well as the Department's contracted Employee Assistance Program (EAP) provider is activated immediately.
4. Coordinate all EAP, Peer Support and CISM response.

##### i. EAP responsibilities:

1. Coordinate a CISM response for the involved officers.
2. Coordinate a CISM response for MPD command staff.
3. Provide grief support services for all impacted MPD employees (civilian and commissioned)

##### ii. Peer Support Responsibilities:

1. Assist EAP staff in identifying impacted MPD personnel and coordinating CISM response.
2. Provide a supportive presence at the Districts.
3. Conduct follow up check-ins as requested.
4. Provide grief support to impacted MPD personnel if/when requested.

#### S. Duties of the Benefits Coordinator

1. This role will typically be filled the MPD Human Resources Coordinator.
2. This person will work with benefits specialists from LEDR and Concerns of Police Survivors (COPS) to ensure every available survivor benefit is explored.
3. This person will coordinate with the Family Liaison Officer(s) to share benefits information with the appropriate survivors.
4. This person's responsibilities will continue well after the immediate event.
5. This person will report directly to the Department Support Commander.
6. This person will be responsible for the following:
  - a. Filing Workers' Compensation claims and related paperwork.
  - b. Contacting the appropriate agencies immediately to ensure that the beneficiary receives death and retirement benefits, the employee's remaining paychecks, and payment for remaining annual and compensatory time.
  - c. Gathering information on all benefit/funeral payments, to include the Federal Public Safety Officers Benefits Act that is available to the family.
  - d. Notifying police organizations, such as Wisconsin Professional Police Association, and any other fraternal organizations the employee was a member of. These organizations may also offer financial assistance with logistical needs of the funeral services.
  - e. Preparing a printout of the various benefits/funeral payments that are due to the family, listing named beneficiaries and contacts at various benefits offices, and when they can expect to receive payment.
  - f. Meeting with the surviving family a few days after the funeral to discuss the benefits they will receive, what has been done, as well as what has yet to be

completed. A copy of the prepared printout and any other related paperwork should be given to the family at this time.

- g. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the child(ren) may be receiving.
- h. Attention should be given to the revocation of health care benefits. Many providers allow a 30-day grace period before canceling or imposing monthly payments upon survivors.
- i. Continue meeting with the family until benefit applications are well underway. Then, meet with the family in four to six months to ensure they are receiving benefits.

#### T. Public Safety Officer Death Benefit (PSOB)

1. Public Safety Officer Death Benefit (PSOB) is a program that provides a death benefit to eligible survivors of a public safety officer whose death is the direct and proximate result of a traumatic injury sustained in the line of duty or certain work-related heart attacks or strokes. To receive a death benefit, the claimant must establish that the public safety officer died as the direct and proximate result of an injury sustained in the line of duty. Under the program, it is presumed that a public safety officer who dies from a heart attack, stroke, or vascular rupture, while engaged in, on duty after, or within 24 hours of participating in a non-routine stressful or strenuous physical law enforcement activity, or other emergency response activity, or a training exercise involving non-routine stressful or strenuous physical activity, has died in the line of duty for death benefit purposes. The PSOB program pays a one-time lump sum death benefit to eligible survivors of a public safety officer killed in the line of duty. The amount paid to the officer's survivors is the amount authorized to-be paid on the date that the officer died, not the amount authorized to-be paid on the date that the claim is approved.
2. PSOB death benefits are paid to eligible survivors in the following order:
  - a. If the officer is survived by only a spouse and no children, 100% of the death benefit goes to the spouse.
  - b. If the officer is survived by a spouse and children, 50% of the death benefit goes to the spouse and the remaining 50% is distributed equally among the officer's children.
  - c. If the officer is survived by only children and not a spouse, the death benefit is equally distributed among the officer's children. If the officer is survived by neither a spouse nor children, the death benefit is paid to the individual(s) designated by the officer in the most recently executed designation of beneficiary on file at the time of the officer's death. If the officer does not have a designation of beneficiary on file, the benefit is paid to the individual(s) designated by the officer in the most recently executed life insurance policy on file at the time of the officer's death.
  - d. If the officer is survived by neither a spouse nor eligible children, and the officer does not have a life insurance policy, the death benefit is equally distributed between the officer's surviving parents.
  - e. If the officer is survived by neither a spouse, nor eligible children, nor parents, and the officer did not have a designation of beneficiary or a life insurance policy on file at the time of his or her death, the benefit is paid to surviving adult, non-dependent, children of the officer.
  - f. A death or disability benefit will not be paid:
    - i. If the fatal or catastrophic injury was caused by the intentional misconduct of the public safety officer or the officer's intention to bring about his or her death, disability, or injury;
    - ii. If the public safety officer was voluntarily intoxicated at the time of his or her fatal or catastrophic injury;
    - iii. If the public safety officer was performing his or her duties in a grossly negligent manner at the time of his or her fatal or catastrophic injury;
    - iv. If an eligible survivor's actions were a substantial contributing factor to the officer's fatal or catastrophic injury.

**U. Continued Support for the Family**

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

Original SOP: 05/13/2015

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

(Revised: 01/15/2019, 01/28/2020)

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



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Lost and Abandoned Property

Eff. Date ~~02/25/2015~~ 03/09/2020

Pursuant to the requirements of Madison General Ordinances Sec. 8.44, Lost or Abandoned Property, the Madison Police Department (MPD) has developed the following procedures to provide guidance when to take possession of lost property and how to handle such property once it is recovered.

“Lost Property” means personal property, money, or other movable property that have has been lost or abandoned or left on public property without the permission of the public owner. Lost property does not include items left on the terrace or in garbage or recycling containers for the scheduled sanitation pick up, items seized as evidence in police investigations, or automobiles, or bicycles.

Determining that an item is lost is subjective and MPD staff is tasked to evaluate the facts and circumstances surrounding unattended items and to make an educated judgment on the appropriate disposition. When in doubt, MPD staff should err on the side of treating the item as lost property and subject to MGO 8.44, unless doing so would be detrimental to personal or public safety.

Pursuant to the provisions of MGO 8.44, MPD staff is authorized to immediately dispose of lost property that either:

1. Has an estimated aggregate replacement value of fifty dollars (\$50.00) or less;
2. Is perishable;
3. Poses a public health risk; or,
4. Has no sentimental, medical, or legal value. Sentimental items of value include, but are not limited to, photographs, family bible, jewelry, letters, drawings, or children’s art.

The immediate disposal of items with sentimental, medical, or legal value that are estimated to be valued at fifty dollars (\$50.00) or less is permissible, but consideration to the nature and condition of the lost property should be taken when determining the appropriateness for disposal or recovery.

Before MPD staff takes custody of lost property, an attempt must be made to notify the rightful owner of the MPD’s intent to take possession of the lost property. Notice will not be required when an item, in the opinion of MPD staff, presents a danger to the public health or welfare, or where such a notice would be impractical or ineffective. The appropriateness of notification should depend on the value of the lost property and the duration of time the property appears to have been unattended.

Once MPD takes possession of the lost property, it must be searched for contraband and perishable items. The property will then be packaged and entered into the records management system in accordance with MPD packaging guidelines.

MPD may be asked to assist Mall Concourse Maintenance and the Parks Department, by notifying the owner(s) of personal property that appears to be abandoned on public property. If the owner of the property is not present or is unknown, MPD will place written notification in a conspicuous place on the property. The notice serves to warn the owner of the potential removal of the property, by Mall Maintenance. This written notice is the Lost and Abandoned Property Notification form and includes the date and time that the property will be removed. MPD will not be responsible for the removal of the property, but may stand by with Mall Maintenance staff while they remove the property, if requested to do so. ~~If it is determined that notification is appropriate such notice shall allow for not less than 1 hour and no more than 72 hours before MPD takes possession of the property.~~

~~Once MPD takes possession of the lost property, it must be searched for contraband and perishable items. The property will then be packaged and entered into the records management system in accordance with MPD packaging guidelines.~~

## ON PRIVATE PROPERTY

1. Make a determination as to whether the property is lost or abandoned property.
2. If it is determined that the property is indeed lost or abandoned, notify the property owner or designee that every effort will be made to assist in determining ownership and contact of the property owner.
3. Leave the property with the owner or designee of the private property.

Original SOP: 02/25/2015

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

(Revised: 03/09/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Mendota Mental Health Institute Response (MMHI)

Eff. Date ~~09/15/2017~~ 01/15/2020

I. GENERAL

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

1. MMHI

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

2. MJTC

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

B. Patient Buildings

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

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

C. Weapons Policy

1. Officers are permitted to carry weapons anywhere on the grounds. However, unless called to an on-going, major disturbance involving multiple patients, weapons (firearms, ammo, knives, ECD, baton, OC spray, etc.) may **not** be brought into a building where patients may be present (including all buildings listed above and Food Service).
2. Officers entering patient care buildings have two options regarding their weapons:



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

## II. MMHI DISTURBANCE PLAN

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

## III. REQUESTS FOR CRIMINAL INVESTIGATION

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

to the rules/laws. To the extent possible, evidence should include observations by staff, statements made by suspect, prior relationship between suspect and victim and motive.

- v. MMHI Patient Documentation will be gathered by MMHI Security and provided to MPD. The documentation packet will include the following:
  - a) Request for Criminal Investigation Review
  - b) Patient Statements
  - c) Patient Facesheet
  - d) Legal Charges/Commitment Status
  - e) Social History
  - f) Progress Notes/Documentation of Incident
  - g) Photos of any injuries
  - h) Possible DVD of Incident
  
- vi. MJTC Youth Documentation will be gathered by MJTC staff and provided to MPD. The MJTC documentation packet will include the following:
  - a) Face Sheet (DOC-1701)
  - b) Detainer
  - c) Extension/Dispositional Order
  - d) Waiver (Staff and Resident Battery)
  - e) Inter-Institution Transfer Summary (DOC-1980)
  - f) Conduct Report and Placement (DOC-1843/1843A & DOC-1842)
  - g) Progress Notes (DCTF-457H)
  - h) Commitment Information
  - i) Progress Summary (DOC-1941)
  - j) Admission Psychiatric Evaluation
  - k) A & E Report (DOC-1933)
  - l) List of Medications (DCTF-1833 & DCTF-1834)
  - m) Annual Medical Review
  
- vii. Police Report and Staff Information. If the police report includes an interview with staff, please do **not** include staff personal contact information (home address or personal phone number) in the police report. Instead, please include the MMHI address (301 Troy Drive, Madison, WI 53704) and the MMHI Number switchboard number, (608) 301-1000.
  
- viii. Arrest/Custody. Given that MMHI patients are already considered to be “in custody,” as a general rule, patients will rarely be subjected to physical arrest. In extremely rare cases, a physical arrest could be made. If that situation were to arise, consult with the Officer in Charge (OIC).
  
- ix. Referral to the District Attorney (DA). In most situations where Probable Cause (PC) exists, the case will be referred to the DA’s Office. This is in the interest of MMHI and MPD. The North District Detective Lieutenant will route incident reports to the Criminal Intake Unit for referral to the DA’s Office.

#### IV. SPECIAL POLICE RESPONSE

There are a varying number of MMHI patients specifically designated as High Risk/Security housed in Goodland Hall Maximum Security. Due to the serious escape risk, the following procedure has been developed if a need arises to convey a high risk/security patient to a local hospital for an emergency visit.

1. All conveyances will be made by Madison Fire Rescue. The patient will be placed in full restraints before leaving the institution and will remain in restraints unless a medical emergency dictates otherwise as determined by the physician.

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

Original SOP: 09/15/2017

(Reviewed Only: 12/26/2017)

(Revised: 01/15/2020)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Mental Health Incidents/Crises

Eff. Date ~~06/08/2018~~ 01/27/2020

### Purpose

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

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

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

### MENTAL HEALTH LIAISON/OFFICER PROGRAM

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

### Mental Health Officer (MHO)

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

### Mental Health Liaison Officer (MHLO)

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

## RESPONSE GUIDELINES

### When Mental Health Issues are Suspected

---

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

#### *Disposition Options*

- Release with referral made to a mental health agency.
  - Place individual in the care of family or friends.
  - Convey voluntarily to Crisis or hospital for further evaluation.
  - Place in protective custody for the purpose of an evaluation for an Emergency Detention.
  - Arrest for a statute or city ordinance violation.
  - Protective custody to Detox if applicable.
- If the subject's behavior constitutes a criminal violation but criteria for an emergency detention is also present, officers should:
    - Consult with Journey Mental Health to determine the best short-term disposition/placement.
    - If the subject is placed under emergency detention, a probable cause affidavit should be completed for the appropriate criminal violations. Request that the destination facility where the subject is conveyed contact MPD when he/she is released to facilitate conveyance/booking.
    - If the underlying offense for which probable cause exists is a mandatory arrest under Wis. Stat. 968.075, the disposition of the subject must be an emergency detention, protective custody, or arrest (voluntary admissions are not an option).

### If Harmful Acts are Committed or Threats Made (suicide attempts, overdose, non-suicidal self-injury, other overt acts or threats)

---

- Ascertain whether the subject has consumed alcohol and/or drugs. If alcohol is on board and the subject is medically cleared, or where medical clearance is unnecessary, transport to Detox under protective custody.
- For suicidal subjects – make sure to request that Crisis is notified, both verbally and written in the narrative box on the Detox admission form and request a copy for your report. Notify Crisis by phone prior to clearing from the call when there are heightened concerns of imminent risk.
  - Overdose Calls
    - Suicide attempts by overdose and accidental overdose are essentially medical emergencies. The role of law enforcement in most cases is very limited to a preliminary investigation to determine if a crime has been committed. Where no crime is committed, our primary role is to assure a safe environment for EMS and other responders. These situations can be divided into two categories, those where EMS transports the subject, and those where they do not.

### EMS transports the subject

- An officer shall respond to the hospital if:
  - EMS requests assistance on the rig with a combative subject
  - Death appears imminent
  - The subject is not sufficiently coherent to provide an adequate statement
  - The call precipitates a criminal investigation that cannot be completed at the scene
- Reports in non-criminal overdose cases should reflect the limited role of law enforcement. The report should include the circumstances surrounding the overdose, that the subject was conveyed by EMS, and identification of the victim and witnesses. Extensive medical history information is not required. On some occasions, information received at the scene may be needed later by other officers to establish grounds for an Emergency Detention so these reports should not be held over.

### EMS does not transport the subject

- When EMS does not transport, the call will likely become an Emergency Detention assessment, PC conveyance, or a death investigation and should be handled as such.
  - If family is willing to accept responsibility for the patient, and the officer believes that they are capable of preventing the subject from harming him/herself, the family may work directly with their health care providers to assure necessary treatment is provided
- In cases where officers respond to the hospital, consult with ER staff regarding medical admission.
    - If admitted medically, release to hospital and get doctor information for report.
    - If medically cleared, assess for Emergency Detention.

Note – Many suicide attempts by overdose are taken to hospitals and clinics with no police involvement. If family or medical personnel do not request the police, officers should not be dispatched in these cases. If this should occur, advise a supervisor or OIC.

### Assessing for Emergency Detention

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

### Emergency Detention (ED)

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

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

## Final Dispositions

---

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

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

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

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

Oftentimes, even when the criteria for an ED are clearly present, a voluntary admission is still the preferred outcome because it is the least restrictive, and therefore, most likely to result in productive treatment. In these situations, officers shall stay with the subject until they are assured that the subject will follow through with an admission (e.g., signed papers, escorted through the doors of the psychiatric unit, or medical personnel has assumed responsibility for the person and their continued safety). Officers may leave prior to admission under certain circumstances and only with the approval of a supervisor.

Supervisors should evaluate this early departure based on the following factors:

- Subject's demonstrated level of compliance and willingness to seek treatment
- Subject's history of in-patient psychiatric admission and compliance therewith
- Subject's demonstrated level of insight to their condition and the behavior that led to police involvement
- The level of dangerousness exhibited in that behavior and the presence of any criminal exposure
- The presence of family, friends, or other supports at the Emergency Room
- The hospital social worker or charge nurse have been briefed on the situation
- Police call volume and the need for the allocation of police resources city-wide

Officers should request that hospital personnel re-contact their agency should the subject attempt to leave prior to being fully admitted so that an ED can be completed. Officers must complete a report before their shift ends and the original ED form must be left with the OIC.

### *Emergency Detention*

When the basis for detention exists do the following:

- Contact Crisis on **all** emergency detentions.
- Crisis must approve all placements for Emergency Detention.
- Receive medical clearance prior to conveyance to authorized facility.
- Complete ED form and/or review form if filled out by mental health professional. The form **MUST** articulate dangerousness, threats, history, behavior, etc. and list names of witnesses. The form must also be faxed while officers and subject are still at the hospital, prior to the subject going to his/her final destination.
- Forms: 4 copies of ED form. 1 – Subject, 1 – Law Enforcement Agency, 1 – Crisis, 1 – Detention Facility. Fax original to probate court.
- Complete report as a priority and route it to PD Mental Health.

## Reminders

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

## Conducting an Emergency Detention from the Jail

Occasionally, MPD Officers are requested by Journey to complete an emergency detention (ED) of subject who has already been booked into the Dane County Jail (DCJ) by MPD. Instances also may arise when the Mental Health Unit later determines an ED from DCJ is necessary. The mental health issues of acutely ill individuals are not addressed in the jail after booking unless the subject voluntarily accepts treatment, or the subject exhibits new dangerousness at the jail. Removing a subject from a secure facility, however, poses some risk to officers and the community. This section outlines the process and conditions for an MPD ED from the DCJ.

### APPLICABILITY

This section of the SOP covers the emergency detention of individuals after MPD officers have completed their portion of the booking process and the subject has been admitted into the jail.

Situations in which DCJ staff refuses to accept an arrestee and insists on an ED should be handled on a case-by-case basis between the MPD OIC and the appropriate point of contact at DCJ.

### POST-BOOKING EMERGENCY DETENTIONS

Prior to removing a subject from DCJ for an ED the officer(s) should:

- Consult with the Mental Health Sergeant or the Captain of Community Outreach
- Review relevant case reports associated with the subject's current incarceration
- Determine that the incident/predominant pattern of behavior associated with the applicable Chapter 51 dangerousness standard occurred within the City of Madison
- Determine, in collaboration with a Journey Mental Health Crisis Worker, that an ED is necessary
- Brief the Crisis Worker on any relevant medical clearance that occurred prior to booking
- Contact the assigned detective or special unit supervisor if the criminal case underlying the subject's custody at DCJ is (or is likely to be) assigned to a specialized unit and/or detective.

### MPD-Initiated Emergency Detentions:

If the above conditions are met, the officer or their sergeant should brief the Officer in Charge (OIC). Prior to taking any action to remove the subject from the jail, the OIC shall contact the Community Outreach Captain (or their designee) to obtain approval for the ED out of the DCJ.

Once the Community Outreach Captain has granted approval for removal of a subject from DCJ for the purpose of an ED the officer(s) should:



- Ensure that a Crisis Worker has ruled out the option of a direct admission
- Coordinate with the Jail Operations Sergeant, Jail Mental Health Workers, and an MPD supervisor to plan for transfer of custody and transport.
- MPD should consider requesting DCJ to restrain the subject in their custody and may request assistance from DCSO for the transport of the subject using special DCJ equipment and vehicles from DCJ to a hospital.

#### DCSO-Initiated Emergency Detentions

- If the person is in an acute crisis at the DCJ, then the first preference is that DCSO perform the ED. When the incident/predominant pattern of behavior associated with the applicable Chapter 51 dangerousness standard occurred while the subject was in custody at DCJ, DCSO should generally perform the emergency detention.

### Helpful Mental Health Definitions

#### **DIRECTOR'S HOLD**

- The Treatment Director of a mental health facility/unit may file a statement of ED and detain a patient who has already been admitted to the psychiatric facility/unit.

#### **ORDER TO TREAT**

- The court may order that medication may be administered to an individual regardless of his/her consent (involuntarily and/or forcibly).

#### **NON-SUICIDAL SELF-INJURY (NSSI)**

- DSM-V symptoms include:
  - Act or its consequence can cause significant distress to the individual's daily life.
  - The act is not taking place during psychotic episodes, delirium, substance intoxication, or substance withdrawal. It also cannot be explained by another medical condition.
  - The individual engages in self-injury expecting to:
    - Get relief from a negative emotion
    - Deal with a personal issue
    - Create a positive feeling
  - The self-injury is associated with one of the following:
    - The individual experienced negative feelings right before committing the act.
    - Right before self-injury, the individual was preoccupied with the planned act.
    - The individual thinks a lot about self-injury even if it does not take place.
- NSSI may include, but not limited to, cutting, scratching, picking, burning, head banging, and toxic ingestion.

#### **SETTLEMENT AGREEMENT**

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

#### **THREE-PARTY PETITION**

- Three adults sign a sworn petition that is drafted by the County Corporation Counsel.

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

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

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

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

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

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

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

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

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

Original SOP: 05/29/2015

(Reviewed Only: 02/15/2016, 01/30/2019)

(Revised: 12/22/2016, 07/19/2017, 12/13/2017, 01/25/2018, 06/08/2018, 01/27/2020)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Military Leave

Eff. Date ~~01/13/2017~~ 01/27/2020

### Purpose

The purpose of this Standard Operating Procedure (SOP) is to clarify expectations related to Military Leave for those employees who require a leave of absence due to training or active service with the U.S. armed forces or U.S. public health service. This SOP does not intend to limit an employee's rights or guarantees under federal/state law.

### Procedure

#### NOTIFICATION/DOCUMENTATION

**Commissioned and civilian personnel, regardless of rank or position, are subject to this process.** All personnel that receive military orders requiring a leave of absence from department employment shall adhere to the following process:

- All employees must promptly notify the ~~Lieutenant of Personnel~~ Human Resources Coordinator, Master Scheduler and their commander or civilian manager that they have received military orders, or **changes in previous orders**. Although that notification can be verbal, it is requested that a copy of the employee's order, or similar allowable document, be forwarded electronically to [PD Payroll](#). At least 30 days notice is preferred.
- It is the employee's responsibility to review their Telestaff calendar after the Master Scheduler makes appropriate entries for the year, for the employee's drill dates.
- If the location of the drill is not clearly listed on the military orders, the employee should write it directly on the orders, or in the body of the email, prior to submitting orders to the Human Resources Coordinator and Master Scheduler.
- ~~To receive reimbursement for lost wages due to training or active service, an employee must submit a Military Leave and Earnings Statement covering those dates. This information is required to calculate any pay differential between the employee's departmental salary and military entitlements. Such documentation is requested electronically, forwarded to [PD Payroll](#), within 30 days of the affected date(s).~~
- Depending on the employee's normal work schedule and required travel time to report to and return from military duty, an employee may be allowed departmental leave before and after their military assignment to reasonably accommodate travel time. Such leave will be consistent with guidance provided in the federal **Uniformed Services Employment and Reemployment Rights Act (USERRA)**, provisions set forth in **City APM 2-39** and departmental staffing guidelines. Employees are to work with the ~~Lieutenant of Personnel~~ Human Resources Coordinator and/or the Master Scheduler to finalize their schedule.
- ~~To receive reimbursement for lost wages due to training or active service, an employee must submit a Military Leave and Earnings Statement covering those dates. This information is required to calculate any pay differential between the employee's departmental salary and military entitlements. Such documentation is requested electronically, forwarded to [PD Payroll](#), within 30 days of the affected date(s).~~
- To receive reimbursement for lost wages as a result of military travel, an employee must submit documentation that indicates whether or not the military paid for any part of the employee's lost wages related to travel time, to and from their military assignment. *Such documentation is requested electronically, forwarded to [PD Payroll](#), within 30 days of the affected date(s).*
- The affected employee may be reimbursed for lost wages by the department for no more than one of their daily work shifts for travel to their military assignment and for no more than one of their daily work shifts for travel from their military assignment. If additional leave is required, the employee will be allowed to use Military AWOP or personal leave for the remainder.

- Commissioned personnel on military leave will continue receiving early reporting time (briefing time) for days they are regularly scheduled to work, but are absent due to military training or active service. However, on the days an employee is absent is due to military travel, employees will not receive early reporting time. This reimbursement will occur after the employee submits their Military Leave and Earnings Statement to [PD Payroll](#).

## COMPLIANCE

The [Lieutenant of Personnel](#) [Human Resources Coordinator](#) will be responsible for providing guidance and assuring administrative compliance with law. Final interpretation of this SOP will remain the responsibility of the City's Human Resources Director. Additional information on USERRA is available at: [http://www.ecfr.gov/cgi-bin/text-idx?SID=5799beb1be2318b5bff8b08516943f81&node=20:4.0.5.3.3&rgn=div5#se20.4.1002\\_143](http://www.ecfr.gov/cgi-bin/text-idx?SID=5799beb1be2318b5bff8b08516943f81&node=20:4.0.5.3.3&rgn=div5#se20.4.1002_143).

For further details on the City's Military Leave Policy, please refer to City APM 2-39: [www.cityofmadison.com/mayor/apm/2-39.pdf](http://www.cityofmadison.com/mayor/apm/2-39.pdf).

Original SOP: 04/16/2015  
(Reviewed Only: 03/03/2016, 12/26/2017)  
(Revised: 01/13/2017, [01/27/2020](#))



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Missing Child

Eff. Date ~~02/25/2015~~ 02/03/2020

### Purpose

The purpose of this procedure is to establish guidelines and responsibilities regarding Madison Police Department's (MPD) response to reports of missing children.

The term "missing child" typically refers to a person who is younger than 18 years of age. However, federal law requires NCIC notification when a person between the ages of 18-21 is reported missing as well. Anyone under the age of 21, reported as missing shall be investigated accordingly and without delay.

MPD investigates all reports of missing children. Each case will be assessed to determine the risk to the child. In cases with an increased risk to the child, additional resources will be allocated as deemed appropriate for the specific details of the case.

Jurisdictional conflicts are to be avoided when a child is reported missing. If a missing child either resides in, or was last seen in this jurisdiction, this agency will immediately initiate the required reporting process. If a child resides in this jurisdiction and was last seen in another jurisdiction, but the law enforcement agency covering that jurisdiction chooses not to take a missing child report, this agency will assume reporting responsibility and work cooperatively with other agencies.

Questions concerning parental custody occasionally arise in relation to missing child reports. MPD officers shall accept the report of a missing child even if custody has not been formally established. Reporting parties will be encouraged to obtain legal custody as soon as possible; however, since the safety of the missing child(ren) is paramount, members of this agency will open a case when it can be shown the child has been removed, without explanation, from his or her usual place of residence. If the court has not established custody, then the law enforcement responsibility is to ensure the child is safe.

### Procedure

#### DEFINITIONS

Missing child cases may fall into one of the below types:

- The **non-family abduction**, in which a child is taken by an unknown individual through force or persuasion, usually in furtherance of additional victimization.
- The **family abduction**, in which a non-custodial family member flees with a child, usually in direct violation of a court-ordered custody arrangement. These cases have proven to be fatal. The child should not be assumed to not be in danger simply because he/she is with a parent.
- The **runaway child**, most often a teenager, who leaves home voluntarily for a variety of reasons.
- The **lost or otherwise missing child**, who becomes separated from parents or caretakers under circumstances not indicating the likelihood of an abduction or voluntary absence. (e.g., cognitively/emotionally disabled, endangered due to medical condition).

As soon as it is verified that the child is missing, an immediate city-wide radio alert to all other patrol units and neighboring law enforcement agencies shall be made. The child shall be entered into NCIC by the primary responding officer, and this entry shall not exceed two hours from the time of original officer dispatch.

Each case represents a unique set of circumstances. It is important for initial responding officers to evaluate a multitude of factors that will help determine the level of risk or danger to a missing child.

## RISK FACTORS

Missing children cases that present risk factors indicating a heightened likelihood of danger to the child require an intensive response. The following risk factors or unusual circumstances that may be present include:

- Is out of the zone of safety for his or her age and developmental stage or physical condition.
- Developmentally disabled, cognitively disabled or other mental or physiological impairment.
- Is drug dependent and the dependency is potentially life-threatening.
- Is in a life-threatening situation.
- Is absent in a manner inconsistent with established patterns of behavior and the deviation cannot be readily explained.
- Is involved in a situation causing a reasonable person to conclude the child should be considered at risk.
- Reasonable belief that they are with others who could endanger his or her welfare.

If it is determined that **risk factors** are involved in the report of a missing child, an expanded investigation will immediately commence, ~~the~~ **and the** OIC shall be briefed on the situation.

The OIC shall initiate command notification protocols and consult with ~~a member of the CART Command~~ **the Special Victims Unit Lieutenant** for potential deployment of specialized resources. **The Special Victims Unit Lieutenant will, in consultation with the Captain of the Investigative Services Bureau, determine if the Wisconsin DOJ-DCI CART Team will be requested to mobilize.**

The OIC may initiate the review protocol for an AMBER Alert by contacting the **Wisconsin State Patrol's Traffic Management Center at 1-844-977-4357 (844-WSP-HELP).** ~~Dane County Public Safety Communications Center.~~

## Initial Responding Patrol Officers

1. Respond promptly to the scene. Verify that the child is in fact missing by searching the scene; an upset/panicked parent can miss a child.
2. **Air a city-wide radio alert to all other patrol units and all neighboring law enforcement agencies that there is a missing child. Provide physical descriptors, clothing description, and the last known location of the child. Request additional units respond to check the immediate area where the child was last seen.**
3. Interview the parent(s) or person(s) who made the initial report.
4. Determine when, where, and by whom the missing child was last seen.
5. Interview the individual(s) who last had contact with the missing child.
6. Confirm the child's custody status.
7. Identify the child's zone of safety for his or her age, developmental stage, physical and mental state.
8. Brief street supervisor; make initial determination of the type of incident and determine if K9 response is needed.
9. Brief OIC.
10. Obtain a complete description of the missing child, including photographs (multiple images) and/or video as well as air the last known location.
11. If suspicious circumstances are identified, obtain suspect and vehicle description along with other pertinent information to locate the person.
12. Provide detailed descriptive information to Dane County 911 for broadcast updates.
13. Contact Dane County 911 to enter the child in the NCIC Missing Person File within two hours of the officer's initial dispatch time.
14. Identify and interview everyone at the scene.
15. Secure and safeguard the area (place last seen) as a potential crime scene.
16. Determine if the child has access to an online computer, cellular telephone or other device. Obtain relevant email, online names and passwords.
17. Written reports, original and supplements shall be completed as a priority report prior to the end of the tour. A report must be completed on all missing children even if the missing child returns a short time after they are reported as missing.

18. If missing/runaway child returns, the dispatched officer shall respond in person to verify that the missing child has indeed returned. After verification, the officer shall contact dispatch and cancel the missing status. The return/cancellation must be documented in a report.

### Initial Responding Sergeant

---

1. Obtain a briefing from the responding officers and/or other agency personnel at the scene.
2. Ensure a search of home and place last seen has been conducted.
3. Ensure that K9 resources have been considered for the home and place last seen. For additional resources, contact the OIC to make the request to the K9 supervisor.
4. Notify the OIC to determine if additional personnel and resources are needed to assist in the investigation-such as SVU notification and/or CART activation.
5. Consult with OIC to determine if AMBER Alert is appropriate. See AMBER Alert Protocol at end of document.
6. Establish a field command post (should be an appropriate distance from the residence of the missing child).
7. Determine the size of the perimeter and canvass area.
8. Organize and coordinate the initial canvass/search efforts using a map/grid of the area. Identify potential search areas.
9. Document canvass and/or searched areas.
10. If any suspicious circumstances exist, designate a co-supervisor to supervise perimeter.
11. All persons leaving the inner perimeter should be contacted and identified. All vehicles attempting to leave the inner perimeter should be detained and searched for the missing child.
12. Assign an officer to document all parked vehicles within a reasonable area around the inner perimeter.
13. Conduct initial methodical hasty searches of last known location of child
14. Coordinate exchange of information with the non-scene Command Post that includes the canvass documents, canvass/searched areas, and maps.
15. Brief responding SVU or CART members and/or investigative resources.
16. Direct the staging of media for the District Commander or PIO.
17. Release the canvass/search operation to the designated Search Operations Coordinator.

### Officer-In-Charge

---

1. Assess the need for additional resources, equipment, personnel and/or outside resources.
2. Notify District Command and the Special Victims Unit Lieutenant CART Commander(s).
3. Ensure that the required NCIC entry has been made.
4. Include the Missing Child information to the OIC Daily Log in SharePoint for MPD-wide dissemination. This includes runaways.
5. Consider the use of Dane County Emergency Telephone Notification. Designate the geographic area to be notified, preferably bounded by streets or other known geographic landmarks.
6. Consider activation of the non AMBER Alert community notification and/or Wisconsin's AMBER Alert System. See AMBER Alert Protocol at end of document.
7. Contact PIO to facilitate media issues.

### Special Victims Unit Lieutenant

---

1. Assess the need for additional resources, equipment, personnel and/or outside resources.
2. Consult with the Captain of the ISB to determine if the DOJ-DCI CART should be requested.
3. Contact SVU detectives and request they respond to the District Command Post.
4. Establish a command post at the appropriate MPD District Station.
5. Serve as the MPD liaison to the DOJ-DCI CART Commander.
6. Call in and coordinate additional investigative resources as needed.

**Investigative Services Captain**

---

1. Determine if DOJ-DCI CART resources should be requested.
2. Contact the Director of the Special Operations Bureau of DCI and request CART mobilization by calling 608-266-1671.
3. Notify the Assistant Chief of Operations of CART mobilization.

Original SOP: 02/25/2015

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

(Revised: 02/03/2020)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Mounted Patrol Use**

Eff. Date ~~07/01/2015~~ 01/15/2020

**Purpose**

Subject to the provisions of this procedure, Mounted Patrol horses trained in patrol applications may be utilized for routine patrol, special events, crowd control, public relations, and search and rescue.

The Mounted Officer is at all times responsible for the control of his or her horse. If there is a dispute on the manner in which a Mounted Patrol mounted patrol team is to be used, the final decision will be made by the Mounted Officer, mounted officer.

Mounted Patrol officers must be deployed as a team of at least two riders when functioning in a patrol capacity.

**Procedure**

**EQUIPMENT**

Mounted Officers will wear an approved riding helmet at all times when mounted and on duty.

**CONTROL AND ARREST PROCEDURES**

Actions of Mounted Patrol units will comply with Madison Police Department (MPD) procedures on use of force.

**INJURY CAUSED BY MOUNTED PATROL HORSE**

If a Mounted Patrol horse injures a person, the following steps shall be taken:

1. Evaluate the person's injury and ensure that they receive prompt and appropriate medical attention.
2. Notify the OIC.
3. Obtain photographs of the injury, if possible.
4. Obtain a statement from the person, if possible.
5. Notify the Mounted Patrol supervisor.
6. Obtain witness statements, if possible.
7. Attempt to obtain a consent an authorization for release of medical information from the person.
8. The horse handler shall document the incident in a report.
9. A patrol or Mounted Patrol supervisor shall respond to the scene and submit a report to the Chief of Police.

**OFF DUTY CALL IN/MUTUAL AID REQUESTS**

Internal requests for Mounted Patrol that falls outside of normal work hours shall be directed to the Unit Supervisor or Commanding Officer. In exigent circumstances, the Unit Coordinator may be contacted directly.

MPD Mounted Patrol units will, when possible, assist other agencies pursuant to a mutual aid request following the above protocol. Mounted Officers will follow MPD Mounted Patrol Use procedures when assisting outside agencies.

## MOUNTED PATROL VEHICLES AND TRAILERS

1. Vehicles and trailers associated with the Mounted Patrol will be kept at a location designated by the Mounted Patrol supervisor. Members of the Mounted Patrol Unit may use these vehicles as follows:
  - a. Transporting horses to and from deployment locations;
  - b. Taking horses to the veterinarian, chiropractor, farrier;
  - c. Picking up Mounted Patrol equipment;
  - d. Driving to work-related Mounted Patrol training;
  - e. Other Mounted Patrol related activities as approved by the Mounted Patrol **SS**Supervisor.
2. When operating the vehicles (on or off duty), handlers will comply with MPD Vehicle Use SOPs.

## MOUNTED PATROL TRAINING

1. New riders and horses will undergo initial training prior to being authorized for active duty.
2. All riders and horses will engage in regular maintenance training, and periodic assessment as necessary.
3. The Mounted Patrol **SS**Supervisor is responsible for ensuring that each officer and horse receives adequate training and maintains appropriate skill levels.

## RECORDS

1. Each rider is responsible for maintaining records of all Mounted Patrol field activities as designated by the Mounted Patrol Supervisor.
2. The Mounted Patrol **SS**Supervisor is responsible for maintaining overall MPD Mounted Patrol records, and for verifying that individual riders are maintaining appropriate records.

Original SOP: 07/01/2015

(Reviewed Only: 01/27/2016, 11/01/2016, 12/26/2017)

(Revised: 01/15/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Non-Deadly Force – Use of**

Eff. Date ~~10/14/2019~~ 01/27/2020

**Purpose**

Consistent with ~~the Department's~~ our Mission and Core Values, the Madison Police Department is committed to valuing and preserving human life. The protection and preservation of all human life – including the lives of individuals being taken into custody – is the Department's fundamental objective and the primary duty of all MPD employees.

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

As used in this SOP, non-deadly force means the use of any weapon or instrument, or any physical action taken by an officer which is not likely to cause death.

**Procedure**

**NON -DEADLY FORCE AUTHORIZED**

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

1. Detaining a person reasonably suspected of unlawful behavior.
2. Effecting a lawful arrest.
3. Achieving/maintaining control of resistive subjects.
4. Preventing escape.
5. Protecting oneself or another.
6. Maintaining order.
7. Taking a person into custody for emergency detention or protective custody.

**FORCE CONSIDERATIONS**

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

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

## SPECIAL CIRCUMSTANCES

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

1. Reasonable perception of threat.
2. Special knowledge of the subject.
3. Sudden assault.
4. Subject's ability to escalate force rapidly.
5. Officer's physical positioning.
6. Injury or exhaustion.
7. Equipment and training.
8. Availability of backup.
9. Other exigent circumstances.

Control of a person through presence and verbal commands shall always be the preferred method of control. Because verbal commands are not always effective or appropriate in gaining compliance, officers may escalate the degree of force used, or make an affirmative decision to disengage, based on the actions of the person they are attempting to control. Officers will continually evaluate/assess the situation and need for the use of force. Once officers reasonably believe a person is under control, officers are required to revert to the lowest degree they must reduce their level of force necessary to that needed to maintain that such control, and then begin steps to render aid, when applicable.

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

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

## DE-ESCALATION

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

## USE OF FORCE TECHNIQUES/INSTRUMENTS

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

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

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

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

## CHEMICAL AGENT USE

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

## ELECTRONIC CONTROL DEVICE USE

1. An approved electronic control device (ECD) may only be utilized by officers that have successfully completed training in its use. Deployment and use of the electronic control devices will be in accordance with MPD training and procedure.
2. In cases where a subject is believed to be armed with a dangerous weapon, an ECD is not a substitute for deadly force. In such situations, an officer should not arm him or herself with an ECD unless another officer at the scene has the immediate ability to deliver deadly force, unless unique circumstances dictate otherwise. Officers armed with an ECD should continuously monitor and evaluate the ability of other officers present to deliver deadly force.
3. An officer may only display, present, or threaten to use an ECD if the officer reasonably believes that the potential for its authorized use exists. Furthermore, an officer may do so absent deadly force coverage if they reasonably believe the involved person is not armed with a dangerous weapon.
4. An ECD may only be used under the following circumstances:
  - a. To overcome violent or assaultive behavior or its threat when the officer reasonably believes that the subject poses an articulable threat of harm to an officer or to another person.
  - b. To control persons in order to prevent them from harming themselves or others.
5. Use of an ECD under the following circumstances is prohibited, unless exigent circumstances are present:
  - a. Against handcuffed subjects.
  - b. Against subjects fleeing on foot.
  - c. Against subjects in an elevated position where a fall is likely to result in significant injury.
  - d. Against subjects operating a motor vehicle.
  - e. Against small children.
  - f. Against a subject who is visibly pregnant or known to be pregnant.
  - g. Against elderly subjects.
  - h. From a moving vehicle.
6. The ECD will not be used under the following circumstances:
  - a. For coercion or intimidation.
  - b. To escort or prod subjects.
  - c. To awaken unconscious or intoxicated subjects.
  - d. Against subjects who are offering only passive resistance.
7. ECD probes may not be intentionally fired at the face, head, neck or groin, unless the use of deadly force would be justified.
8. Multiple, extended or simultaneous ECD applications against a single individual are generally not recommended, and should be avoided unless the officer reasonably believes that the need to control the subject or unavailability of alternative force options outweighs the potential risk posed by multiple, extended or simultaneous applications.
9. Officers shall assess all subjects against whom an ECD has been deployed. The subject shall be evaluated by medical personnel if:
  - a. The subject requests medical treatment.
  - b. The subject displays an adverse reaction to the ECD deployment.
  - c. The subject has been exposed to more than one ECD simultaneously.
  - d. The subject has been exposed to three (3) or more ECD firing cycles; or one continuous firing cycle of fifteen (15) seconds or more.
10. If the ECD probes have penetrated the skin in a sensitive area (head, neck, groin or breast) the subject will be conveyed to an emergency room for removal. If the probes are embedded in non-sensitive areas, a trained officer may remove them.

11. Removing the air cartridge to deploy an ECD in the drive-stun mode is not authorized as a primary ECD deployment technique.

### **BATON USE**

1. A baton may be used when an officer reasonably believes a lesser degree of force would be insufficient to control the situation.
2. An officer shall never intentionally strike a person's head with a baton unless such an action is justified under the use of deadly force.
3. Officers shall only use MPD-approved batons and techniques.
4. MPD-approved batons are the only authorized impact weapons. Flashlights, radios, firearms, etc., are not recommended as impact weapons; however, the MPD recognizes that emergency self-defense situations involving other objects and instruments may occur.

### **IMPACT PROJECTILES**

1. Impact projectile weapons may only be utilized by officers that have successfully completed training in their use. Deployment of impact projectiles will be in accordance with MPD training.
2. In cases where a subject is believed to be armed with a dangerous weapon, an impact projectile weapon is not a substitute for deadly force. Unless circumstances dictate otherwise, an officer should not arm him or herself with an impact projectile weapon unless another officer at the scene has the immediate ability to deliver deadly force. Officers armed with impact projectile weapons should continuously monitor and evaluate the ability of other officers present to deliver deadly force.
3. It is the responsibility of the officer arming him or herself with an impact projectile weapon to ensure that the weapon is loaded with impact projectiles each time the weapon is deployed.
4. Deployment of impact projectiles at non-vital areas is considered non-deadly force. Impact projectiles may only be used under the following circumstances:
  - a. To overcome violent or assaultive behavior or its threat when the officer reasonably believes that the subject poses an articulable threat of harm to an officer or to another person.
  - b. To control persons in order to prevent them from harming themselves or others.Additionally, an officer must reasonably believe that a lesser degree of force would be insufficient to control the situation, or that it is necessary to deliver force at a safe distance from the subject.
5. The intentional deployment of impact projectiles at the face, head or neck is considered deadly force.
6. All persons taken into custody who have been struck with an impact projectile will be conveyed to an emergency room for medical clearance.
7. The investigative requirements of the Use of Deadly Force SOP will be followed only if deployment of an impact projectile results in death or great bodily harm.
8. Absent an imminent risk of harm to officers or citizens, impact projectiles will not be used in crowd control situations. Impact projectiles will not be used to move or disperse crowds.
9. Impact projectiles may be deployed in other jurisdictions pursuant to a mutual aid request. In the event that an individual struck with an impact projectile is taken into custody by another agency, officers from that agency shall be notified of the need for medical treatment.

### **CANINE USE**

See MPD SOP on Canine Use.

### **USE OF RESTRAINING DEVICES**

1. Officers shall place handcuffs on any individual in custody when the officer reasonably believes the individual may become violent, attempt to escape, or pose a danger to self or others. It is mandatory that all persons who have aggressively resisted or attacked another person be placed in handcuffs.

2. Officers shall apply handcuffs in a manner prescribed by the Chief of Police through MPD training.
3. When handcuffs prove to be insufficient in restraining an individual (e.g., kicking, attempting to flee, etc.), officers may employ the use of additional MPD-approved restraining devices.
4. In an emergency situation when a MPD-approved restraining device is not available, the MPD recognizes that alternative devices may have to be employed. In such situations, approved devices should be substituted as soon as reasonably practicable.
5. Individuals who are placed in a maximum restraint position should be continuously monitored for breathing and circulation.

### **USE OF SPIT HOODS**

1. A spit hood is a temporary protective device, which may be used on persons that display behavior or threatening behavior that pose a hazard of exposure to bodily fluids transmitted by spitting, wiping blood from their face/head, or wiping/blowing nasal discharges at or onto officers.
2. Officers should use only MPD-approved spit hoods. In an emergency situation if not readily available, officers may utilize other breathable items, such as pillowcases, surgical masks, etc.
3. Subjects must be stabilized and restrained (handcuffed) before applying the hood.
4. Officers shall apply the spit hood in accordance with MPD training.
5. Persons wearing the spit hood must be closely monitored and shall not be left unattended.
6. Officers shall document the use of the spit hood including the circumstances requiring its use in their report of the incident. A copy of the report shall be routed to Training.

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

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

1. Firearms (including pointing a firearm at an individual)
2. Baton or Less Lethal Impact Munitions
3. Chemical Agents, including OC spray, or Electronic Control Devices
4. Handcuffs or Other Restraining Devices, including hobble restraints, spit hoods, etc.
5. Physical force, including focused and diffused strikes, pressure points, escort holds, decentralization techniques, holding or grabbing of subjects, etc.

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

### **DUTY TO INTERCEDE**

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

### **AFTERCARE**

Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. Any time recordable force (takedowns, active countermeasures, OC spray, impact weapons, hobble restraints, less lethal projectiles, ECD deployments, K9 apprehensions) is used, officers will affirmatively ask the subject against whom the force has been used if he/she wants medical treatment.

## USE OF FORCE REVIEW AND INVESTIGATIONS

All instances of the use of non-deadly force shall be reviewed for compliance with MPD procedure by an appropriate supervisor. Anytime a commissioned employee uses recordable force during an incident, the force must be documented in the MPD use of force database.

In cases where a complaint is filed pertaining to an officer's use of non-deadly force, the Professional Standards and Internal Affairs Unit (PSIA) has the primary responsibility for coordinating the internal investigation to ensure compliance with the MPD Use of Non-Deadly Force SOP.

If necessary, as part of the District's or PSIA's internal investigation, members from the Personnel and Training Team who are certified WI Defensive and Arrest Tactics (DAAT) instructors can be consulted to determine findings and forward their conclusions to the appropriate source requesting assistance.

Original SOP: 03/23/2015

(Revised: 05/26/2016, 07/10/2017, 12/06/2017, 03/01/2019, 09/23/2019, 10/14/2019, 01/27/2020)

(Reviewed Only: 12/22/2016)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Overtime Guidelines

Eff. Date ~~03/01/2014~~ 01/27/2020

**Purpose**

All members of the Madison Police Department have the responsibility of managing overtime in a consistent manner

**Procedure**

The following are guidelines for the use of overtime by all personnel.

1. Authorization by a Supervisor, Commander, or the OIC is required for overtime work. Overtime must be pre-approved and will not be authorized unless the Supervisor, Commander, or OIC has determined that the work is essential, cannot be performed later, or cannot be performed by someone on regular duty. In the event that it is impractical to obtain pre-approval (due to exigent circumstances) all affected personnel are required to get authorization as soon as practical.
2. Overtime work may be authorized for essential work beyond an employee's scheduled eight hours for: significant continuing investigations, processing evidence, in-custody arrest reports, and other situations as approved by a Supervisor, Commander, or the OIC. **These are illustrative examples and not meant to be an all-inclusive list.**
3. The case number and name of the Supervisor, Commander, or the OIC authorizing the overtime are to be entered in the Telestaff note field for all overtime entries.
4. OICs will be required to maintain a list of personnel who are extending on overtime, which is to be provided to the OIC of the following shift.
5. All personnel who have worked eleven (11) continuous hours are required to check in with a Supervisor, Commander, or the OIC to assess their status.
6. Any time an employee incurs double-time overtime, the supervisor who authorized the additional work must complete a memo or email to their captain or civilian manager **detailing that includes the following information: the case number, the tasks that were completed, name of staff that received the overtime, the regular work hours of the employee, the actual hours the employee worked, and why the employee could not be replaced by someone on regular duty. double-time was required.** A copy of this memo or email will be given to the Executive Captain of Operations for record keeping and forwarded to the Assist Chief of Operations. One memo or email can cover all employees who incur double-time for a special event (such as Freakfest) or a special team activation (SET, SWAT). This does not apply to double-time overtime on a Holiday unless the employee works more than twelve hours or if the overtime is less than one (1) hour.
7. Upon completion of overtime after the end of a shift or assignment, all personnel are required to check out with a Commanding Officer or the OIC.

Original SOP: 03/01/2014

(Reviewed Only: 03/10/2016, 11/01/2016, 12/26/2017)

(Revised: 01/27/2020)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Patrol Leave Requests

Eff. Date ~~12/11/2017~~ 01/15/2020

### Purpose

The following procedures outline how Patrol leave requests are to be handled.

### Procedure

#### SAME DAY LEAVE REQUESTS

The starting minimum for 1st, 3rd, and 5th shifts will include two buffer beats above "hard minimums" which will maintain staffing levels on these shifts at their designated "soft minimums." Both of these buffer beats will be maintained on a daily basis. However, at a specified time prior to the start of a shift, officers who have been previously denied leave through Telestaff may call in the Officer in Charge on the affected day and request the entire day off as long as staffing has remained at the "soft minimum" of that shift. Approvals will be granted to one officer on the basis of the order of their denial status (e.g., first, second denial, etc.). Should there be no denied leave requests in Telestaff for a particular day when staffing has remained at "soft minimums," leave will be granted on a first come, first served basis; however, approvals will not be made until one hour before the start of the early shift of the respective detail. Please note that the shift OIC retains the discretion to hold staffing at "soft minimums."

It shall be the officer's responsibility to call the on-duty Officer in Charge OIC to inquire as to whether or not same day leave can be granted. If all-day leave was previously denied, 1st Detail officers will be expected to call in between 4:30 a.m. and 4:45a.m., 3rd Detail officers must call in between 12:30 p.m. and 12:45 p.m., and 5th Detail officers are to must call in between 8:30 p.m. and 8:45 p.m. If officers do not call, they will be expected to appear for duty as previously scheduled. An officer who was not previously denied all-day leave on a particular date must call in after the following times to determine if leave can be granted: 1st Detail, 4:45 a.m.; 3rd Detail, 12:45 p.m.; and 5th Detail, 8:45 p.m. Should unforeseen circumstances cause staffing levels to fall below designated "soft minimums" for that shift (e.g., sick-ups, light duty status, etc.), no other leave (with the exception of sick leave) will be approved.

Any officer who requires sick leave must notify the Officer in Charge as soon as practical. This should ideally be at least two hours prior to the start of briefing for the shift the officer was scheduled to work.

#### PARTIAL SHIFT LEAVE REQUESTS

The process for partial shift leave requests is unchanged. All early leave requests are to be made in Telestaff. **Please note that officers may not sign-up for early leave more than 30 days in advance or occupy the first sign-up position more than once during a calendar week (Sunday through Saturday).**

Please direct any questions to your respective shift Lieutenant Officer in Charge.

#### DAY OFF TRADE REQUESTS

- Day off trades will only be approved when officers are unable to take off by using leave time (staffing is at shift minimum; no remaining leave time available, etc.).
- Requests should be submitted simultaneously from both involved officers to the appropriate shift scheduler. Each email should specify both days affected. If the shift scheduler is not available, the request should be made through the appropriate shift OIC. Both days involved in the trade must be within the same FLSA work period.
- Double trades (i.e., after one day is traded for another in the future, one of those identified days is traded again) are discouraged, but may be approved by the shift OIC under extenuating circumstances.

- This procedure is intended to benefit officers who are otherwise unable to schedule time off using leave time. So, officers who volunteer to trade should not be penalized by being bumped to a beat other than the beat they agreed to work (so, for example, if a permanent beat officer gets someone to work for him/her, that person will ride the permanent beat).
- If an officer (with a permanent beat) has his/her RDO changed by the department to accommodate training, the officer will be scheduled in their beat on the day they are scheduled to work (even if the relief officer gets bumped). However, if the RDO change is to accommodate something at the officer's request (such as specialized training), they are not guaranteed to ride their beat on the day they work.
- Day off trades will not be allowed on holidays, except through the holiday leave process.

## HOLIDAY STAFFING

Order-offs will be utilized to reduce patrol staffing to **hard** minimums for most holidays. Higher staffing levels may be maintained on certain holidays with an operational need (such as New Year's Eve). Order-offs should generally be done at least ten days prior to the holiday. Any time off requests for holidays must be entered in Telestaff at least ten days prior to the holiday. Once order-offs for particular holidays have been made, officers who have voluntarily taken that holiday off may not cancel their holiday leave for that day.

A process Holiday staffing processes will be conducted in early November prior to each holiday and will be coordinated by the 1<sup>st</sup> detail shift scheduler, the currently-designated Patrol Lieutenant to allow for non-patrol personnel to work patrol shifts on holidays in order to maximize the ability for patrol personnel to take leave on those dates.

Original SOP: 03/01/2014  
(Reviewed Only: 02/22/2016, 01/09/2017)  
(Revised: 01/19/2017, 12/11/2017, 01/15/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE  
Patrol Staffing Hold Guidelines/  
Special Events & Special Assignment Scheduling



Eff. Date 02/24/2016-01/15/2020

## Purpose

This outlines the procedures to be followed when scheduling special events/assignments and requesting patrol staffing holds. Some general guidelines applying to all hold requests.

## Procedure

- Holds may only be requested by a commander.
- Hold requests must be submitted on the appropriate form (“[Patrol Staffing Hold Request](#)”).
- The hold request form must indicate **the following information**: who is requesting hold; who is responsible for scheduling; **at** what level staffing should be held **at**; who is responsible for notifying affected officers; and who is responsible for lifting hold.
- Those requesting holds must lift the hold (if appropriate) once scheduling has been completed (if need for hold no longer exists). Event/assignment scheduling should be completed in a timely manner so that the hold can be lifted (if appropriate).
- Hold requests should be made as far in advance as possible.

## THE FOLLOWING PROCEDURES ARE TO BE FOLLOWED WHEN REQUESTING PATROL STAFFING HOLDS

### Non-Elective Training Holds (In-Service, SWAT, SET, etc.)

- Person coordinating training dates completes “[Patrol Staffing Hold Request](#)” (form should be completed and submitted in fall of prior year).
- Form is submitted to ~~Captain of Centralized Services~~ **Executive Captain – Operations** for approval.
- If approved, form is forwarded to **the** MPD scheduler.
- Scheduler makes Telestaff entries and enters a “Hold” on roster for date(s) in question.
- Once scheduling is done, scheduler notifies person coordinating training; hold should be lifted/modified as appropriate.

### Elective/Specialized Training Holds

- Person coordinating training or requesting hold completes “[Patrol Staffing Hold Request](#)” (form should be completed and submitted at least 30 days prior to training date).
- Form is submitted to Operations Lieutenants for discussion and approval.
- If approved by Operations Lieutenants, form is submitted to ~~Captain of Centralized Services~~ **Executive Captain – Operations** ~~Captain of Centralized Services~~ for final approval.
- ~~Captain of Centralized Services~~ **Executive Captain – Operations** ~~Captain of Centralized Services~~ forwards form to MPD scheduler.
- Scheduler makes Telestaff entries and enters a “Hold” on roster for date(s) in question.
- Once scheduling is done, scheduler notifies person coordinating training; hold should be lifted/modified as appropriate.

### Special Events/District Issues (More than 30 days out)

**These Special Events/District Issues** include major citywide events, such as Halloween, **Rhythm & Booms Shake the Lake**, etc.; smaller district events requiring additional citywide staffing, such as UW Football Saturdays, Juneteenth Day, etc.; and any other issues requiring additional citywide patrol staffing. Generally, once these events have been scheduled, overtime will be used to fill any unexpected patrol staffing shortages.

- Person requesting hold completes "[Patrol Staffing Hold Request](#)" (form should be completed and submitted at least 30 days prior to event date).
- Form is submitted to Operations Lieutenants for discussion and approval.
- If approved by Operations Lieutenants, form is submitted to ~~Captain of Centralized Services~~ the Executive Captain – Operations, ~~Captain of Centralized Services~~ for final approval.
- ~~Captain of Centralized Services~~ The Executive Captain – Operations, ~~Captain of Centralized Services~~ forwards form to MPD scheduler.
- Scheduler makes Telestaff entries and enters a "Hold" on roster for date(s) in question.
- Once scheduling is done, scheduler notifies person requesting hold; hold should be lifted/modified as appropriate.

### **Special Events/District Issues (Less than 30 days out)**

---

- Person requesting hold completes "[Patrol Staffing Hold Request](#)."
- Person requesting hold notifies Operations Lieutenants and OIC of affected shift by email.
- Form is submitted to ~~Captain of Centralized Services~~ Executive Captain – Operations, ~~Captain of Centralized Services~~ for approval.
- If approved, form is forwarded to MPD scheduler.
- Scheduler makes Telestaff entries and enters a "Hold" on roster for date(s) in question.
- Once scheduling is done, scheduler notifies person requesting hold; hold should be lifted/modified as appropriate.

### **District Special Assignments (Generally less than 30 days out)**

---

These are dates where district commanders identify extra patrol staffing and schedule additional patrol personnel for special district initiatives, such as traffic enforcement, park patrol, etc.

- District commander identifies extra patrol personnel (above soft minimums).
- District commander notifies shift OIC, shift scheduler, and ~~Operations Captain~~ Executive Captain – Operations of request – identifying individual officers to be utilized for special assignment.
- District commander notifies Operations Lieutenants affected shift by email.
- Shift OIC or shift scheduler schedules identified officers for a special assignment; a "hold" is **not** entered for the shift.
- **If staffing falls below hard minimums, OIC should generally move officers from special assignment back to a patrol assignment to avoid overtime.**

When scheduling special events, commanders should adhere to the following process:

- Identify personnel to be assigned to the event.
- Forward list of personnel working the event to MPD scheduler for Telestaff entries.
- Scheduling should occur at least 30 days ahead of the event in most cases.
- Commanders planning event are responsible for notifying employees assigned to event.
- Remember to use Telestaff work code "Event Planning: on Regular Time" to track planning/preparation time for event.

Original SOP: 03/01/2014  
(Revised: 02/24/2016, 01/15/2020)  
(Reviewed Only: 01/09/2017, 12/26/2017)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE  
Personnel File Contents and the  
Process for Accessing These Records



Eff. Date ~~12/21/2017~~ 01/15/2020

## 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~~ ~~Lieutenant of Personnel~~)

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~~ ~~Lieutenant of Personnel~~)

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 AFFAIRS<sup>1</sup>

### (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

### **DISTRICT UNIT FILE OR DISTRICT SECTION FILE (OPTIONAL)**

#### **(Maintained by Employee's Commanding Officer/Civilian Manager of District/Section)**

A district/section file is simply a working file containing copies of documents permanently stored elsewhere. The district/section file is not to be used to store any original personnel documents. Examples of documents to place in a district/section file:

- Copies of reports
- Copies of emails
- Copies of performance recognition documents, compliments, letters, etc.
- Copies of work rules/performance improvement plans (originals to PS&IA file)

Whenever a copy is placed in a District/Section file, the Commanding Officer/Manager should note the date on the document and ensure that the original document is maintained elsewhere (personnel file, records, PS&IA, etc.).

### 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 Lieutenant of Personnel. Documents related to tests and performance

<sup>1</sup> 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.

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.

### PROMOTIONAL PROCESS FILE

(Maintained by the Human Resources Coordinator Lieutenant of Personnel/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 up to two times within a 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 Lieutenant of Personnel 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.
- Copies of documents placed in a district/section file should generally be maintained in the district/section file for 18 months. After that, the copies should be purged or maintained in the district/section file if there is an organizational need. Commanders/managers should routinely monitor



~~the contents of employees' district/section files to ensure that all original records are forwarded to the Employee File at Headquarters.~~

- 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)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Personal Appearance

Eff. Date ~~08/03/2015~~ 01/27/2020

**Purpose**

All members of the department are visible representatives of the City of Madison and its Police Department. In an effort to present commissioned officers as recognizable to the public and to maintain a consistent and professional image to citizens with whom we have contact, as well as to other MPD employees, a neat, clean, and well-groomed appearance is required of all employees during work hours.

It is understood that what constitutes a “professional image” is in many ways a subjective matter. As such, while the guidelines outlined below provide specific parameters and restrictions, no personal appearance protocol can cover all contingencies or opinions as to whether or not one’s particular personal appearance is “professional.” For this reason, employees must exert a certain amount of judgment in their choice of appearance and clothing for those areas not specifically outlined in this SOP. If an employee is uncertain in these areas, they should seek input from a supervisor. **If/when differences of opinion arise, final discretionary authority as to what is allowable or prohibited under these appearance guidelines rests with the Chief of Police.**

**Procedure**

**PERSONAL HYGIENE**

All employees shall ensure that their body and clothing is kept clean to prevent offensive odor.

**TATTOOS AND BRANDING**

1. Tattoos and branding may be required to be kept covered if they are political, have a potential negative impact to MPD, or have potentially offensive words, terms, logos, pictures, cartoons, or slogans.
2. Visible tattoos and branding on the ears, head, or face are prohibited. Visible tattoos on the neck area are prohibited unless approved by the Chief of Police.

**FINGERNAILS**

Fingernails shall be professional in appearance and not be of a length that interferes with the safe and successful performance of one’s job responsibilities.

**HAIR AND HAIR ACCESSORIES**

An employee’s hair shall not be such that it presents an unprofessional, unkempt, or neglected appearance. Hair accessories must be professional in appearance. If wigs and hair pieces are worn, they must conform to the established grooming standards.

Uniformed personnel (commissioned or civilian) with hair that is long enough to obstruct their vision should secure their hair in such a way so as not to interfere with their line of sight. Hair shall not in any way obstruct the visibility of any uniform insignia or the wearing of the uniform hat/cap, or the proper placement of protective head gear/gas mask.

**FACIAL HAIR**

1. Employees may wear beards, Vandyke goatees, mustaches, or other arrangements that present a groomed appearance when maintained in a neat, clean manner.

2. Sideburns will be neatly trimmed and tapered in the same manner as the haircut. They will be evenly trimmed on each side of the face.
3. Officers' facial hair shall be trimmed or shaved so as not to interfere with the proper seal of the gas mask.

### JEWELRY

1. Jewelry worn shall be professional and may not have potentially offensive words, terms, logos, pictures, cartoons, or slogans.
2. Earlobe hoops or plugs (used to enlarge piercing holes in the earlobes) are not allowed.
3. Officers and uniformed civilians may wear two rings on each hand, which cannot have a height over one half inch from the top of the finger.
4. Officers and uniformed civilians may wear one wrist watch.
5. Officers and uniformed civilians shall not wear more than two earrings on each ear. They shall not be larger than 10mm each.
6. Uniformed officers and uniformed civilians shall not wear any visible necklace, unless authorized by the department (i.e., ID chain).
7. Uniformed officers and uniformed civilians may wear one bracelet which fits close to the skin. Medical bracelets are also allowed.

### BODY PIERCING

All MPD personnel may wear one piece of body piercing jewelry (other than previously allowed earrings), no larger than 5mm that is professional in appearance, does not pose a safety risk, and does not interfere with the employee's job performance.

### NON-UNIFORM CLOTHING

Non-uniformed employees of the department should recognize that their appearance and dress reflect on the department in a manner similar to that of uniformed employees and therefore shall be professional in appearance. The non-uniform clothing standards below are minimum standards. Particular job duties (i.e., representing MPD at a meeting or event) may require the employee to dress to a higher standard. It is expected that employees will be aware of those situations and dress appropriately. They should contact their supervisor if they have questions about particular situations. There may also be times where job duties would reasonably allow for a lower standard of clothing than what is listed below. In those situations an employee shall obtain supervisor's approval before dressing to a lower standard.

1. Clothing shall be neat and clean and shall not be torn, frayed, stained, excessively faded, or sheer to the skin.
2. Clothing must cover the midriff and back.
3. Clothing shall not be excessively loose or tight fitting and must not impede work or pose safety hazards when people are doing the work required.
4. Clothing, buttons, badges, or pins shall not have political or potentially offensive words, terms, logos, pictures, cartoons, or slogans. US Flag pins are allowed that are no larger than one square inch.
5. Non-commissioned employees may wear shorts that are knee length or longer and are professional in appearance. Athletic shorts shall not be worn.
6. Undergarments shall not be visible.
7. Non-uniformed commissioned employees potentially engaged in field work shall not wear sandals, open toed shoes, or open backed shoes.
8. Strapless, halter, and spaghetti strap, and low-cut shirts or dresses clothing shall not be worn unless worn under another blouse, shirt, or jacket, or dress.
9. Skirts and dresses are not permitted for commissioned staff as they are not compatible with operational field work.
109. Tank tops or muscle shirts shall not be worn unless worn under another shirt.
110. Beach-style flip-flops, bedroom slippers, and other shoes that are not professional in appearance shall not be worn.

124. Headgear shall be appropriate for the circumstances and surroundings of the particular work environment the person is engaged in at the time. Scarves are allowed, as are head covers that are required for religious or medical purposes, with a Commander's approval.
132. Sweatpants, bib overalls, lounge pants, and athletic pants are not acceptable attire while working in an office environment.
143. The minimum clothing standard for court for ~~a male employee~~ employees would be is dress shoes, dress pants, shirt, blouse, suit, and a sport coat or tie. ~~The minimum standard for a female employee would be dress shoes, shirt or blouse, dress pants or skirt, dress or suit.~~

Original SOP: 09/09/2014

(Revised: 08/03/2015, 01/27/2020)

(Reviewed Only: 02/15/2016, 12/20/2016, 12/26/2017)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Police Motorcycles

Eff. Date ~~01/13/2017~~ 01/15/2020

**Purpose**

The purpose of this policy is to establish guidelines for the use of the motorcycle and related equipment, including its use as an emergency vehicle, in accordance with Wisconsin State Statute 346.03, and to promote the safety of officers and the public.

**Procedure**

I. AUTHORIZATION

Members of the department are authorized to operate an MPD motorcycle for enforcement purposes if they possess a valid driver's license endorsed for motorcycle operation and have successfully completed an authorized police motorcycle operators training course. Motorcycle operators must attend and successfully complete annual motorcycle in-service training to maintain certification.

II. USE OF MOTORCYCLES

Police motorcycles are fully marked Authorized Emergency Vehicles (AEV). They are assigned to the Traffic Enforcement Safety Team (TEST), used primarily for enforcement, education and community engagement. Motor officers may be available as back-up to other officers, however, should not be used for general patrol duties unless in response to a true emergency. This does not preclude the use of a motorcycle in special assignments when approved by a supervisor. The officer assigned to a motorcycle shall use due regard when making a decision to respond to emergency calls for service in consideration of the unique characteristics of the motorcycle.

III. EMERGENCY OPERATION OF POLICE MOTORCYCLE

A. Police motorcycle operators shall operate the motorcycle in accordance with the provisions of Wisconsin State Statute 346.03, as well as the MPD SOP regarding Emergency Vehicle Operation.

B. In all cases, when an officer elects to exercise the exemptions provided to Police vehicles under Wisconsin State Statute operators must exercise due regard.

C. VEHICLE PURSUITS

Motorcycles are not intended to be, nor should they be considered, pursuit vehicles. MPD Police motorcycles are authorized to be involved in pursuits subject to the following restrictions:

1. Motor Officers shall **only** engage in a vehicle pursuit when the officer has probable cause to believe that any person in the vehicle has committed (or attempted to commit) a felony involving the use (or threatened) use of force and a high probability exists that the suspect, if not immediately apprehended, may cause death or great bodily harm to another. Officers may terminate and discontinue pursuit when the act of pursuit, in and of itself, creates an unreasonable danger of death or great bodily harm to the public, officers, or the suspect.

2. Motorcycles engaged in a pursuit shall drive with due regard and follow MPD SOP "Emergency Vehicle Operation Guidelines".
3. Due to the increased vulnerability to the operator of a police motorcycle, any pursuit initiated by the motorcycle operator shall be replaced with a marked squad as soon as possible.
4. A motorcycle officer who has turned over the primary pursuit to a marked squad shall not continue to be involved in the pursuit unless otherwise directed by the supervisor monitoring the pursuit.

#### IV. MOTORCYCLE INSPECTION

Motorcycle operators shall, at the start of their tour of duty, inspect the motorcycle for cleanliness and proper operation. Any deficiencies should be corrected prior to operation.

#### V. REQUIRED EQUIPMENT

All operators of police motorcycles shall use the following safety equipment:

1. DOT and MPD approved safety helmet.
2. Eye protection.
3. Approved leather boots.

Original SOP: 01/13/2017  
(Reviewed Only: 12/26/2017)  
(Revised: 01/15/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Pre-Employment Candidate Files

Eff. Date ~~12/21/2017~~ 01/15/2020

## Purpose

The Madison Police Department (MPD) maintains information on all candidates competing for employment within the MPD pursuant to State of Wisconsin Statutes and City of Madison Ordinance.

The purpose of this standard operating procedure is to identify and clarify specific categories of records contained within these files that specifically relate to candidates that are hired. **These files have restricted access. Access to portions of these files may be denied due to exceptions noted in Wisconsin State Statutes §§19.31-19.39 and §103.13.** Accordingly, not all portions of an employee's pre-employment file will be available to the employee. In addition, there may be a reasonable charge for providing copies of records.

## File/Definition

These files are stored in the Master Personnel Records room at Headquarters in separate folders within a secured area. These files can only be accessed by the **Human Resources Coordinator Lieutenant of Personnel** and the Chief's **Administrative Assistant**. Documents referenced within the file categories below are representative of the types of documents that may be found therein but are not inclusive lists. Document types within the identified categories will vary between commissioned and non-commissioned employees.

### PRE-EMPLOYMENT APPLICATION FILE (MANILA)

(Maintained by the **Human Resources Coordinator Lieutenant of Personnel** ONLY if **the applicant is** hired)

- Preliminary Application (includes responses to essay questions on the application, education diplomas, education transcripts, copy of birth certificate, copy of drivers license, applicant photo)
- Biographical Information (Applicant Data Sheet)
- Letters of Recommendation (if submitted with application)
- Military Service Records (if submitted with application)
- Resume (if submitted with application)
- Pre-Employment Contract (Agreement to Reimburse Costs and Expenses)
- Statement of Commitment

### PRE-EMPLOYMENT TESTING FILE (GRAY)

- Written Test Score Sheet
- Written Essay
- Physical Agility Test Score and Waiver
- Oral Board Questions/Response Evaluations

### PRE-EMPLOYMENT BACKGROUND FILE (RED)

- Personal History Statement (includes biographical information, education/employment/military history, family members, past residences) and references that were requested as part of the background process)
- Authorization for Release of Information
- Criminal/Financial History Checks
- FTO Ride-a-long Overview
- MPD Background Summary

## INTERN FILE

(Maintained by the Public Information Officer)

## Rules and Guidelines

### RETENTION OF RECORDS

- Medical test results after a conditional offer of employment are to be stored in the Medical file within the Personnel File Records of an employee, which includes a cover sheet medically clearing the applicant and drug screen results.
- Pre-employment Application, Pre-Employment Testing and Pre-Employment Background files have very limited access, generally restricted to the **Human Resources Coordinator**, ~~Lieutenant of Personnel~~ and the Chief's ~~Administrative Assistant~~.
- If the candidate is hired, all documents listed above, will be stored for at least eight (8) years after separation from service (consistent with the contents of their Personnel File Records, although these records are not considered a part of their Personnel File).

**Hiring process records and background files for individuals who were not hired by the MPD will be retained for at least three (3) years after the related hiring process. For commissioned positions, the Captain of Training and/or his/her designee are responsible for maintaining and purging these records. For candidates in a civilian position process, the respective Civilian Managers and/or his/her designees are responsible for maintaining and purging these records. The Public Information Officer is responsible for intern process and background records for individuals who were not later hired by the MPD. Associated intern records will be retained for at least three (3) years after the document's origin date. The Public Information Officer is responsible for maintaining and purging these records.**

Original SOP: 02/25/2015

(Revised: 03/04/2016, 02/03/2017, 12/21/2017, **01/15/2020**)





# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Preserve the Peace

Eff. Date 02/28/2020

### Purpose

The following Standard Operating Procedure outlines procedures to be used for conducting preserve the peace incidents. Preserve the peace calls can pose a danger to victims, law enforcement officers, and the community.

The Madison Police Department recognizes there are times when it may be beneficial to facilitate the exchange and release of personal property involving individuals with no contact orders, or individuals involved in a civil dispute over property.

Regarding preserve the peace incidents that involve persons who are or were intimate partners, the separation or ending of a relationship can be a dangerous time for victims of domestic abuse. Domestic abuse investigations and preserve the peace incidents can pose a threat to law enforcement officers and their safety due to the relationship of the involved parties. These calls also pose a significant threat to victims and the request for a Preserve the Peace can escalate to stalking type behavior. However, under certain circumstances, facilitating minimal property exchange may ease tensions and improve the situation for the victim and ensure safety for both parties and officers.

Officers of the Madison Police Department should evaluate each request on a case-by-case basis. Officers can decline to provide the preserve the peace, or cease the preserve the peace at any point, if the requestor is uncooperative or the officer determines the requestor's intent is to harass or intimidate the victim/petitioner. Repeated calls for a preserve the peace can be a mechanism used to harass or intimidate.

### Procedure

1. The primary officer shall speak with the subject requesting the preserve the peace and determine the reason for the request and what specific items of property the requestor would like to retrieve.
  - a) If the preserve the peace is requested within the 72 hours following an arrest for domestic abuse, the property should be limited to personal property for short-term needs, such as medications, work equipment, clothing, etc.
2. The primary officer shall contact the person in control of the property to determine if that person is willing to consent to the preserve the peace.
  - a) If the person in control of the property does not agree to the exchange of property, then officers should
    - i. Inform the person requesting the preserve the peace that they should seek legal counsel to address the property issue. Officers shall not facilitate a preserve the peace without the consent of the person who has control of the property.
    - ii. Consent from the person who is legally occupying the premises is required, even if that person is not on the premises. Petitioners of no contact orders have the right to protection even if she/he is not physically present.
    - iii. If ownership of the property the requestor is seeking is disputed, officers should not allow the requestor to take the disputed property without a court order. Officers should advise the requestor to seek legal counsel regarding any disputed property.
  - b) If the person in control of the property agrees to the release of property, then officers shall reasonably manage the exchange.

- i. Officers should check for any “no contact” provisions already in place between the involved parties. The no contact orders may include the following:
    1. 72-Hour No Contact Provision
    2. Temporary Restraining Order (TRO)
    3. Injunction (Domestic Abuse, Harassment, Child Abuse, Vulnerable Adult)
    4. Court ordered bail conditions
    5. Wisconsin Department of Corrections (P&P) rules
  - ii. If there is a “no contact” in place between the involved parties, then the officer has discretion on how best to facilitate the exchange of property, or refuse the exchange of property all together.
  - iii. The officer should check for any recent prior preserve the peace calls between the involved parties. The requestor may be using the preserve the peace requests as a way to harass, intimidate, or stalk the other party.
  - iv. The officer may suggest to the person in control of the property to have the requested property packed and ready to go to facilitate a safe and efficient preserve the peace.
  - v. Consider options such as having the officer deliver the property to the requestor, or have the person in control of the property wait in a safe location away from the residence while officers respond to the residence with the requestor.
  - vi. It is preferable to not have the involved parties at the same location (particularly in cases of Intimate Partner Violence) at the same time, so as to not put the safety of the victim/petitioner and the officers at risk.
  - vii. If the requestor will be picking up the property at the residence or work place of the person in control of the property, this exchange should be managed by officers. The requestor should never be left unattended and should not have unescorted access to the premises.
  - viii. Generally, officers should not be expected to standby when significant property exchanges (i.e., helping someone move out or obtaining large amounts of personal property) are being requested and should only allow the preserve the peace to occur for a reasonable period of time. Patrol resources can be a factor in determining if officers are going to allow for a preserve the peace. Officers should also evaluate any previously requested preserve the peace incidents and if property has already been removed when determining if an additional preserve the peace will occur. If a larger than reasonable amount of property is being requested, officers can suggest to the requestor that they seek a court order and/or arrange for a friend or moving company to facilitate this request (as long as the person in control of the property consents to this arrangement).
3. Officers shall document the preserve the peace in a report titled “Preserve the Peace.”
  4. Both parties involved should be encouraged to seek legal counsel to address the long-term resolution of the final distribution of property and related assets. The distribution of property is a civil matter that is best resolved through consensus among attorneys or by a judicial order.
    - a) If officers are presented with a court order regarding distribution of property, then officers should attempt to facilitate fulfillment of the court order.



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



**Professional Standards and Internal Affairs Discipline Matrix**

Eff. Date ~~05/31/2019~~ **01/03/2020**

**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**

<b>Category A</b>	<b>Category B</b>	<b>Category C</b>	<b>Category D</b>	<b>Category E</b>
<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"> <li>• Verbal Counseling</li> <li>• Mediation</li> <li>• Documented Counseling</li> </ul> <p>A single sanction or a combination of the above listed sanctions may be deemed appropriate. <b>Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.</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 thereof:</p> <ul style="list-style-type: none"> <li>• Verbal Counseling</li> <li>• Mediation</li> <li>• Documented Counseling</li> <li>• Letter of Reprimand (First Level of Discipline)</li> </ul> <p>A single sanction or a combination of the above listed sanctions may be deemed appropriate. <b>Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.</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"> <li>• Letter of Reprimand</li> <li>• Suspension without pay for one to five days</li> </ul> <p><b>A single sanction or a combination of the above listed sanctions may be deemed appropriate. Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.</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"> <li>• Suspension without pay for five to fifteen days</li> </ul> <p><b>Training and/or Work Rules</b> 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"> <li>• Suspension without pay for fifteen days or more</li> <li>• Reduction in rank</li> <li>• Separation from service</li> </ul> <p><b>Training and/or Work Rules</b> 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.	<b>Truthfulness</b>					
	Failure to be truthful.					X
	Employees shall not make false reports or knowingly enter false information into any record.					X
3.	<b>Performance of Duties</b>					
	Failure to respond to dispatch.		X			
	Failure to properly perform duties assigned.		X			
	Failure to respond to subpoena or scheduled training.	X				
	Failure to comply with SOPs (excludes property handling code of conduct).	X				
	Failure to meet expectations of special initiatives.	X				
	Failure to notify supervisor of custodial arrest.	X				
	Failure to obtain supervisor approval for strip search.			X		
	Failure to assist backup officers.			X		
	Failure to make an effort to check email and mailbox once per shift and respond accordingly.		X			
	Failure to pursue flagrant law violations that they are aware of.		X			
	Engaging in activity on duty that does not pertain to MPD business.		X			
	Employees shall not sleep, idle or loaf while on duty.		X			
	Supervisors shall not knowingly allow employees to violate any law, code of conduct or procedure.			X		
	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.	<b>Absence from Duty</b>					
	Employees shall not be late or absent from duty without prior permission from a supervisor or the Officer in Charge (OIC).		X			
	Failure to respond to subpoena or scheduled training.		X			

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
5.	<b>Unlawful Conduct</b>				X	
	Employees shall not engage in conduct that constitutes a violation of criminal law, or ordinance corresponding to a state statute that constitutes a crime.				X	
	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.	<b>Notification Required of Law Enforcement Contact</b>					
	Failure to notify of contact by any law enforcement agency regarding their involvement as a suspect, witness, victim or contact in criminal conduct, violation of municipal ordinance for which a corresponding state statute exists (ex. OWI or Hit and Run). The employee SHALL report the incident to their commanding officer or the OIC within 24 hours of the contact, or their return to duty, whichever comes first. This must be done in person or via telephone.		X			
7.	<b>Equal Protection</b>					
	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.	<b>Harassment</b>					
	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.	<b>Courtesy, Respect and Professional Conduct</b>					
	Failure to be courteous to the public and to coworkers and shall avoid the use of profane language or gestures. Employees shall also avoid actions that would cause disrespect to the MPD.		X			
	Employees shall not act so as to exhibit disrespect for a supervisor.		X			
	Employees shall not speak derogatorily to others about orders or instructions issued by supervisors.		X			
	Employees shall use police communications systems, email, radio only for official police business and shall exhibit courtesy during the transmission of all messages.		X			
11.	<b>Public Criticism</b>					
	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.	<b>Use of Force</b>					
	<b>9A</b> Employees shall not use deadly force when a lesser degree of force was reasonable.					X
	<b>9B</b> Employees shall not use excessive force when a lesser degree of force was objectively reasonable.				X	
13.	<b>Vehicle Operation</b>					
	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.	<b>Insubordination</b>			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.	<b>Criminal Association</b>			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.	<b>Cooperation with Investigations Required</b>					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.	<b>Access to Police Records</b>			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		
<b>STANDARD OPERATING PROCEDURES</b>						
SOP	<b>Transportation and Treatment of Prisoners</b>		X			
	Failure to take all reasonable precautions necessary to secure and safely transport prisoners in accordance with SOP.		X			
SOP	<b>Status Changes</b>	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	<b>Search and Seizure</b>		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	<b>Police Weaponry</b>		X			
	Failure to adhere to the specifics of this procedure as described in the SOP.		X			
SOP	<b>Firearms Safety</b>			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
<b>SOP</b>	<b>Use and Care of City-Owned Property</b>		X			
	Failure to adhere to prescribed procedures for check out and use of any MPD owned property. Members of the MPD are responsible for the good care of MPD property and shall promptly report to their supervisor in writing the loss of, damage to or unserviceable condition of such property.		X			
	Unintentional discharge of electronic control device if it occurs in the armory during the check out process and no injuries. (documented counseling).	X				
	Failure to drive city owned vehicles with due regard for safety at all times.			X		
	Employees shall not use any MPD property for private purposes unless permission is first obtained from the Chief of Police.		X			
<b>SOP</b>	<b>Property Handling</b>		X			
	Failure to take all precautions necessary to guarantee proper handling of evidence and any property seized, received or found and shall conform to MPD procedure for handling and disposition; a written record of the property disposition shall be included in the employee's report.		X			
	Destruction of property without following normal tagging procedures.			X		
	Failure to adhere to the specifics listed in detail in this SOP.		X			
<b>SOP</b>	<b>Personal Appearance</b>					
	Failure to adhere to personal appearance code of conduct described in the SOP.	X				
<b>SOP</b>	<b>Identification of Employees</b>		X			
	Failure to identify with name, rank and employee number when requested to do so. Plain clothes officers will ID themselves with badge and ID card.		X			
<b>SOP</b>	<b>Reporting</b>		X			
	Failure to write accurate and complete reports and reports shall be completed promptly.		X			
	Failure to complete reports in all arrests, use of force, stops, frisks, criminal investigations, property/evidence handling and other cases outlined in SOPs.		X			
<b>SOP</b>	<b>TIME System Access</b>		X			
	TIME system access will be in strict compliance with their procedures and information gleaned shall be disseminated in accordance with the SOP.		X			
<b>SOP</b>	<b>Stop and Frisk</b>	X				
	Failure to adhere to the specifics listed in this SOP.	X				
<b>SOP</b>	<b>Searches</b>		X			
	Failure to adhere to the specifics listed in this SOP.		X			
<b>SOP</b>	<b>Handling of Evidence, Contraband, Found or Lost Property</b>	X				
	Failure to adhere to the specifics listed in this SOP.	X				
<b>SOP</b>	<b>Use of Mobile Data Computers</b>		X			
	Failure to adhere to the specifics listed in this SOP.		X			
<b>SOP</b>	<b>Off-Duty Officer Responsibilities</b>		X			
	Failure to adhere to the specifics found in the SOP.		X			
<b>SOP</b>	<b>Traffic/Parking Enforcement and Crash Investigation</b>		X			
	Failure to promptly report to an on-duty supervisor any accident with damage to any city owned motor vehicle operated by them or in their charge. An employee shall request a field supervisor be dispatched to supervise any accident investigation.		X			
<b>SOP</b>	<b>Outside Employment</b>	X				
	Failure to adhere to the specifics as described in the SOP.	X				
<b>SOP</b>	<b>In-Car Video System</b>		X			
	Failure to log into squad video system		X			
	Failure to sync in-car video microphone		X			
	Failure to wear microphone		X			

Corresponding Code of Conduct Manual Listing <i>Categories skipped have not had recent previous discipline associated.</i>		Category				
		A	B	C	D	E
<b>SOP</b>	<b>Social Media – Off Duty</b> Failure of personnel to appropriately represent MPD honestly, respectfully, and/or legally while on- or off-duty through the use of social media. Personnel are expected to represent the Core Values of the MPD at all times even when using the internet for personal purposes.		X			
<b>SOP</b>	<b>Emergency Vehicle Operation</b>					
	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			
<b>SOP</b>	<b>Police Vehicle Parking</b>					
	Failure to adhere to the specifics listed in this SOP.		X			
<b>SOP</b>	<b>Domestic Abuse</b>					
	Failure to Complete a Required Report Where No Arrest.		X			

See Code of Conduct manual and SOPs for detailed description of code of conduct/procedures. The above-described policies/procedures are general summaries and are not meant to be all inclusive.

Not all policies are listed in the matrix, however, all code of conduct/procedural violations will be enforced.

### 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.

### 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 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)

(Reviewed Only: 01/30/2019)



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



**Professional Standards and Internal Affairs Discipline Matrix**

Eff. Date ~~01/03/2020~~ 01/09/2020

**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**

<b>Category A</b>	<b>Category B</b>	<b>Category C</b>	<b>Category D</b>	<b>Category E</b>
<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"> <li>• Verbal Counseling</li> <li>• Mediation</li> <li>• Documented Counseling</li> </ul> <p>A single sanction or a combination of the above listed sanctions may be deemed appropriate. <b>Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.</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 <b>thereof</b>:</p> <ul style="list-style-type: none"> <li>• Verbal Counseling</li> <li>• Mediation</li> <li>• Documented Counseling</li> <li>• Letter of Reprimand (First Level of Discipline)</li> </ul> <p>A single sanction or a combination of the above listed sanctions may be deemed appropriate. <b>Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.</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"> <li>• Letter of Reprimand</li> <li>• Suspension without pay for one to five days</li> </ul> <p><b>A single sanction or a combination of the above listed sanctions may be deemed appropriate. Training and/or Work Rules</b> can also be ordered in conjunction with any sanctions listed above.</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"> <li>• Suspension without pay for five to fifteen days</li> </ul> <p><b>Training and/or Work Rules</b> 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"> <li>• Suspension without pay for fifteen days or more</li> <li>• Reduction in rank</li> <li>• Separation from service</li> </ul> <p><b>Training and/or Work Rules</b> 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.	<b>Truthfulness</b>					
	Failure to be truthful.					X
	Employees shall not make false reports or knowingly enter false information into any record.					X
3.	<b>Performance of Duties</b>					
	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.	<b>Absence from Duty</b>					
	Employees shall not be late or absent from duty without prior permission from a supervisor or the Officer in Charge (OIC).		X			
	Failure to respond to subpoena or scheduled training.		X			
5.	<b>Unlawful Conduct</b>					
	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		
<b>6.</b>	<b>Notification Required of Law Enforcement Contact</b>					
	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			
<b>7.</b>	<b>Equal Protection</b>					
	Employees shall not show bias based on relationships in investigative decisions, or assist in investigations or enforcement decisions.		X			
	Employees are prohibited from interfering in the normal processing of traffic/parking citations or otherwise disrupting enforcement of the law by other members of the MPD. If a supervisor orders a change in an enforcement decision and a subordinate feels it is wrong, it should be reported to a commanding officer.		X			
<b>9.</b>	<b>Harassment</b>					
	Employees shall not engage in harassment or to retaliate against an employee who reports such harassment. (For definition of harassment, see APM 3-5.)			X		
	Supervisors shall not allow employees under their command to engage in harassment or permit retaliation against an employee who reports such harassment.			X		
	Employees shall not engage in sexual harassment; this includes unwanted sexual advances.			X		
<b>10.</b>	<b>Courtesy, Respect and Professional Conduct</b>					
	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			
<b>11.</b>	<b>Public Criticism</b>					
	Employees shall not publicly criticize the operations or personnel of the MPD if such criticism undermines the discipline, morale, or efficiency of the MPD. This applies both on duty and off duty.		X			
<b>12.</b>	<b>Use of Force</b>					
	<b>9A</b> Employees shall not use deadly force when a lesser degree of force was reasonable.					X
	<b>9B</b> Employees shall not use excessive force when a lesser degree of force was objectively reasonable.				X	
<b>13.</b>	<b>Vehicle Operation</b>					
	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.	<b>Insubordination</b>			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.	<b>Criminal Association</b>			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.	<b>Cooperation with Investigations Required</b>					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.	<b>Access to Police Records</b>			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		
<b>STANDARD OPERATING PROCEDURES</b>						
SOP	<b>Transportation and Treatment of Prisoners</b>		X			
	Failure to take all reasonable precautions necessary to secure and safely transport prisoners in accordance with SOP.		X			
SOP	<b>Status Changes</b>	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	<b>Search and Seizure</b>		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	<b>Police Weaponry</b>		X			
	Failure to adhere to the specifics of this procedure as described in the SOP.		X			
SOP	<b>Firearms Safety</b>			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
<b>SOP</b>	<b>Use and Care of City-Owned Property</b>		X			
	Failure to adhere to prescribed procedures for check out and use of any MPD owned property. Members of the MPD are responsible for the good care of MPD property and shall promptly report to their supervisor in writing the loss of, damage to, or unserviceable condition of such property.		X			
	Unintentional discharge of electronic control device if it occurs in the armory during the check out process and no injuries.	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			
<b>SOP</b>	<b>Property Handling</b>		X			
	Failure to take all precautions necessary to guarantee proper handling of evidence and any property seized, received, or found and shall conform to MPD procedure for handling and disposition; a written record of the property disposition shall be included in the employee's report.		X			
	Destruction of property without following normal tagging procedures.			X		
	Failure to adhere to the specifics listed in detail in this SOP.		X			
<b>SOP</b>	<b>Personal Appearance</b>					
	Failure to adhere to personal appearance code of conduct described in the SOP.	X				
<b>SOP</b>	<b>Identification of Employees</b>					
	Failure to identify with name, rank, and employee number when requested to do so. Plain clothes officers will ID themselves with badge and ID card.		X			
<b>SOP</b>	<b>Reporting</b>					
	Failure to write accurate and complete reports and reports shall be completed promptly.		X			
	Failure to complete reports in all arrests, use of force, stops, frisks, criminal investigations, property/evidence handling, and other cases outlined in SOPs.		X			
<b>SOP</b>	<b>TIME System Access</b>					
	TIME system access will be in strict compliance with their procedures and information gleaned shall be disseminated in accordance with the SOP.		X			
<b>SOP</b>	<b>Stop and Frisk</b>					
	Failure to adhere to the specifics listed in this SOP.	X				
<b>SOP</b>	<b>Searches</b>					
	Failure to adhere to the specifics listed in this SOP.		X			
<b>SOP</b>	<b>Handling of Evidence, Contraband, Found or Lost Property</b>					
	Failure to adhere to the specifics listed in this SOP.	X				
<b>SOP</b>	<b>Use of Mobile Data Computers</b>					
	Failure to adhere to the specifics listed in this SOP.		X			
<b>SOP</b>	<b>Off-Duty Officer Responsibilities</b>					
	Failure to adhere to the specifics found in the SOP.		X			
<b>SOP</b>	<b>Traffic/Parking Enforcement and Crash Investigation</b>					
	Failure to promptly report to an on-duty supervisor any accident with damage to any city owned motor vehicle operated by them or in their charge. An employee shall request a field supervisor be dispatched to supervise any accident investigation.		X			
<b>SOP</b>	<b>Outside Employment</b>					
	Failure to adhere to the specifics as described in the SOP.	X				
<b>SOP</b>	<b>In-Car Video System</b>					
	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
<b>SOP</b>	<b>Social Media – Off Duty</b> Failure of personnel to appropriately represent MPD honestly, respectfully, and/or legally while on- or off-duty through the use of social media. Personnel are expected to represent the Core Values of the MPD at all times even when using the internet for personal purposes.		X			
<b>SOP</b>	<b>Emergency Vehicle Operation</b>					
	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			
<b>SOP</b>	<b>Police Vehicle Parking</b>					
	Failure to adhere to the specifics listed in this SOP.		X			
<b>SOP</b>	<b>Domestic Abuse</b>					
	Failure to Complete a Required Report Where No Arrest.		X			

See Code of Conduct manual and SOPs for detailed description of code of conduct/procedures. The above-described policies/procedures are general summaries and are not meant to be all inclusive.

Not all policies are listed in the matrix; however, all code of conduct/procedural violations will be enforced.

### 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.

### 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 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)

(Reviewed Only: 01/30/2019)



**CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE  
Professional Standards & Internal Affairs  
Electronic Complaint File Management System**



Eff. Date ~~11/30/2017~~ 01/03/2020

**General Purpose**

This Standard Operating Procedure establishes operational protocols for Professional Standards & Internal Affairs (PS&IA) to become a paperless unit, eliminating the need to create and maintain paper files except in unusual circumstances.

**File Creation and Maintenance**

All administrative and investigatory documents may be submitted in either electronic or paper format. PS&IA personnel will electronically convert all necessary documents into a PDF. Documents should be appropriately titled (see below) and placed within both the F:\ drive and the official PS&IA Case Management Software. Once a document is placed into the relevant PS&IA electronic filing systems, the original paper documents can be destroyed as outlined below. It is unnecessary to retain a paper copy of electronically submitted original documents.

When a document is submitted in paper format (i.e., written complaint), PS&IA personnel will scan the document into the PS&IA folder in order to convert it into a PDF file. That PDF file should then be appropriately titled (see below) and placed within the F:\ drive, as well as within the PS&IA Case Management Software.

All paper documents should be maintained for a minimum of 48 hours in order to ensure that the document has not been lost due to a server malfunction. After 48 hours, a document can be destroyed, regardless if the document has an original signature. This process applies to all finalized documents submitted throughout the complaint process, including written complaints from the public and original signed discipline letters. The only paper documents which shall be maintained are handwritten documents considered to be evidence (i.e., a handwritten note by an employee). All other documents can be destroyed following the aforementioned guidelines; however, if there is an open records request pending on any document, this document may not be destroyed until after the request has been granted or until at least sixty days after the date that the request is denied. If any document is the subject of a pending legal action, it may not be destroyed without the express consent of the City Attorney.

**Signed Documents**

In most circumstances, it is not necessary to sign the majority of administrative forms. Legal documents drafted by the Office of City Attorney and discipline letters for individual cases require a signature, although once scanned into a PDF, these original signed documents can be destroyed following the guidelines noted above. As noted above, all documents submitted in paper format should be retained for a minimum of 48 hours once the document has been converted into a PDF and stored within both the F:drive and the PS&IA Case Management Software.

**Document Titling**

Each incident should be provided with a corresponding consecutive tracking number, and each document within those incidents should be appropriately titled. ~~The titling systems for conduct reviews versus PS&IA cases are slightly different.~~

Incident Type	Title
Audit – Arbitrator	20xxARB-0001
Audit – Use of Force	20xxUFA-0001
Awards & Commendations	20xxAC-0001
Civilian PSIA	20xxCPSIA-0001
Inquiry	20xxIQ-0001
Notice of Claim	20xx-NC0001

Performance Improvement Plan	20xxPIP-0001
PSIA	20xxPSIA-0001
Use of Force	20xxUOF-0001
Vehicle Accident	20xxSC-0001
Vehicle Pursuit	20xxP-0001
Work Rules	20xxWR-0001

If a consecutive tracking number is skipped or purged, PSIA will retain documentation listing the missing tracking number and the reason it was skipped or purged.

For conduct reviews (2017CR-0001), documents should be titled in the following manner:

ABBREVIATED CASE NO.	DOCUMENT TYPE
17-CR-01	Written Complaint
17-CR-01	Investigation
17-CR-01	Documented Counseling

For PS&IA cases (2017PSIA-0001), Supporting documents should be titled in the following manner, using the corresponding tracking number and document type:

#### Examples:

INCIDENT NUMBER	DOCUMENT TYPE
2019PSIA-0001	Written Complaint
2019PSIA-0001	Interview Notification
2019PSIA-0001	Interview Transcript
2019PSIA-0001	Investigation
2019PSIA-0001	Memo
2019PSIA-0001	PreD Notice
2019PSIA-0001	PreD Response
2019PSIA-0001	PreD+Findings
2019PSIA-0001	Command Review
2019PSIA-0001	Letter of Reprimand
2019PSIA-0001	Discipline
2019PSIA-0001	Restorative Performance
2019PSIA-0001	Media Summary

For civilian conduct reviews (2017GCR-0001), documents should be titled in the following manner:

ABBREVIATED CASE NO.	DOCUMENT TYPE
17-CCR-01	Written Complaint

For civilian PS&IA cases (2017CPSIA-0001), documents should be titled in the following manner:

INCIDENT NUMBER	DOCUMENT TYPE
17-CPSIA-01	Interview Notification

## Data Integrity

Sustained violations will only be entered and tracked under the PSIA incident type. If a sustained violation is discovered during the investigation of another incident type (i.e., during a pursuit review), a new PSIA incident type will be created to document the violation, and it will be linked to the original incident type within the PS&IA Case Management Software.

Likewise, if during the course of investigating an externally generated complaint a new allegation is discovered internally, the new allegations will be tracked via a separate PSIA incident type with "source of information" tab indicating those allegations originated from an internal source.

## Video Footage

PS&IA personnel will instruct the administrator for squad video to save any pertinent squad video onto the evidence server. Once saved onto the server, PS&IA personnel do not need to retain a hard copy for the file. This procedure does not apply to any video or audio footage obtained from an external source (e.g., a business security camera). In cases where external video is located, PS&IA will provide the video to FSU to upload the video to the server as evidence; the original video will only be maintained by PS&IA if it cannot be saved to the video server. The program utilized by the administrator, Panasonic Arbitrator, has the ability to index and track pertinent video, in addition to restricting access as prescribed by PS&IA on a case-by-case basis. PS&IA personnel will also make a notation within the PS&IA Case Management Software whenever there is video available in a case.

## Closing Cases

PS&IA personnel are responsible for officially closing all types of internal investigations. (PSIA, CPSIA, CR and CCR). Prior to closing the case, PS&IA personnel will ensure that all finalized documents are located within the PS&IA Case Management Software and on the F: drive, unless otherwise noted.

Original SOP: 07/30/2015  
(Reviewed Only: 02/15/2016, 01/30/2019)  
(Revised: 01/19/2017, 11/30/2017, 01/03/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Recording Suspect Interviews

Eff. Date ~~11/09/2017~~ 01/03/2020

**Purpose**

The purpose of this policy is to establish guidelines for recording interviews of suspects. It is the policy of the Madison Police Department (MPD) to use electronic recording systems to provide accurate documentation of events, actions, conditions, and statements made during law enforcement interviews. The use of the electronic recording system 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.

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 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. 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.

**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 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, ~~or a~~ 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)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Robberies in Progress and Silent Robbery Alarms**

Eff. Date ~~11/15/2016~~ 01/03/2020

**Purpose**

All robbery in progress reports or robbery alarms will be treated as robberies in progress until such time as an officer is able to positively determine otherwise. Procedures are intended to reduce risk to officers, business employees, and bystanders, and to enhance the probability of making a safe apprehension while minimizing the potential for development of a hostage situation.

**Procedure**

**DEFINITION OF ALARM TYPES**

Robbery in progress calls and alarms fall into three categories:

1. An off-site alarm company advises Dispatch of an alarm.
2. A personal call by a victim or witness to Dispatch that a robbery has occurred and suspects are presumed to have left.
3. A personal call by a victim or witness to Dispatch that a robbery is in progress with suspects at the scene.

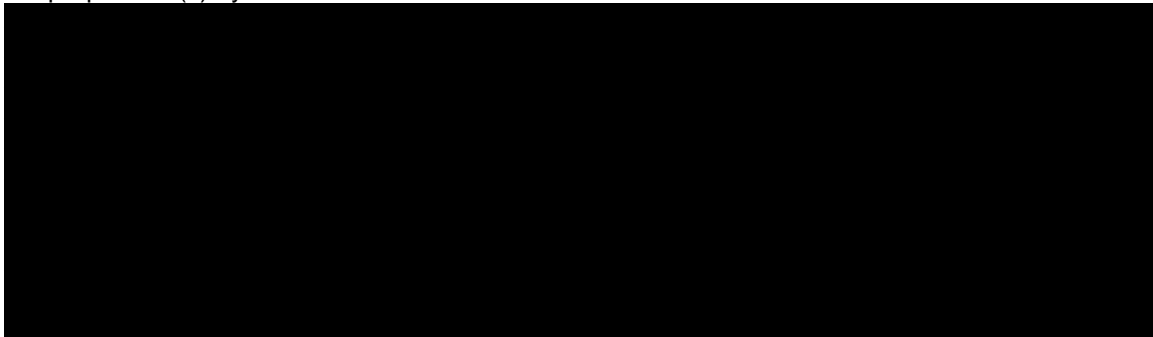
**COMMUNICATIONS CENTER STAFF**

1. The dispatcher will broadcast information regarding an armed robbery on all police patrol channels after activating the Alert Tone.
2. The dispatcher will send a minimum of two units to reported robberies in progress/alarms calls and will, when appropriate, assign a separate frequency for tactical deployment.
3. In the event of an alarm only, the dispatcher will immediately attempt to contact an on-site person.
4. Upon receiving a report that an armed robbery has or is occurring, the dispatcher will obtain as much of the following information as possible:
  - a. Last known location of the suspect(s)
  - b. Address and name of business involved
  - c. Physical description of suspect(s)
  - d. Weapon involved (type and number)
  - e. Mode of escape
  - f. Vehicle involved
  - g. Direction of travel

**RESPONDING OFFICERS**

1. Responding officers will proceed to the location as quickly and safely as possible and avoid alerting the perpetrator(s) by visual or audible means.

- 2.
- 3.
- 4.



5. The primary officer and backup officers shall immediately contact the witness/victim at the scene and obtain a detailed description of the suspect(s). The backup officers shall protect the crime scene and shall be responsible for directing all non-committed personnel to search areas/perimeters until relieved by a field supervisor or commanding officer and for preserving the physical scene.
6. If a robbery occurs at a time when district detective resources are not available, a sergeant should contact the Officer in Charge to provide an update on the case and discuss the potential need for additional investigative resources.

### RESPONSE BY PLAINCLOTHES PERSONNEL

1. Plainclothes personnel may respond to robbery alarms and reports of robberies in progress after informing the dispatcher of their response on the tactical channel for the incident. They must advise they are in plainclothes, along with a description of their clothing.
2. If plainclothes personnel are the first to arrive on the scene, they shall take a perimeter post and take direction from the ~~Officer in Charge~~ sergeant or officer in charge of the scene.
3. All movement of plainclothes personnel within the perimeter of a robbery will be communicated coordinated with the uniformed personnel on the scene.
4. If a robbery occurs during Detective Team off-duty hours, or when a Detective is not available, the Patrol Lieutenant or designee shall refer to current Detective Team notification directive.

### FALSE ALARMS

1. If Dispatch receives information that the alarm is false, the responding officers will immediately be notified. If the dispatcher feels the information is suspicious, this will be relayed to the responding officers.
2. Upon notification of a possible false alarm, the responding officers will modify their response from a silent, emergency response to a routine response. The responding officers will visually determine if the scene appears safe. Dispatch will instruct an employee to exit the building and contact an officer on the scene. After such contact, officers should cautiously enter the building and confirm the alarm was false.

### POLICE ARRIVAL AFTER A ROBBERY

1. If the dispatcher is notified that the suspect(s) left prior to arrival of officers, he/she shall obtain pertinent information and instruct the employee to meet officers outside. Officers shall proceed with caution in verifying information as outlined above.
2. A complete investigation shall follow.
3. If a Detective is not available or off duty, the Patrol Lieutenant or designee shall refer to the current Detective Team call-back directive.
4. The above procedure will be followed when it is assumed that the suspect is such a distance from the scene as to pose no further threat to the victim.
5. A description of suspect(s) and vehicle(s) and the estimated time lapse should be broadcast to all responding and district units as soon as possible.

### HOSTAGE SITUATIONS



Original SOP: 02/25/2015  
(Reviewed Only: 01/22/2016, 12/26/2017, 01/30/2019)  
(Revised: 11/15/2016, 01/03/2020)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Searches

Eff. Date ~~12/03/2018~~ 01/03/2020

**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 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 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 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, **loot**, 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 guideline on searches are grouped in terms of common situations in which search opportunities arise: where evidence is found in plain view or open view; where 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 search of an unoccupied vehicle is desired; and finally, where 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, **foot**, 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 consent search may be 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 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 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 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, 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. No consent search 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; 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 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 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 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 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 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)





## SWAT Body Worn Cameras

Eff. Date ~~10/20/2016~~ 02/24/2020

### Purpose

To outline the guidelines for the use of Body Worn Cameras (BWCs) by Madison Police Department (MPD) SWAT personnel.

### Procedure

- SWAT supervisors will assign body-worn cameras to team members prior to tactical operations (unless it is impractical to do so or cameras are unavailable). Available BWCs will be assigned in such a way to maximize audio/video capture of the operation.
- Briefings for pre-planned operations will specify which personnel are assigned to wear BWCs.
- For pre-planned search warrants, recording should begin during vehicle movement to the target location. For extended tactical operations, recording should begin prior to anticipated tactical intervention, and should capture any negotiations or other relevant activity when possible. Recording should continue until the incident is resolved.
- Team leaders or personnel wearing a BWC should advise other team members when recording is beginning and when it has ended (unless it is impractical to do so). The command post should also be advised when practical (if applicable).
- Team members assigned BWCs for an operation will turn the camera over to a team supervisor or commander after the incident. ~~The video file(s) will be downloaded and saved to the MPD evidentiary server, to be retained in accordance with MPD records retention schedules. A copy of the video file may also be saved for training purposes.~~
- Video files shall be tagged as evidence with the deployment case number by the team supervisor or commander within 48 hours or as soon as practicable. A copy of the video file may also be saved for training purposes.
- Video files are considered MPD records and may not be released or distributed except as provided for in MPD standard operating procedures.
- A SWAT supervisor will document who wore the cameras in an MPD police report.
- SWAT team leaders will periodically review video from tactical operations to ensure compliance with MPD's Code of Conduct and Standard Operating Procedures, and to identify areas for performance improvement or additional training.

Original SOP: 10/20/2016  
(Reviewed Only: 12/26/2017)  
(Revised: 02/24/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Traffic/Parking Enforcement and Crash Investigation**

Eff. Date ~~11/09/2017~~ 02/06/2020

**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 with a period of public education or reeducation.

**TRAFFIC ENFORCEMENT**

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 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 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 and make a determination on the status of the citation.
- 3) A written response will be sent to the requestor notifying them 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 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 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 our department in order to protect the rights of citizens, detect traffic violations, and to determine enforcement, engineering, and educational needs.

Officers will respond to, investigate, and **complete the Wisconsin Motor Vehicle Accident Report (DT4000)** within 10 days per WI 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,
- 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 Madison Police Department's 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.

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 to the other parties. Officers shall not utilize the Driver Exchange Form in TraCS.

Officers are not required to complete a DT4000 or MPD4000 accident report when:

- a) The crash resulted in property damage only and occurred during a time period when the OIC has determined that severe weather conditions, or other unusual circumstances has increased the number of crashes beyond the department's capacity to respond.
- b) 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 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.

Officers will submit addendum reports (Officer's Report Form) when:

- Any charges are issued/pending (the DT4000 cannot be used in any criminal case).
- 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 investigation.

### Investigation of Motor Vehicle Crashes Involving Serious Injury or Death

---

In order to **insure 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 scene.

Procedure - If the Field Supervisor determines a crash is a serious injury or fatal crash:

- 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:
  - Lieutenant of Traffic & Emergency Management
  - Lieutenant of Forensics Services Unit
- d. A 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, blood specimens, and other evidence relative to the investigation. 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 insure 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 insure ensure that a "Supervisor Serious and Fatal Crash Investigation" form is completed. All essential witnesses' statements and all Investigators, Detectives, and Officers' reports are completed before ending their shift when appropriate.
- h. The Medical Examiner will be contacted in cases involving a fatality and the information must be included in the appropriate report.
- i. Major Case SOP should be followed for reports.
- j. The Traffic & Emergency Management Lieutenant will make all follow-up investigation assignments as needed, in consultation with the District Detective Lieutenant. Detectives are to be assigned when appropriate.
- k. **Per 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:
  - 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 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 a Field Supervisor be dispatched to the scene to oversee the investigation.
- 2) Determine the causal factors of the crash and if probable cause exists that a 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 except when approved by a Supervisor for single vehicle crashes on City property involving only City vehicles and very minor damage. (i.e. MV/FO). The estimated damage costs must be under \$200 if utilizing the MPD4000 crash form.
- 4) Route reports to the Captain of Traffic and Specialized Services for review.

**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 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 a supervisor is not available, the OIC will make the determination as to whether an Investigator or Police Officer will investigate the crash. **Under no circumstances will an MPD employee investigate a crash in which they were involved.** If the operator of the MPD vehicle involved in the crash is a commissioned officer, he/she may be required to complete an addendum.

If probable cause exists for a violation by an **on-duty** City employee, the on-scene supervisor shall:

**For non-MPD City employees:**

Issue the appropriate citation.

**For MPD employees:**

Do not issue a citation at the scene.

~~The on-scene supervisor must also complete, in a timely manner, a Blue Team entry including their investigative memo to the Captain of Traffic/Specialized Services detailing the probable cause for the violation and the circumstances involved, including any duty related mitigating factors.~~

The on-scene supervisor must also complete, within two days of the incident, a Blue Team entry and memo 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, 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 the District Attorney for review.

### **Review and Follow-Up**

---

For crashes involving on-duty MPD employees:

- All traffic crash memos involving on-duty MPD employees will be entered into Blue Team by a supervisor, and routed to Professional Standards & Internal Affairs (PSIA). ~~the Captain of Traffic/Specialized Services, and copied to the employee's commanding officer as well as PSIA for review. If the computer entry cannot be completed by the end of the supervisor's shift, an email regarding the details of the crash and any mitigating circumstances should be sent to the above listed personnel at a minimum.—~~PSIA will review and 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 only be extended if essential documentation from the crash is not available. ~~The Captain of Traffic/Specialized Services (or his/her designee) and the Vehicle Operations Review Committee will meet within 21 days of a crash involving an MPD employee to whom the issuance of a citation is being considered. For this review, the committee should include a minimum of two line members in addition to the Chair. Consideration should be given to establishing probable cause, mitigating circumstances, equity with similar incidents and training or equipment issues. The Captain of Traffic/Specialized Services will be responsible for the decision regarding whether a citation will be issued. The Chief of Police will review this decision. For this review, the committee should include a minimum of two line members in addition to the Chair. Consideration should be given to establishing probable cause, mitigating circumstances, equity with similar incidents and training or equipment issues.~~
- 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 in Blue Team, to be routed to the employee's Commander/Manager for further review.
- The Captain of Traffic & Specialized Services will coordinate with PSIA to present the findings from the crash review and 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 supervisor ~~will be~~ will be responsible for issuance 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:

- 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

---

~~All reports of crashes involving on-duty employees shall be entered into Blue Team and routed to the Captain of Traffic/Specialized Services. Supervisors and OICs will insure these reports are completed on a timely basis.~~

The Vehicle Operations Review Committee 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 ~~pursuits or~~ 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 MPPOA members of the department, and a Parking Enforcement Officer, and the Sergeant assigned to PSIA. The Captain of Traffic & Specialized Services will designate members to serve on the committee. When selecting members, consideration should be given to their training and assignment, utilizing persons who regularly operate city vehicles in conditions similar to those experienced by line personnel and may include Traffic Specialists, Emergency Vehicle Operations Course (EVOC) Instructors, and Officers or Sergeants assigned to patrol.

The Lieutenant of Traffic & Emergency Management will ~~determine the need to meet and~~ schedule meetings based on the number of incidents requiring review. Minimally, the committee shall meet biannually.

~~The following items should be considered during the review:~~ 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 by the Lieutenant of Traffic & Emergency Management and disseminated through Blue Team to the appropriate managers. This review may include recommendations for additional training or equipment modifications. Once the review is completed, PSIA 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)

(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



Use of Force Data Collection and Review

Eff. Date ~~11/16/2018~~ 01/15/2020

## Purpose

The Madison Police Department (MPD) has implemented procedures to ensure that use of force data is being collected by the agency in a usable format and that use of force incidents are reviewed for compliance with the department's Code of Conduct and Standard Operating Procedures. Properly managed data can be the backbone of an early warning system that identifies at-risk officers, dangerous activities, necessary training, and policy gaps that require immediate mitigation.

The definition of recordable force is only relevant to distinguish those applications of force that must be documented in MPD's use of force database. All use of force must be documented in a police report as outlined in MPD's Code of Conduct and SOP's on use of deadly and non-deadly force.

## Definitions

### RECORDABLE FORCE

For statistical purposes, recordable force includes takedowns, active countermeasures, OC spray, impact weapons, hobble restraints, less lethal projectiles, Taser deployments, K9 apprehensions and use of deadly force (including dispatching animals). **Recordable Force excludes the following: Pain compliance techniques, escort holds, handcuffing, threats or displays of the above types of force, pointing of Firearms at Subject(s)/Suspect(s).**

### EFFECTIVENESS

A tool/technique is effective if it allows the subject/suspect to be controlled without any further force escalation.

### INJURY

For purposes of use of force recording, a tool/technique caused injury if a citizen complains of injury, an officer observes an injury, or medical treatment is sought. This includes treatment at an emergency room or on scene by paramedics. **This excludes basic OC decontamination (e.g. flushing the person's eyes and face with water) or ECD probe removal at the scene; absent any additional injury (e.g. resulting from a fall, etc).**

## Procedure

### Officer(s) Using Recordable Force

Anytime a sworn employee uses recordable force during an incident, the force used must be documented in the MPD use of force database. The officer completing the original field report must indicate that recordable force was used in Mobile. (see definitions for recordable force above.). Officers using recordable force are also responsible for contacting a field supervisor to notify them of the force use and review the incident. This contact must take place as soon as possible, and no later than the end of the officer's shift. Any MPD supervisor can complete this task.

If the use of force involved a less lethal impact projectile deployment, K9 bite, impact weapon use or resulted in injury to the suspect/subject consistent with substantial bodily harm, the officer will request that a field supervisor respond to the scene immediately.

### Field Supervisor

The field supervisor (or OIC, if no other supervisor is available) is responsible for reviewing the use of force incident with the involved officer(s), and for documenting the recordable force through the Blue Team portal/website. Any supervisor can perform these duties. This review and entry should be completed before the end of the shift when the incident occurred. One entry should be made for each subject/suspect against whom force was used and should include all officers using force on that subject. The supervisor completing the form will indicate each type of force used, whether the force application was effective and whether it caused injury.

When reviewing the incident, the field supervisor should also consider any potential areas for improvement (tactics, training, communications, etc.) and note them in the Blue Team entry.

### *Additional Field Supervisor Responsibilities*

When a use of force incident results in any of the following, a field supervisor should respond immediately to the scene:

- Less lethal impact projectile deployment
- K9 bite
- Impact weapon use
- Injury to subject consistent with substantial bodily harm

The responding field supervisor should ensure that initial information is obtained and preserved to thoroughly document the incident. This should include the following:

- Interviewing the subject (supervisor responsibility) if appropriate
- Ensuring that photographs of subject and scene are taken
- Ensuring that civilian witnesses are identified and interviewed
- Ensuring that any video/photo evidence is identified and preserved

This initial information should be documented in a supplemental police report. Supervisors responding to an officer involved death or officer involved critical incident should adhere to MPD's Officer Involved Deaths and Other Critical Incidents SOP.

### Use of Force Coordinator

The Use of Force Coordinator will review all recordable force entries. In the event of a data entry mistake, the Use of Force Coordinator will contact the officer's supervisor to arrange for the needed corrections to be made. Once the data has been approved, it will be submitted to the database, and shared with the officer's immediate supervisor.

The Use of Force Coordinator will review each recordable force incident. The review will assess:

- Whether the force used was reasonable and in compliance with MPD's Code of Conduct and Standard Operating Procedures
- The quality of officer reports
- Appropriateness of officer tactics and decision-making
- Equipment related issues (availability, effectiveness, function, etc.)
- Training needs or deficiencies
- Use of cover, concealment, distance and other de-escalation strategies

Any potential violations of MPD's Code of Conduct or Standard Operating Procedures will be forwarded to PS&IA for investigation. Suggestions for system improvements will be forwarded to the appropriate MPD

commander. The Use of Force Coordinator will work with the involved officer's command staff to provide any needed coaching or training.

This procedure outlines reporting use of force for data collection purposes only. Any officer using force must document that use of force in a police report, in addition to the documentation required in this procedure. In cases involving an officer involved death or officer involved critical incident the OICI commander will designate a supervisor or detective to submit the data regarding the use of force.

Original SOP: 08/11/2014

(Reviewed Only: 02/22/2016, 12/26/2017)

(Revised: 02/03/2017, 11/16/2018, 01/15/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Wisconsin Prescription Drug Monitoring

Eff. Date ~~04/29/2016~~ 01/21/2020

**Purpose**

Wisconsin Act 268 (2016) requires law enforcement agencies to submit certain information to the Wisconsin Prescription Drug Monitoring Program (PDMP).

**Procedure**

Wisconsin Act 268 requires law enforcement agencies to submit certain information to the Wisconsin Prescription Drug Monitoring Program (PDMP) in four specific situations:

1. When a law enforcement officer reasonably suspects that a violation of the Controlled Substances Act involving a prescribed drug is occurring or has occurred (Schedule II, III, IV, V drugs).
2. When a law enforcement officer believes someone is undergoing or has immediately prior experienced an opioid-related drug overdose.
3. When a law enforcement officer believes someone died as a result of using a narcotic drug.
4. When a law enforcement officer receives a report of a stolen controlled substance prescription (the medications themselves and not the actual prescription order by the practitioner).

When any of these situations occur, the investigating officer or detective will collect the information below and record it on the **MPD PDMP** form titled "961.37 LAW ENFORCEMENT REPORT TO THE PRESCRIPTION DRUG MONITORING PROGRAM (attached).

1. The name and date of birth of the individual who is suspected of violating the Controlled Substances Act.
2. The name and date of birth of the individual who experienced an opioid-related drug overdose.
3. The name and date of birth of the individual who died as a result of using a narcotic drug.
4. The name and date of birth of the individual who filed the report of a stolen controlled-substance prescription.
5. The name and date of birth of the individual for whom the prescription drug involved in the suspected violation, drug overdose, or death was prescribed.
6. If a prescription medicine container or prescription order was in the vicinity of the suspected violation, drug overdose, or death or if a controlled-substance prescription was reported stolen, the following:
  - The name of the prescriber;
  - The prescription number; and
  - The name of the drug as it appears on the prescription order or prescription medicine container.

Once the form is completed, it **can will** be turned in along with all other report attachments for the records unit to process **or emailed to [pdcaseprocessing@cityofmadison.com](mailto:pdcaseprocessing@cityofmadison.com)**. This completed form will then be submitted to the PDMP by MPD records staff **via the PDMP website**.

If the MPD receives a self report of a stolen controlled substance prescription, an officer will be assigned by the reviewing supervisor to follow up by phone so that the **PDMP** form can be completed and turned in for processing as an attachment for that case.

Original SOP: 04/29/2016  
(Reviewed Only: 11/01/2016, 12/26/2017)  
(Revised: 01/21/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Workforce Telestaff Requirements**

Eff. Date ~~12/11/2017~~ 01/15/2020

## Purpose

All members of the Madison Police Department (MPD) have the responsibility of ensuring that **Workforce Telestaff** accurately reflects their work time.

## Procedure

The various work codes have been established to account for how each employee is assigned, and the hours that are worked, and it is important that each employee utilizes the correct codes for the work that is performed.

When an employee takes leave time, it is their responsibility to make certain that an entry is made in **the Telestaff system** prior to the close of payroll on each payroll Monday at 10 am. When an employee works overtime, the Telestaff entry should be made prior to leaving that day. The note field of the entry should include a case number, where applicable, followed by the name of the approving supervisor. If there is no case number, **00XX-000000** should be entered **where "XX" is the last two digits of the current year**, followed by the name of the approving supervisor and then the reason for the overtime.

If an entry cannot be made at the end of the work period, the entry must be completed in Telestaff by the next work day or in extenuating circumstances, prior to close of payroll. Employees are responsible to verify that overtime, leave time, and work hour adjustment entries on their Telestaff calendar are entered on a timely basis, and accurately reflect the hours worked.

Members of the MPD are further required to update their current address and telephone listings in the Telestaff system within 24 hours of returning to work **of after** any change. **This information is located in the (My Info) area of Telestaff.** Members of the MPD are also required to notify the Chief of Police of these changes.

## Exigent Leave Telestaff Procedure

**The following information outlines the procedure of the use of Exigent Leave Time:**

- The employee will notify the shift scheduler, shift OIC, or MPD Master Scheduler of his/her request for an exigent personal leave day with at least forty-eight (48) hour notice. The notification will include the type of leave (vacation, comp, etc.) to be used.
- The scheduler, shift OIC, or MPD Master Scheduler will enter the appropriate Exigent Leave Work Code in the employee's Tele**S**taff calendar.
- Within 72 hours of the shift, or prior to the close of payroll (whichever comes first), if no overtime is needed on the shift, the employee will notify the shift scheduler, shift OIC, or MPD Master Scheduler of his/her request to be charged only eight (8) hours of exigent leave.
- The scheduler, shift OIC, or MPD Master Scheduler will verify contract conditions have been met, reduce the hours used from twelve (12) hours to eight (8) hours if appropriate, and e-mail PD Payroll of the change along with the date the employee notified them of the request for reduced hours. At no time will the work code be changed from Exigent Leave to a different type of leave.
- After an exigent personal leave request has been submitted, but prior to the shift in question, the employee may request to cancel the exigent personal leave request. The employee may submit

another type of leave request (vacation, comp, etc.) which will be considered in the appropriate sequence with any other leave requests.

Original SOP: 02/25/2015

(Revised: 02/12/2016, 11/04/2016, 12/11/2017, 01/15/2020)