

**Recommendation xx: The City should dialogue with the Madison Professional Police Officers Association in order to amend the current contractual agreement so that EROs (and other specialized officers who are focused on community policing such as Neighborhood Officers, Mental Health Officers, and Community Policing Teams) who have established effective working relationships in their specific assignments, as determined by input from Department supervisors, the officers themselves, and stakeholders at the respective campuses can remain beyond five years. [OIR 56]**

**Discussion:** Educational Resource Officers (EROs) vary greatly in their approach and capacity to carry out their unique and sensitive roles, with variation in rapport-building abilities, cultural competence, problem-solving skills and creativity, initiative-taking, and judicious use of discretion. EROs also vary in citation or arrest rates and, thus, potential contribution to the school to prison pipeline. For a school, some are a much better fit than others. In such roles, the unique attributes of an individual officer and the working relationships they have established can be of utmost importance. As OIR notes, “the importance of these officers’ roles militates in favor of MPD being able to select and retain the best officers for these positions for the longest time it wishes.” Similar considerations apply as well to other specialized units such as Neighborhood Officers and Mental Health Officers.

In response to this recommendation, MPD and the Madison Professional Police Officers Association (MPPOA) note that potential high performers might never have the opportunity to show what they can do if current high performers are retained in their positions – that without term limits, they would miss out on talent. However, OIR notes:

We understand – and discuss elsewhere – the pros and cons of the current rotational system for community based specialized units, recognizing that it provides an opportunity for more patrol officers to have a different experience, but finding that interest outweighed by the interest in retaining proven officers who have performed well. We also recognize the restrictions on MPD discretion that flow from the current labor agreement with the officers’ association and that providing such flexibility will need to be negotiated in future contracts. However, because the demands of the ERO position are so unique, and the role of officers in the schools is a matter of such community sensitivity, it seems worth the necessary effort to extend the service of especially effective officers. This could be the function of a protocol that blends input from the officers, Department executives, and site administrators and allows for a tenure that could be mutually agreed upon.

OIR further points out:

Unlike other specialized assignments where officer tenure is limited to four or five years, Training Team personnel can remain in their positions as long as “mutually beneficial.” We recommend ... that this “mutually beneficial” flexibility be adopted with regard to Neighborhood Officers, Mental Health Officers, Educational Resource Officers, and other special assignments.

MPPOA indicates that they “see the logic of both sides of the issue” and “are open to continuing to dialogue with the Department on this issue.” It is also worth noting that the Madison Metropolitan School District Education Resource Officer Ad Hoc Committee made an identical recommendation to

that of OIR: “We recommend that the mandate for EROs to be replaced every 3-5 years be eliminated.” There was strong support on that committee for continued retention of EROs who are a good fit.

The MPD Policy & Procedure Review Ad Hoc Committee agrees with OIR that term limits should be removed for EROs and other specialized officers who are focused on community policing. Officers are not interchangeable in these roles and some officers have proven themselves to have exceptional abilities in such a capacity, such that their retention would assure continuation of the highest quality of service. It is not optimal management practice to term out one’s most skilled employees in such a professional task. Moreover, for the highest-performing officers, knowledge and skills in these roles can continue to grow (and the number and depth of community relationships, and the degree of trust in the officer, can continue to expand) over much longer time frames. Overall, it would be in the best interest of the community for MPD, where appropriate, to be able to retain officers in such roles beyond the current five-year limit.