

**CITY OF MADISON**  
**INTER-DEPARTMENTAL**  
**CORRESPONDENCE**

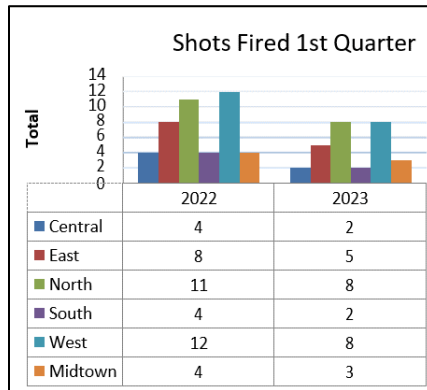
**DATE:** May 8, 2023

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

This document provides an update on selected MPD topics for the first quarter (January, February and March) of 2023. **Please consider the data included in this update as preliminary and subject to modification.**

**Significant Incident Types**

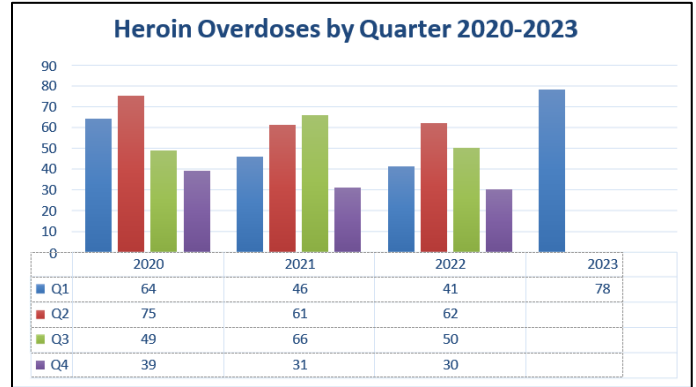
*Shots Fired* – there were twenty-eight (28) shots fired incidents in the City from January 1<sup>st</sup> through March 31<sup>st</sup> (2023). This is a 42% decrease from the first quarter of 2022 where there were forty-eight (48) shots fired incidents. The 3-year average (1<sup>st</sup> quarter) of shots fired incidents is forty-six (46). The twenty-eight (28) shots fired in Quarter 1 of this year is a 39% decrease over the previous 3-year average.



	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>	5				5
<b>Subjects Struck by Gunfire*</b>	4				4
<b>Accidental Discharge</b>	1				1
<b>Self-Inflicted (intentional)</b>	3				3
<b>Casings Recovered</b>	71				71

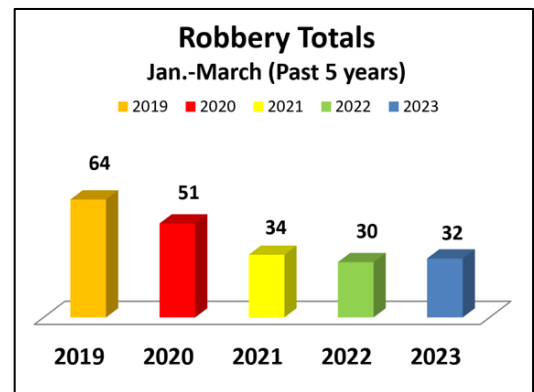
\*Excludes accidental discharge & self-inflicted

*Heroin Overdoses* – MPD responded to seventy-eight (78) known heroin overdoses during the first quarter of 2023. This is a 90% increase from the first quarter of 2022 where we responded to forty-one (41) known heroin overdoses. The 3-year average (1<sup>st</sup> quarter) of known heroin overdoses is fifty (50). The seventy-eight (78) known overdoses in Quarter 1 of this year is a 55% increase over the previous 3-year average. Note that these figures refer to known overdoses...it is likely that many overdoses are occurring without any report to MPD or MFD.

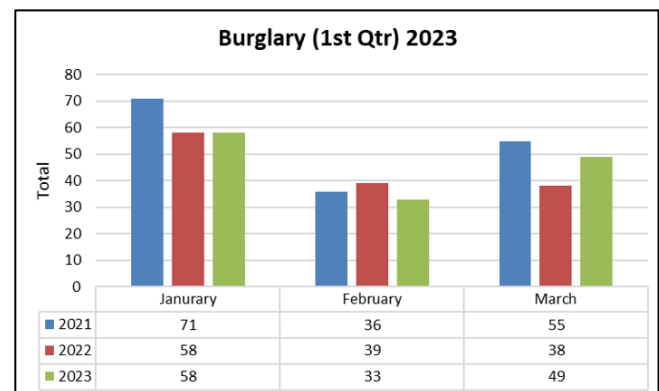


There were ten (10) suspected overdose deaths during the first quarter of 2023. This is a 67% increase from the first quarter of 2022 where there were six (6) overdose deaths. The 3-year average (1<sup>st</sup> quarter) of overdose deaths is seven (7). The ten (10) suspected overdose deaths in Quarter 1 of this year is a 50% increase the previous 3-year average. [note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

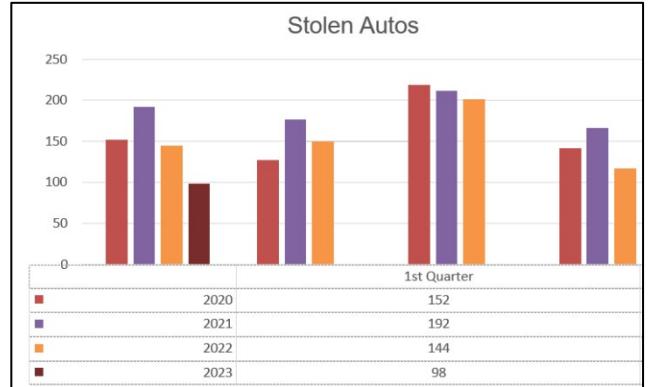
*Robberies* – Thirty-two (32) robberies occurred in the City during the first quarter of 2023. This is a 7% increase from the 1<sup>st</sup> quarter of 2022 where there were thirty (30) robberies. The 3-year average (1<sup>st</sup> quarter) of robberies is thirty-eight (38). The thirty-two (32) robberies in Quarter 1 of this year is a 16% decrease from the previous 3-year average.



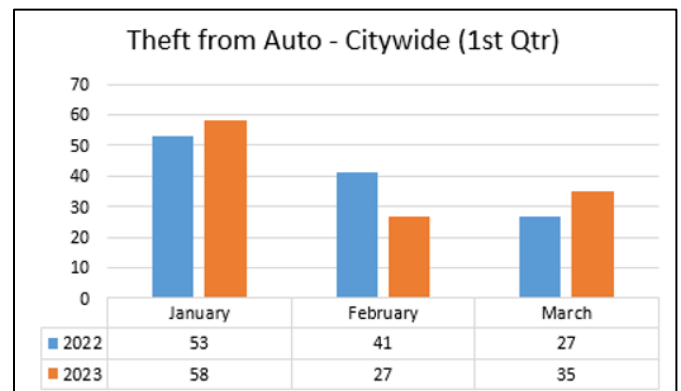
*Burglaries* – MPD responded to 140 burglaries during the first quarter of 2023. This is a less than a 1% increase from the first quarter in 2022 where we responded to 139 burglaries. The 3-year average (1<sup>st</sup> quarter) of burglaries is 188. The 140 burglaries in Quarter 1 of this year is a 26% decrease over the previous 3-year average.



*Stolen Autos* – MPD investigated 98 stolen autos during the first quarter of 2023. This is a 32% decrease from the first quarter in 2022. The 3-year average (1<sup>st</sup> quarter) of stolen autos is 165. The 98 stolen autos in Quarter 1 of this year is a 40% decrease over the previous 3-year average.



*Thefts from Vehicles* – MPD investigated 120 thefts from vehicles during the first quarter of 2023. This is a 1% decrease from the first quarter in 2022. The 3-year average (1<sup>st</sup> quarter) of thefts from vehicles is 182. The 120 thefts from vehicles in Quarter 1 of this year is a 34% decrease over the previous 3-year average.



**Arrest Data**

First quarter arrest data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	1,525				1,525	75.0%
Female	507				507	25.0%
Unknown	0				0	0.0%
<b>Total</b>	<b>2,032</b>				<b>2,032</b>	<b>100.0%</b>

Race	Q1	Q2	Q3	Q4	Total	%
Asian	31				31	1.5%
African-American	990				990	48.7%
Native American	11				11	0.5%
Other	66				66	3.2%
Caucasian	934				934	46.0%
<b>Total</b>	<b>2,032</b>				<b>2,032</b>	<b>100.0%</b>
Hispanic*	177				177	8.7%

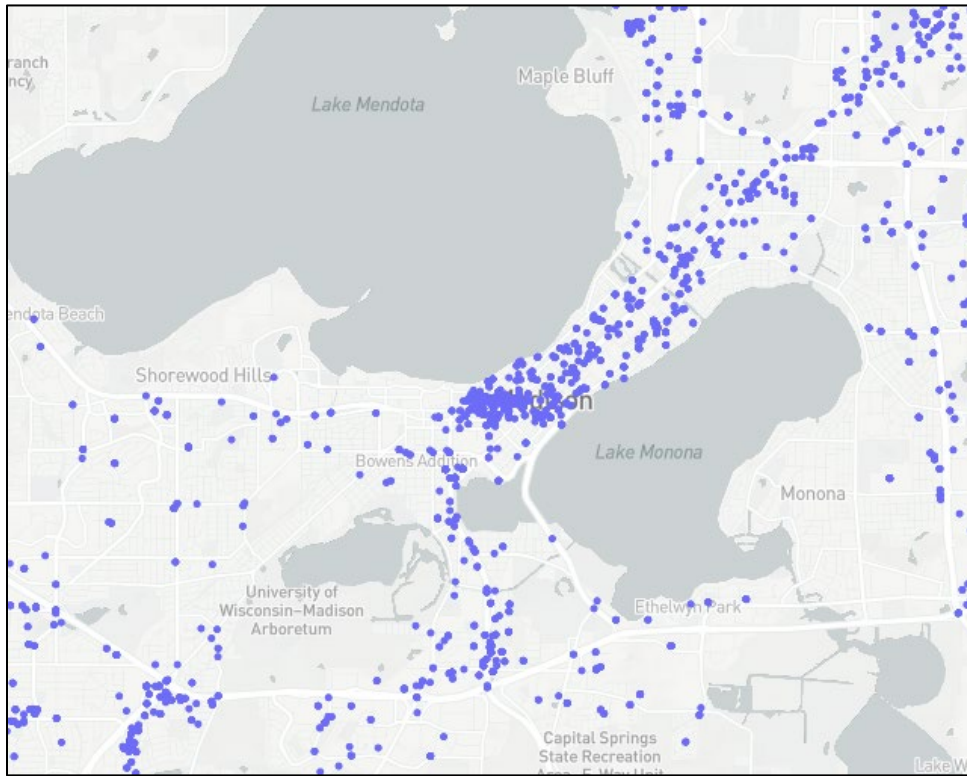
\*“Hispanic” is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD’s records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race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

IBR Arrest Charges						
Group A Offenses	Q1	Q2	Q3	Q4	Total	%
Animal Cruelty	3				3	0.1%
Arson	0				0	0.0%
Assault Offenses	391				391	11.2%
Bribery	0				0	0.0%
Burglary	54				54	1.5%
Counterfeiting/Forgery	4				4	0.1%
Damage to Property	104				104	3.0%
Drug/Narcotic Offenses	192				192	5.5%
Embezzlement	5				5	0.1%
Extortion	2				2	0.1%
Fraud Offenses	37				37	1.1%
Gambling Offenses	0				0	0.0%
Homicide Offenses	3				3	0.1%
Human Trafficking Offenses	0				0	0.0%
Kidnapping/Abduction	28				28	0.8%
Larceny/Theft Offenses	186				186	5.3%
Motor Vehicle Theft	46				46	1.3%
Pornography/Obscene Material	5				5	0.1%
Prostitution Offenses	0				0	0.0%
Robbery	20				20	0.6%
Sex Offenses, Forcible	27				27	0.8%
Sex Offenses, Non-Forcible	2				2	0.1%
Stolen Property Offenses	3				3	0.1%
Weapon Law Violations	61				61	1.8%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	0				0	0.0%
Curfew/Loitering/Vagrancy Violations	5				5	0.1%
Disorderly Conduct	643				643	18.5%
Driving Under the Influence	145				145	4.2%
Drunkenness	0				0	0.0%
Family Offenses, Nonviolent	22				22	0.6%
Liquor Law Violations	34				34	1.0%
Peeping Tom	0				0	0.0%
Runaway	0				0	0.0%
Trespass of Real Property	208				208	6.0%
All Other Offenses	1,255				1,255	36.0%
<b>Total</b>	<b>3,485</b>				<b>3,485</b>	<b>100.0%</b>

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

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

First quarter arrests reflected geographically:



Comparison of 2022 to 2023 first quarter arrest data:

Sex	2022 (Q1)	2023 (Q1)
Male	1,125	1,525
Female	403	507
Unknown	1	0
<b>Total</b>	<b>1,529</b>	<b>2,032</b>

Race	2022 (Q1)	2023 (Q1)
Asian	17	31
African-American	725	990
Native American	13	11
Other	30	66
Caucasian	744	934
<b>Total</b>	<b>1,529</b>	<b>2,032</b>
<b>Hispanic*</b>	<b>104</b>	<b>177</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 2023, MPD officers responded to 33,173 calls for service. In that time, there were seventy-four (74) contacts in our community in which officers used recordable force during the encounter. This means that in the 1st quarter, MPD officers used recordable force 0.22% of the time when engaging with members in our community. Each of these force incidents was reviewed for compliance with MPD standard operating procedures.

Description	Q1	Q2	Q3	Q4	Total
Calls for Service	33,173				33,173
Contacts Where Force Was Used	74				74
% of CFS Where Force Was Used	0.22%				0.22%
<b>Force</b>					
Decentralization/Takedown (e.g. officer pushing or pulling a subject to the ground)	51				51
Active Counter Measures (e.g. officer striking a subject with hand, forearm, foot or knee)	22				22
Taser Deployment	9				9
Hobble Restraints (a belt system that restricts a subject's ability to kick at officers, squad windows, etc.)	9				9
OC (i.e. Pepper) Spray Deployment	3				3
Baton Strike	0				0
K9 Bite	0				0
Firearm Discharged Toward Suspect	1				1
Impact Munition (firearm delivered projectile launched at a lower than normal velocity)	1				1
Specialty (SWAT/SET)	0				0
<b>Total</b>	<b>96</b>				<b>96</b>
Firearm Discharged to Put Down a Sick or Suffering Animal	9				9

\*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	8				8	10.8%
Midtown	17				17	23.0%
South	7				7	9.5%
Central	19				19	25.7%
North	6				6	8.1%
East	16				16	21.6%
Out of County	0				0	0.0%
Within County - Assist	1				1	1.4%
<b>Total</b>	<b>74</b>				<b>74</b>	<b>100%</b>

Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
<b>1<sup>st</sup> Detail (7am – 3pm)</b>	16				16	21.6%
<b>3<sup>rd</sup> Detail (3pm – 11pm)</b>	31				31	41.9%
<b>5<sup>th</sup> Detail (11pm – 7am)</b>	27				27	36.5%
<b>Total</b>	<b>74</b>				<b>74</b>	<b>100.0%</b>

Comparison of first quarter 2022 with first quarter 2023 use of force data:

Force	2022 (Q1)	2023 (Q1)
Decentralization/Takedown	57	51
Active Counter Measures	11	22
Taser Deployment	11	9
Hobble Restraints	6	9
OC (i.e. Pepper) Spray Deployment	3	3
Baton Strike	0	0
K9 Bite	0	0
Firearm Discharged Toward Suspect	1	1
Impact Munition	1	1
Specialty (SWAT/SET)	0	0
<b>Total</b>	<b>90</b>	<b>96</b>

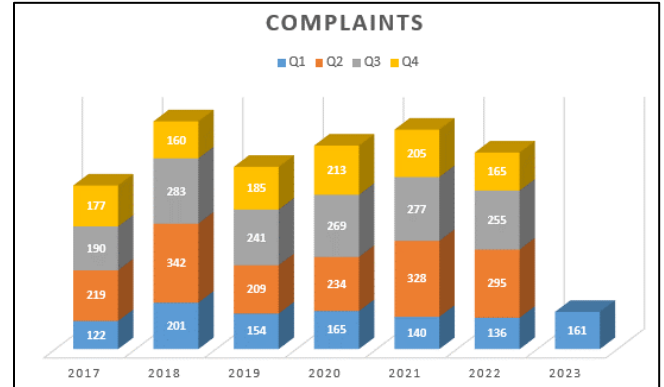
**Restorative Justice Data (1<sup>st</sup> Quarter, 2023)**

12-16 Year Old Youth Data from YWCA	17-25 Year Old Data from CRC
<p><b>Total referrals: 38</b>                      Opted-in: 17                      Opted out: 10                      Neither: 7 (these referrals voided due to defendant’s age or per officer)                      Waiting for Opt-in/Opt-out responses: 4</p> <p><b>Offenses:</b>                      Battery: 7                      Damage to Property: 4                      Disorderly Conduct: 12                      Resist/Obstruct: 2                      Theft (1 Retail, 1 Regular): 2                      Trespass: 3                      Underage Possess/Consume: 1                      Curfew Violation: 3*                      Under 18 Armed or Sold Firearm/Pellet Gun: 1                      Operate without a Valid License: 3</p> <p>*Citations were issued prior to February 28, 2023</p>	<p><b>Total referrals: 21</b></p> <p><b>Total MPD referrals by offense type: 22</b>                      *Total is more than 21 due to multiple citations for some respondents.</p> <p><b>Offenses:</b>                      Battery: 1                      Disorderly Conduct: 12                      Damage to Property: 1                      Resisting/Obstructing: 3                      Retail Theft: 5</p>

## Traffic

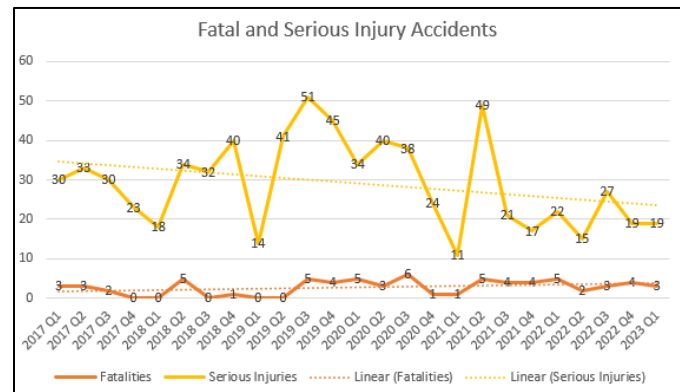
### Traffic Complaints –

Community members may submit a traffic complaint or concern to the Madison Police Department by utilizing [online submissions](#) or calling the traffic hotline (608-266-4624). In the 1<sup>st</sup> quarter of 2023, MPD received 161 traffic complaints.



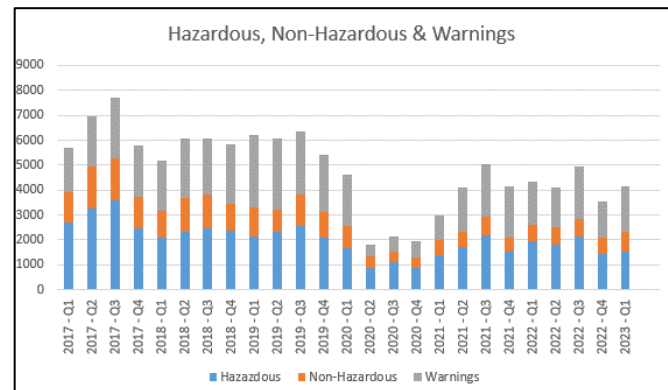
### Serious/Fatal Crashes

In the 1<sup>st</sup> Quarter of 2023, MPD investigated 103 crashes that resulted in 3 fatalities, 19 serious injuries and 110 minor injuries.



### Enforcement

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



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



## **Training**

In the first quarter of 2023, MPD's Training Team was productive in all areas under our purview. Highlights of the quarter include:

- Facilitation of rapid deployment training for all commissioned personnel through the district in-service process.
- Ran instructor certification courses in multiple disciplines to refresh our numerous instructor cadres.
- Assisted in supervision of the 2022 pre-service academy class in field training.
- Developed and began implementation of a 16-hour spring in-service curriculum covering topics to include Stratified Policing, defensive and arrest tactics, rapid deployment, tactical emergency casualty care, vehicle contacts, emergency vehicle operations, technology and health and wellness.
- Closed out the 2022-2023 hiring process with conditional job offers to 47 recruits who will start their pre-service academy on May 30<sup>th</sup> of this year.
- Facilitated the 2023 promotional processes for the ranks of lieutenant, sergeant, detective and investigator.
- The MPD Training Center hosted specialized trainings for MPD, MFD, Dane County and other regional law enforcement agencies across a wide range of topics to include de-escalation, interview and interrogation, health and wellness, leadership and more.

## **SOP Updates**

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

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

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

MPD did not acquire any property through DLA/LESO during the first quarter of 2023.

## **Priority/emergency call response**

During the first quarter, there were 80 instances where MPD's patrol response was limited to emergency and priority calls. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the City.

The 80 instances occurred on fifty-two (52) dates (some days required limited call response multiple times); this means that at some point on about 57.8% of the days during the first quarter MPD patrol response was limited. The 80 instances spanned about 175.4 total hours of limited call response, an average of 2.2 hours per instance. In terms of total hours during the first quarter, MPD patrol response was limited to emergency and priority calls about 8% of the time.

*Promotions*

**2023 – First Quarter Promotions**

Captain Matt Tye to Assistant Chief  
Lieutenant Shannon Blackmore to Captain  
Detective Sergeant Eric Vosburg to Lieutenant  
Police Officer Matthew Olson to Sergeant  
Detective Jamie Grann to Detective Sergeant  
Police Officer Erik Lee to Detective

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

<https://www.cityofmadison.com/police/documents/psiaSummary2023JanMar.pdf>

<https://www.cityofmadison.com/police/documents/psiaRecognition2023JanMar.pdf>



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Abatement Documentation**

Eff. Date 02/06/2023

**Purpose**

The purpose of this SOP is to outline the proper procedure for documenting actions related to abatement in any of the following categories:

- **Chronic Nuisance Premises Ordinance** (25.09, MGO)
- **Drug Abatement** (823.113, Wis. Stats.)
- **General Public Nuisance Action** (823.02, Wis. Stats.)
- **Nuisance Party** (25.10, MGO)

**Procedure**

Prior to declaring a nuisance or identifying a qualifying address for abatement, a district commander shall consult with the Assistant Chief of Operations. The district commander who authors the warning letter or declares the nuisance to be abated is responsible for ensuring the following documentation occurs in a timely manner. The Assistant Chief of Operations is responsible for authoring the Nuisance Premises Ordinance Summary as required by M.G.O 25.09(12).

**Chronic Nuisance Premises Ordinance (25.09, MGO)**

First, consider issuing a Warning Letter. A warning letter is not required by ordinance.

Warning Letter

1. Call dispatch to generate a case number for: Abatement: chronic/drug/general
2. Go to the MPD Intranet: A to Z Forms / Command Letters / Nuisance Warning and fill in the appropriate information; add the case number from step 1 to the "Warning case number" at the top right portion of the letter
3. Mail the warning letter first class mail.
4. Email a copy of the warning letter to:
  - i. Assistant City Attorney Jennifer Zilavy
  - ii. Assistant Chief of Operations
  - iii. Alder
  - iv. Section 8 (Tom Conrad)
5. Send a copy of the completed warning letter to MPD Records as an attachment
6. Document in a written report(s) under the case number pulled in Step 1 the outcome of interactions with the property representative until the nuisance is abated.

A Chronic Nuisance Premises may be declared when the criteria in MGO 25.09 is met.

Declare a Nuisance

1. Declare the property a chronic nuisance by issuing the Chronic Nuisance Declaration letter, located in the MPD Intranet: A to Z Forms / Command Letters / Nuisance Chronic; add the case number from step 1 to the "Chronic Nuisance case number" at the top right portion of the letter.
2. Mail the declaration letter first class mail.
3. Email a copy of the declaration letter to:
  - i. Assistant City Attorney Jennifer Zilavy
  - ii. Assistant Chief of Operations

- iii. Alder
- iv. Section 8 (Tom Conrad)
4. Send a copy of the completed declaration letter to MPD Records as an attachment
5. Document in a written report(s) under the case number pulled in Step 1 the outcome of interactions with the property representative until the nuisance is abated. (The nuisance is deemed abated when no enforcement action to address Nuisance Activities occurs for a period of 6 consecutive months from the date on the chronic nuisance declaration.)
6. The final report must contain the following information:
  - a. Month and year of the nuisance declaration
  - b. The address of the chronic nuisance
  - c. The type of building: single-family residence, multi-unit apartment complex, etc.
  - d. Month and year the nuisance was abated
  - e. If the cost recovery provision was exercised, and if so, how much was collected

#### **Drug Abatement (823.113, Wis. Stats.)**

1. Call dispatch to generate a case number for: Abatement: chronic/drug/general
2. Go to the MPD Intranet: A to Z Forms / Command Letters / Nuisance Drug and fill in the appropriate information; add the case number from step 1 to the "Drug Abatement case number" at the top right portion of the notice letter
3. Mail the notice letter first class mail.
4. Email a copy of the notice letter to:
  - i. Assistant City Attorney Jennifer Zilavy
  - ii. Assistant Chief of Operations
  - iii. Alder
  - iv. Section 8 (Tom Conrad)
5. Send a copy of the completed declaration letter to MPD Records as an attachment
6. Document in a written report(s) under the case number pulled in Step 1 the outcome of interactions with the property representative until the nuisance is abated

#### **General Public Nuisance Action (823.02, Wis. Stats.)**

1. Contact and consult with Assistant City Attorney Jennifer Zilavy regarding the statutory requirements and for assistance in authoring a letter of notice for a general public nuisance to the property representative.
2. Call dispatch to generate a case number for: Abatement: chronic/drug/general
3. Document in a written report(s) under the case number pulled in Step 1 the outcome of interactions with the property representative until the nuisance is abated

#### **Nuisance Party (25.10, MGO)**

If a police officer determines on scene that the elements of a nuisance party are met, they may declare a nuisance party on scene and order all nonresidents to immediately cease and disburse. A formal nuisance party declaration must be sent within 10 days of the party. Prior to MPD sending a formal nuisance party declaration to the premise owner, all reports relating to the incident shall be reviewed by the district captain or their designee to determine, given the totality of the circumstances, the facts alleged support a nuisance party declaration notice.

1. Call dispatch to generate a case number for: Abatement: chronic/drug/general
2. Go to the MPD Intranet: A to Z Forms / Command Letters / Nuisance Party and fill in the appropriate information; add the case number from step 1 to the "Nuisance Party case number" at the top right portion of the declaration letter

3. Mail the declaration letter first class mail.
4. Email a copy of the declaration letter to:
  - i. Assistant City Attorney Jennifer Zilavy
  - ii. Assistant Chief of Operations
  - iii. Alder
5. Send a copy of the completed declaration letter to MPD Records as an attachment
6. Document in a written report(s) under the case number pulled in Step 1 the outcome of interactions with the property representative until the nuisance is abated



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Arrest, Incarceration, and Bail - Adults

Eff. Date ~~01/14/2022~~ 02/07/2023

## Arrest Authority

The basic authority for police officers to make arrests derives from Wisconsin State Statute 62.09(13), which makes it a duty for a peace officer to arrest with or without a warrant and with reasonable diligence to take before the court every person 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 Wisconsin State Statute 968.07, which states:

1. A law enforcement officer may arrest a person when the officer:
  - a. has a warrant commanding that such person be arrested; or
  - b. believes, on reasonable grounds,<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>

1m Notwithstanding sub. (1), a law enforcement officer shall arrest a person when required to do so under s. 813.12 (7), 813.122 (10), 813.125 (6), 813.128 (3g) (b), or 968.075 (2) (a) or (5) (e).
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.
3. If the alleged violator under s. 948.55 (2) or 948.60 (2) (c) is or was the parent or guardian of a child who is injured or dies as a result of an accidental shooting, no law enforcement officer may arrest the alleged violator until at least 7 days after the date of the shooting.

## Enforcement Action Outside of Jurisdiction

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

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

1. MPD officers may 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

<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 that is prohibited by State law and punishable by fine or imprisonment or both. Conduct punishable only by forfeiture is not a crime.

- 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. MPD officers may take enforcement action including making arrests and issuing citations:
    - a. On the entire width of boundary highways and on the entire area of boundary intersections for any violation of either the state criminal code or any City of Madison ordinance.
    - b. When in fresh pursuit of a person suspected of having committed a violation of either the state criminal code or any City of Madison ordinance in the City of Madison.
  3. Determining appropriate enforcement action includes the following considerations:
    - a. This SOP authorizes 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, the following:
      - 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(s) includes the following:
    - 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 the following:
      - 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 SOPs
      - iii. Rendering aid and assistance to victims;
      - iv. Identifying and interviewing victims, witnesses, and suspects;
      - v. Assisting local law enforcement agency as requested; or
      - vi. Taking other action that would be authorized under the same circumstances if the events had occurred in the City of Madison.
    - b. When encountering a situation that the officer reasonably believes constitutes a felony, the officer 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, the officer shall:
      - i. Notify the local law enforcement authority as soon as practical;
      - ii. Assist and cooperate with local law enforcement agencies;
      - iii. Notify the officer's supervisor, or the Officer in Charge (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 the officer's 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 custodial arrest before the person is incarcerated. ~~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 arrested person before the next session of court.

Bail can be set only by a judge or court commissioner and may be set by a judge or court commissioner 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 and incarcerated on felony charges will, with reasonable diligence, be taken before the court where only a judge or court commissioner may establish bail. ~~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 the City County Building (CCB). The arresting officer shall issue a misdemeanor citation only if all of 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 Wisconsin State Statute 968.075(1)(a).
7. The offense does not fall under the following statutes: 813.12(7), 813.122(10), 813.125(6), 813.128(3g)(b), or 968.075(2)(a) or (5e).

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 a police report.



## City Ordinance Violations (Non-Traffic)

### CITATION

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

In instances where a citation is appropriate, officers should, in most cases, release the person after the citation has been issued. Officers shall not email the citation to the person(s). 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.
5. When approved by the OIC.

## Traffic Violations (City Ordinance or State Statute)

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

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

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

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

The arrested person shall be released if the person:

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

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

## Traffic Warrant Service Guidelines

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

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

### WHEN SERVING A WARRANT PROCEDURE

1. Read warrant to defendant.
2. If paying, place money, receipt, warrant, and jacket in CCB ticket slot.
3. If defendant is taken to the Public Safety Building, place warrant and jacket in warrant tray.

### PROCESSING PHYSICALLY ARRESTED ADULTS

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

4. All reports dealing with an arrested person must be completed prior to the officer ending their shift unless permission is granted by the OIC, designee, or supervisor. ~~going back into service (exception: OIC approval).~~

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

(Revised: 04/02/2018, 01/15/2020, 12/21/2020, 01/14/2022, 02/07/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Calls For Service (CFS) Dispatch Guidelines**

Eff. Date ~~02/25/2021~~ 01/16/2023

**Purpose**

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

**Procedure**

**CATEGORIES OF CALL TYPES**

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

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

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

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

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

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

**DISPATCHING OFFICERS**

Calls for service should be dispatched to an officer having responsibility for the sector where the incident is being reported, if possible. If multiple officers share responsibility for the sector, an officer the dispatcher reasonably believes is closest should be dispatched whenever possible. However, calls for service and workload should be balanced between among 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 **that officer he/she** asks that the call be held and will be available to respond in a reasonable time (no more than ten minutes, except between the hours of 6 a.m. and 7 a.m.).

Officers shall not disregard backup, if so assigned by dispatch, prior to arrival at the scene and assessment of the situation.

Supervisors are expected to routinely monitor calls for service to ensure these guidelines and protocols are being followed. It is realized, however, that it may occasionally be necessary, when circumstances dictate, for a supervisor to direct a course of action outside of these guidelines.

Officers with questions about being dispatched to a call should contact the OIC or a field supervisor and should not question the dispatcher.

### CALL REPORTING LOCATIONS

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

### DISPATCH PROTOCOLS AT SHIFT CHANGE

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

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

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

## OFFICERS IN THE LAST HOUR OF SHIFT

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

## CFS RESPONSE LEVELS

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

MPD will have ~~three~~ **two** 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 pages ~~one four and five~~ of this document. ~~Priority Call Response includes Limited Crash Response (defined below), but Limited Crash Response does not always include Priority Call Response.~~

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

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

- ~~**Limited Crash Response:** MPD response to non-crash related calls for service will continue as normal; however, during Limited Crash Response, officers will not respond to motor vehicle crashes on private property (unless an injury is involved), or to other motor vehicle crashes that do not involve injury or public road blockage (except for accidents involving City-owned vehicles or off-duty MPD commissioned personnel). The OIC should be consulted for crashes involving other government owned (non-City) vehicles. If the 911 Center cannot determine whether the accident involves injury or public road~~

~~blockage, an officer should be dispatched. Limited Crash Response may be activated without Priority Call Response. The decision to go on Limited Crash Response is the responsibility of the OIC and should be evaluated as motor vehicle crash calls for service are generated by the 911 Center. Limited Crash Response is not intended to be a proactive, restrictive response to calls for service in anticipation of potential forecasted weather.~~

### **OIC EXPECTATIONS FOR PRIORITY CALL/LIMITED CRASH RESPONSE**

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

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

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

### **911 CENTER EXPECTATIONS**

#### **Limited Crash Response**

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~~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**

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

- The call taker should obtain full information from the caller (location of incident, identity of complainant, nature of complaint, etc.) and enter 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. **Community members Citizens** with concerns about MPD's response should be referred to the OIC.

### **GUARD DUTY**

If MPD personnel are needed to perform the function of guarding a prisoner at a medical facility, the OIC or their designee, should generate a new case number (incident type: Assist – Guard Duty) after 24 hours. The new case number should use the medical facility as the address of occurrence. All subsequent guard duty assignments should be assigned on the CAD to the new case number.

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

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

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

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

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

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

**Subject Conveyed to Emergency Room by Another Law Enforcement Agency** – If a law enforcement agency conveys an individual from their jurisdiction to a Madison emergency room for medical treatment and that person needs transportation to Detox after being medically treated, it is the responsibility of the agency that conveyed the individual to the hospital in the first place to convey the incapacitated subject to Detox. This applies even if the officer/deputy has returned to their jurisdiction and applies to jurisdictions outside of Dane County. MPD officers will not make conveyances to Detox under these circumstances. If MPD conveys an individual from our jurisdiction to an 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 the subject is incapacitated by alcohol. If the subject is deemed to be incapacitated by alcohol, the subject will be placed under protective custody and conveyed to Detox. This includes subjects conveyed to Madison emergency rooms by ambulance from other jurisdictions. If a subject from Madison was conveyed to an 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 personnel from the outside agency would respond and complete the Emergency Detention process.

Deviations from these procedures must be approved by a supervisor.

## Detox

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

## JRC

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

## ALARM RESPONSE

- MPD officers will continue to be dispatched to residential burglary alarms as well as burglary alarms from government buildings and religious facilities.
- MPD officers will continue to be dispatched to **citizen community member**-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 **community member citizen** will be asked to enter a potential crime scene; any observation that leads a reasonable person to believe that a crime may be in progress or may have already taken place will suffice.

Note that an MPD Commander must contact the on-duty 911 Center Supervisor with temporary deviations from this policy. These deviations can specify that officers should be dispatched to alarms from a particular address, in a particular district, during a particular time frame, etc. If the modified response will remain in place for more than a single shift, the request to the 911 Center must be in writing.

## NOISE COMPLAINTS

If it has not been possible for MPD officers to respond to a noise complaint (call type L49) for one hour and the 911 Center has not received any additional calls on the incident, the call should be canceled from the pending queue and cleared with a disposition code of D. Noise complaints should not be dropped if multiple calls are received reporting the same problem, or if a complainant requests contact with an officer.

## RETAIL THEFTS

### Active Retail Thefts (Suspects on scene)

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

### **Cold Scene Retail Thefts (Suspects not on scene)**

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

### **Self-Report Retail Theft**

1. Retail thefts should be routed to the Self-Reporting System only if:
  - a. Loss is less than \$50, even with video evidence or cooperative suspect on scene
  - b. Theft over \$50, but not in progress and no readily identifiable suspect information
  - c. Incident does not involve multiple offenses or multiple stores
  - d. Does not involve theft of a firearm
  - e. Does not involve the use of force or the threat of force

### **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 **mail envelope** for attempted service, as time/resources are available (officers should not be dispatched in these cases):

- Nonviolent felony warrants.
- Misdemeanor warrants unrelated to domestic cases.
- Traffic warrants from outside jurisdictions.
- Municipal Ordinance violations.

Deviations from these guidelines must be approved by a supervisor.

### **OUTSIDE AGENCY TRANSLATION REQUESTS**

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

## OUTSIDE AGENCY VEHICLE PURSUITS

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

## CRASHES INVOLVING CITY EMPLOYEES

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

## TRAFFIC CRASHES (INCLUDING HIT AND RUN CRASHES)

- Officers should generally not be dispatched to vehicle crashes unless an injury is involved or there is road blockage unless other circumstances warrant a response (impaired driver, disturbance, hit and run, uncooperative driver, etc.). This includes vehicle crashes on private property.
- Officers should not be dispatched to ALL vehicle crashes (on either private or public property) except as follows: if 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.)
- Officers will respond to vehicle crashes involving City-owned vehicles or off-duty MPD commissioned personnel regardless of injury or road blockage status.
- ~~During all weather related emergencies when Limited Crash Response rules are in effect (unless crash involves injuries, blockage, MPD officer on or off duty, or any on duty City employee)~~

**Note: Traffic crashes are not handled through the MPD self-reporting system.** Under the above circumstances, citizens should be referred to complete a State of Wisconsin Crash Report Form (DT4002) available on the Department of Transportation website.

## DISPATCH PROTOCOL FOR COMMUNITY POLICING TEAMS

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

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

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

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

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

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

## DISPATCH PROTOCOLS FOR K9 TEAMS

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

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

## SPECIAL DUTY RADIO NUMBERS

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

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

## OFFICER SELF-INITIATED ACTIVITY

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

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

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

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

## CRITERIA FOR ROUTING TO THE SELF-REPORTING SYSTEM

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

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

### **Video Evidence**

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

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

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

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

1. Not in progress (suspect is no longer on the premises, is not in custody, is not being pursued);
2. Loss/Damage is less than \$2,500 in value;
3. No suspect information readily identifies the suspect (name, license plate, video evidence, etc.);
4. 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**

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

### **Retail Theft**

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

1. 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**

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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

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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

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Should be routed to the Self-Report System unless other criminal behavior or unusual circumstances require a police response.

## Worthless Checks

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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.

## Panhandling

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Officers should generally not respond to complaints of panhandling unless other criminal activity is involved.

## Forgery and Frauds

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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# NUMBERS TO SELF-REPORT CALLS FOR SERVICE

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

**If an officer is dispatched to an incident and after contacting a victim/witness/etc., determines that the incident would have qualified for diversion to the self-reporting system, he/she the officer should continue to investigate the incident and complete a report. OFFICERS SHOULD NOT PROVIDE SELF-REPORT FORMS TO CITIZENS IN LIEU OF PERFORMING AN INVESTIGATION AND COMPLETING A REPORT.**



## Disposition Codes

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

- A** – Crash report (the officer completes a crash report, including DT4002 and MPD4000).
- C** – Citation issued (the officer completes and issues at least one citation without completing a report)
- D** – Dropped incident number (used for traffic crashes to which officers do not respond during **priority call limited-crash** response periods, noise complaints to which officers are unable to respond within one hour, or any other incident to which officers are unable to respond due to limited resources, workload, etc. This includes calls cancelled by complainants, if the cancellation is due to lack of a timely MPD response).
- F** – Field Report (the officer completes a field report)
- N** – No report (the incident does not require a report)
- R** – Report (the officer completes a report, excluding accident reports and field reports)
- S** – Self report (the incident is referred to the **self** self-reporting system)
- U** – Unfounded report (the incident is unfounded; no report is completed)

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

## PARKING ENFORCEMENT DISPATCH PROTOCOLS

The following guidelines are to help assist Dane County 911 Dispatch personnel when dispatching Parking Enforcement Officers (PEOs) to parking related calls. It is important to understand that PEOs are not armed law enforcement officers and should not be dispatched to a call requiring a sworn officer. These three guidelines should be followed at all times:

1. **Contesting Citations** – A PEO should never be dispatched to respond to a **community member 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

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



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

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

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

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

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

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

If **NO**:

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

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

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

### ***Fire Lane Violations***

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

### ***Disabled Parking Violations***

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

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

### ***Blocked Driveway***

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

If **YES**:

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

If **NO**:

- PEO will issue citation only without complainant contact.

### ***Less Than Four Feet of Mailbox***

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

### ***No Motor Vehicle Idling***

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

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

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

All complaints regarding abandoned vehicles are to be forwarded to the Abandoned Vehicle line at 608-266-4624 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 608-266-4622 during the hours of 8a-4p, Monday-Friday. We do not check temporary postings on the weekends or evenings.

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

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

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

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

The Alternate Side PEOs are hired as hourly employees during the winter months (November 15–March 15). These employees are scheduled to work between the hours of midnight-6a. There are a total of 11 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 608-266-4622.

Questions regarding Alternate Side Parking or Snow Emergency can be directed to the Winter Parking Hotline – at 608-261-9111 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, 02/25/2021, 01/16/2023)



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



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

Eff. Date ~~03/21/2022~~ 01/31/2023

**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 Police Executive Office Supervisor, 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 as follows:

<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-County Building Access - Non-Business Hours
Canine Use	Guarding Prisoners	City Owned Property - Use and Care
Calls for Service (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
<del>Deadly Force – Use of</del>	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
Detox, JRC, Jail, and Probation and Parole Responses and Conveyances	Investigation of Incidents Involving Shots Fired	Drug Recognition Expert (DRE)
Digital Forensics	Language Access Services	Employee Assistance Program (EAP)
Domestic Abuse	Missing Child	Funerals and Ceremonies of Law Enforcement Officers (LEO)
Emergency Vehicle Operations Guidelines	Mutual Aid Requests and Enforcement Action Out of Jurisdiction	Identification of MPD Employees

Annual Review	Every Other Year	Every Three Years
Enforcement of Immigration Laws	Naloxone - Narcan – Protocol	Incident Review Process
Enforcement of Marijuana Laws	NIBIN	Interns Application and Acceptance Process
Evidence-Based Problem Oriented Policing	Overtime Guidelines	Landlord Tenant Unwanted Guest Criminal Trespass
Foot Pursuits	Overtime Protocols for Police Report Typists	Law Enforcement LE Officer Safety Act – (LEOSA) –for Former Madison Police Officers
General Duties and Expectations of Employees	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
Handling of Informants	Personal Appearance	Mendota Mental Health Institute Response
Hostage Situation Incidents	Police Weaponry	Military Leave
Identification Procedures	Precautionary Measures and Significant Exposure to Infectious Pathogens	Mobile Data Computers - Use of
Interactions with Youth	Preserve the Peace	Mounted Patrol Use
Labor Disputes and Picketing	Probation and Parole Searches	MPD Locker Rooms
Line of Duty, Life-Threatening Injury, or Death of an Employee	Recording Suspect Interviews	News Media Relations
Major Case Investigations	Reporting Procedure	Off-Duty Officer Responsibilities
Mental Health Incidents and Crises	Restricted Duty	Outside Employment
Non-Deadly Force – Use of	Retail Theft	Personnel File Contents and the Process for Accessing these Records
Notification of Commanding Officers	Social Media - Investigative Use	Police Motorcycles
Officer Involved Deaths and Other Critical Incidents	Social Media – Non-Investigative Use	Police Vehicle Parking
Professional Standards & Internal Affairs (PSIA) Complaint Investigation	Social Media - Off Duty Use	Political Activity
PSIA Discipline Matrix	Special Events Team Specialty Teams	Pre-Employment Candidate Files
PSIA Electronic Complaint File Management System	Special Events Team Extrication Team	Replacement of Lost, Stolen, or Damaged Equipment
Records Inspection and Release	Special Events Team Grenadiers	Requesting Additions or Changes to Approved Uniform and Equipment Lists
Response to Persons with Altered State of Mind	Special Events Team Medic Platoon	Sex Offender Notifications
Robberies in Progress and Silent Robbery Alarms	SWAT Body Worn Cameras	Soliciting and Receiving In-Kind or Cash Donations and Applying for Grant Funding
Search Warrant Service	System Audits	Special Duty
Searches	Third Party Database Use and Dissemination	Stolen Vehicle Reporting Guidelines
Sexual Assault Investigations	Transaction Information for the Management of Enforcement (TIME) System Use and Dissemination of Records	Tours, Visitors, and Ride-Alongs
Stops and Frisks	Traffic Parking and Crash Investigation	Tuition Reimbursement and Educational Incentive (MPPOA)
Supervision and the Early Intervention System	Uniform Standards	U Visa Program Participation
Threats of Targeted or Mass Casualty Violence	Workplace Safety	Uniform Accounts
Unmanned Aircraft Systems (UAS)		Update of Payroll Status for Promoted Employees

Annual Review	Every Other Year	Every Three Years
Use of Force		Vehicle Escorts
Use of Force Data Collection		Vehicle Use, Assignment, and Maintenance
Use of the Superhailer Long Range Communication System		WI Prescription Drug Monitoring
Use of Tire Deflation Devices		Workplace Workforce Telestaff Requirements
Video and Audio Surveillance		
Video Evidence Retrieval		

**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 Police Executive Office Supervisor, 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 Police Executive Office Supervisor, Administrative Assistant to the Chief, acting as a delegate to Assistant Chief of Support and Community Outreach, to follow-up on any proposal, and to complete any needed action.

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

Original SOP: 04/08/2015  
 (Reviewed Only: 03/01/2016, 01/09/2017)  
 (Revised: 01/20/2017, 03/08/2018, 08/27/2018, 01/30/2019, 09/09/2019, 01/03/2020, 10/12/2020, 08/31/2021, 03/21/2022, 01/31/2023)



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



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

Eff. Date ~~01/31/2023~~ **02/23/2023**

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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**

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Arrest, Incarceration, & Bail – Youth	Bomb Threats	Cellular Telephones – Use of
Barricaded Person Incidents	Court Overtime	Changes to Code of Conduct and Standard Operating Procedures
Canine Use	Guarding Prisoners	City-County Building Access - Non-Business Hours
Calls for Service (CFS) Dispatch Guidelines	Guidelines for Case Assignment and Management	City Owned Property - Use and Care
Civil Actions Against Police Department Employees	Hours Worked	Civilian Hiring Process
Crime Scene Response	In-Car Video System	Cold Case Review Team
Critical Incident Stress Management	Interactions with Transgender and Gender Non-Conforming Individuals	Community Rooms
De-Escalation	Interviews of Crime Victims	Custody of Newborn
Demonstrations & Assemblies	Intoxicated and Incapacitated Persons	Departmental Awards and Recognition
Detox, JRC, Jail, and Probation and Parole Responses and Conveyances	Investigation of Cases Involving Officers as Victims of Serious Crimes	Dignitary Protection
Digital Forensics	Investigation of Incidents Involving Shots Fired	Donation of Vacation and Compensatory Time
Domestic Abuse	Language Access Services	Drug Recognition Expert (DRE)
Emergency Vehicle Operations Guidelines	Missing Child	Employee Assistance Program (EAP)
Enforcement of Immigration Laws	Mutual Aid Requests and Enforcement Action Out of Jurisdiction	Funerals and Ceremonies of Law Enforcement Officers (LEO)
Enforcement of Marijuana Laws	Naloxone - Narcan – Protocol	Identification of MPD Employees

Annual Review	Every Other Year	Every Three Years
Evidence-Based Problem Oriented Policing	NIBIN	Incident Review Process
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 Evidence, Contraband, Found, or Lost Property	Patrol Leave Requests	Law Enforcement Officer Safety Act –(LEOSA) –for Former Madison Police Officers
Handling of Informants	Patrol Staffing Hold Guidelines, Special Events, and Special Assignment Scheduling	Life Threat Emergency at Facility Public Windows
Hostage Situation Incidents	Personal Appearance	Lost and Abandoned Property
Identification Procedures	Police Weaponry	Mendota Mental Health Institute Response
Interactions with Youth	Precautionary Measures and Significant Exposure to Infectious Pathogens	Military Leave
Labor Disputes and Picketing	Preserve the Peace	Mobile Data Computers - Use of Mounted Patrol Use
Line of Duty, Life-Threatening Injury, or Death of an Employee	Probation and Parole Searches	
Major Case Investigations	Recording Suspect Interviews	MPD Locker Rooms
Mental Health Incidents and Crises	Reporting Procedure	News Media Relations
Notification of Commanding Officers	Restricted Duty	Off-Duty Officer Responsibilities
Officer Involved Deaths and Other Critical Incidents	Retail Theft	Outside Employment
Professional Standards & Internal Affairs (PSIA) Complaint Investigation	Social Media - Investigative Use	Peer Support Program
PSIA Discipline Matrix	Social Media – Non-Investigative Use	Personnel File Contents and the Process for Accessing these Records
PSIA Electronic Complaint File Management System	Social Media - Off Duty Use	Police Motorcycles
Records Inspection and Release	Special Events Team Specialty Teams	Police Vehicle Parking
Response to Persons with Altered State of Mind	SWAT Body Worn Cameras	Political Activity
Robberies in Progress and Silent Robbery Alarms	System Audits	Pre-Employment Candidate Files
Search Warrant Service	Third Party Database Use and Dissemination	Replacement of Lost, Stolen, or Damaged Equipment
Searches	Transaction Information for the Management of Enforcement (TIME) System Use and Dissemination of Records	Requesting Additions or Changes to Approved Uniform and Equipment Lists
Sexual Assault Investigations	Traffic Parking and Crash Investigation	Sex Offender Notifications
Stops and Frisks	Uniform Standards	Soliciting and Receiving In-Kind or Cash Donations and Applying for Grant Funding
Supervision and the Early Intervention System	Workplace Safety	Special Duty
Threats of Targeted or Mass Casualty Violence		Stolen Vehicle Reporting Guidelines
Unmanned Aircraft Systems (UAS)		Tours, Visitors, and Ride-Alongs
Use of Force		Tuition Reimbursement and Educational Incentive (MPPOA)
Use of Force Data Collection		U Visa Program Participation
Use of the Superhailer Long Range Communication System		Uniform Accounts



Annual Review	Every Other Year	Every Three Years
Video and Audio Surveillance		Update of Payroll Status for Promoted Employees
Video Evidence Retrieval		Vehicle Escorts
		Vehicle Use, Assignment, and Maintenance
		WI Prescription Drug Monitoring
		Workforce Telestaff Requirements

**MID-YEAR ADJUSTMENTS**

Any member of the MPD may recommend a change to any SOP or recommend creating a new SOP. The changes must be in writing and show the edits from the most current edition of the SOP. The written request should be directed to the Police Executive Office Supervisor. 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 Police Executive Office Supervisor, acting as a delegate to Assistant Chief of Support and Community Outreach, to follow-up on any proposal and to complete any needed action.

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

Original SOP: 04/08/2015  
 (Reviewed Only: 03/01/2016, 01/09/2017)  
 (Revised: 01/20/2017, 03/08/2018, 08/27/2018, 01/30/2019, 09/09/2019, 01/03/2020, 10/12/2020, 08/31/2021, 03/21/2022, 01/31/2023, 02/23/2023)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Court Overtime

Eff. Date 10/06/2020  
01/31/2023

**Purpose**

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

**Procedure**

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

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

**RDO, Bereavement, or Vacation Day:**

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

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

- For any shift beginning before 8:00 PM (1st, 2<sup>nd</sup>, or 3rd detail personnel), the appropriate detail code is either COU or PCOU.
- For any shift beginning 8:00 PM or later (4th or 5th detail personnel), the appropriate detail code is COU3 or PCOU3.
- If an employee is scheduled for court during regular work hours when leave time (other than vacation or bereavement leave) is used, no overtime is earned. Instead, the leave time will be reduced to accommodate court attendance during regularly scheduled work time.
- Examples of leave types other than vacation and bereavement leave include the following: sick, exigent, administrative, FMLA, City-paid parental leave, military, earned time, worker's comp, **and FTO**, and wellness days (referring to MPD wellness days accompanied by an appointment with a provider, which is different from the Floating Wellness Days for MPPOA members)-

**Floating Wellness Day (MPPOA Only):**

- If on a floating wellness day approved outside of the vacation pick process and if court occurs during regular shift or ordered in for an emergency during regular shift, leave time would be adjusted accordingly (time worked becomes regular time and leave time would be reduced by the amount of time worked).
- If the floating wellness time was scheduled during the annual vacation pick process as part of the 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> pick vacation, court-related overtime is the only type of overtime which can overlap with floating wellness time.

- Phone calls are covered under Article VIII, E, 5 of the MPPOA contract that covers payment for off-duty phone calls regarding testimony. When contacted by phone **from by** the prosecutor, for trial prep or scheduling, the employee is eligible for overtime if the call is longer than 10 minutes. The employee enters the exact duration of the phone call as follows:
  - The appropriate overtime code is OT Misc OT Pay. The detail code is TRP (or **PTRP PTRP**).

- The employee is paid for the exact time of the phone call only - no minimum call back to duty times apply.
  - Trial prep which occurs virtually will be treated the same as if it had occurred over the phone, and thus should be entered as OT Misc OT Pay (TRP or PTRP). Trial prep which occurs in-person should be coded as OT General (TRP or PTRP).
- If an employee is under subpoena but placed on “stand-by” (not required to physically appear for the duration of the subpoena but must be available during certain periods), the correct overtime code is **OT Standby – Court**. The detail code is STB (or PSTB).
    - a) Officers will receive a minimum two (2) hours of pay or compensatory time at the rate of time-and-one-half their regular rate of pay for each calendar day that they are under subpoena and put on “stand-by”. (“Stand-by” time periods may not directly reflect the time periods on the written subpoena).
    - b) If an officer is on “stand-by” for a period that extends beyond two (2) hours, the officer is entitled to an additional one-third (1/3) of an hour of compensation (rate of time-and-one-half their regular rate of pay) for each hour that they are under subpoena and on “stand-by”. If the officer is not contacted and released from their “stand-by” status, they are presumed to be released at 4:30pm - unless specifically directed otherwise.
    - c) If an officer is under subpoena and on “stand-by” and is then called to physically appear, standard contractual compensation provisions will apply. The officer will receive hourly compensation under (b) for time on “stand-by” prior to court appearance, but will not receive the two (2) hour minimum compensation mentioned above under (a).
    - d) If an officer is under subpoena and on “stand-by” during a time period immediately before or after their regular shift for a period of two (2) hours or less, they will not receive the minimum compensation under (a), but will receive compensation only for the actual time on “stand-by” (rate of time-and-one-half their regular rate of pay).
    - e) Employees receiving compensation for “stand-by” are not eligible for court cancellation compensation.
    - f) If an officer is under subpoena and is directed to provide testimony by telephone, they will be compensated pursuant to standard contract provisions as if they had reported for duty to testify. This only applies to testimony provided by telephone pursuant to a subpoena and does not apply to other telephone communication (trial preparation, scheduling, etc.).
    - g) An OT Standby – Court entry will need to be entered in TeleStaff by an officer for each calendar day directed to be on “stand-by”. The work code defaults to the hours 08:00 to 16:30, requires a detail code, a case number and name in the note field, and will need to be approved by a supervisor.

### LESS THAN 24 HOUR NOTICE OF COURT CANCELLATION

- If an employee is subpoenaed to attend court and is later notified they will be testifying by phone, they can enter overtime for court cancellation if the notification was less than 24 hours notice. (Note: an employee is only eligible for court cancellation overtime if court was scheduled outside of normal working hours, on a regular day off, or on a vacation or bereavement leave day.)
- If an employee has a court cancellation and then testifies by phone, they can only enter one type of overtime. Either they are paid the minimum 2 hours for a court cancellation or they are paid the time of the phone testimony - the employee cannot request both.
- Court cancellations are as follows:
  - The work code is OT Court and the detail code is COL or PCOL.
  - An employee is eligible if they are notified that court has been canceled less than 24 hours before they are scheduled to testify. If the start time for court is moved, but the appearance remains on the same date originally scheduled, then the employee is not eligible for court cancellation overtime.
  - If court is scheduled to start during an employee’s regular work shift, even if that is the end time for the work shift, then the employee is not eligible for court cancellation overtime. An employee’s regular duty shift includes their normal work hours and any continuous work beyond their scheduled shift.

- The overtime entry should be made with a start time that is the same date and time that appears on the subpoena or, when required, ~~30 minutes prior for a meeting with the City Attorney~~ an earlier time as directed by the City Attorney or District Attorney. The entry is always for 1 hour, unless the 1 hour overlaps the start of a work shift or any other overtime. In that situation, the end time is the start of the shift or overtime to avoid overlapping.

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

Original SOP: 06/10/2014  
(Reviewed Only: 02/22/2016, 01/09/2017, 12/26/2017)  
(Revised: 04/17/2020, 10/06/2020, 01/31/2023)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Crime Scene Response

Eff. Date ~~01/19/2017~~ 01/31/2023

### Purpose

This document outlines the appropriate **Madison Police Department (MPD)** response to crime scenes and procedures for investigating major cases.

### Procedure

#### POLICE OFFICERS/INITIAL RESPONDERS

- The first priority is to secure the scene and ensure that no suspects or others who may pose a threat to officers are present. Conduct a protective sweep, if appropriate.
- The **first initial** officer at the scene should take responsibility for making initial assignments to **other** responding officers until a supervisor arrives.
- Provide aid to any injured persons. Allow **Madison Fire Department (MFD)** personnel to provide treatment while minimizing disturbance to scene. Obtain **the** names of MFD personnel entering the scene after victim has been treated. If **a** victim is conveyed to a hospital, ensure that an officer rides in ambulance with injured person.
- If **a** victim is deceased, do not touch, move, or disturb body or surroundings unless necessary for safety reasons. **Identify a safe or already traveled path to the victim to minimize contamination of scene. Escort the Medical Examiner to the victim.**
- Once medical assistance has been provided and the scene is safe, **one officer should maintain standing just inside the scene, if appropriate, and other personnel should exit the scene, and secure it (one officer should maintain standing just inside the scene if appropriate).**
- Secure **the** scene using crime scene tape. Give careful consideration to how big the scene may be when taping the perimeter. It is easier to reduce that area once it is determined that area is not involved than it is to try **and to** expand that area.
- One officer should be assigned to maintain a log **of who** documenting anyone who enters and exits the scene **via an established, secure, and controlled access point.** Other officers should be assigned **to all other points of entry/exit to prevent anyone from entering or exiting a scene unbeknownst to the officers and detectives on scene. Identify a safe or already traveled path to the victim to minimize contamination of scene. Escort Medical Examiner/medical personnel to render aid or confirm death.**
- While securing the scene, minimize the extent to which the scene/evidence is disturbed. Do not unnecessarily touch or move anything. If something must be disturbed, be sure it is documented **in a report and** ~~Also inform~~ that responding detectives/investigators who will be processing the scene **are informed.**
- Identify witnesses at the scene and try to keep them separated.
- Brief **the** supervisor upon arrival and turn over responsibility for the scene to them.
- Complete **a** report prior to end of shift unless approved by a supervisor.

#### SERGEANTS

- Obtain **a** briefing from officers on scene and assume responsibility for **the** scene.
- Determine **the** status of victim(s). Ensure that officers are assigned to any victims transported by ambulance. **The officer Officer** should remain with **the** victim at all times, including surgery. If **the victim is** deceased, do not disturb victim **and** ~~;~~ minimize medical personnel entry into scene.
- Ensure that **the** perimeter has been secured and access controlled. Tape off **the** scene if not already done. Establish a point of entry/exit, and ensure that **an** officer is assigned to monitor access and complete a log. Establish a safe or already traveled path into crime scene.
- Make **a** preliminary evaluation of the incident and ~~needed~~ resources **needed and** ~~;~~ notify **the** OIC. Evaluate: **the need for** Detectives **and** / ~~;~~ investigators **needs;** special equipment **needs** (lighting,

- canopies, etc.); and additional officers relief officer needs. Consider talking directly to the on-call Detective Lieutenant to coordinate getting these resources issues (after OIC has been notified).
- Assign officers to identify witness(s) and suspect(s). Suspects should be detained and secured. Obtain identification and preliminary statements from witnesses. Keep witnesses separated.
  - Isolate family members from scene as soon as possible. Assign an officer to stay with family until a detective can assist.
  - No evidence – including personal items from victim – should be turned over to Medical Examiner until scene has been processed by detectives/investigators (only exception is victim's ID).
  - Request additional supervisors, if needed (to respond to hospital, etc.).
  - Maintain overall management of scene. Coordinate relief for officers when appropriate.
  - Complete Start completion of a Field Supervisor Crime Scene Log.
  - Refer any media requests to the Public Information Officer (PIO) or their designee.
  - Once the detectives or FSU Sergeant lieutenant arrives on scene, brief them and turn over responsibility for the scene to them. Assist as requested.

### OFFICER IN CHARGE

- Obtain a briefing from scene supervisor and make a preliminary determination of needed resources.
- Determine necessary level of Make notifications per the Notification of Commanding Officers SOP.
- Make initial contact with district Contact the On-Call Detective Lieutenant and/or appropriate Investigative Services Lieutenant detective lieutenant to help call in additional detectives facilitate notification of additional resources.
- Contact other command staff, as needed.
- Maintain oversight and responsibility of the investigation until a command post is established and the Detective Lieutenant detective lieutenant takes over responsibility.
- Handle initial media inquiries until a command post is established.
- Monitor citywide workload and determine whether additional patrol resources are needed.

Original SOP: 03/01/2014

(Revised: 01/19/2017, 01/31/2023)

(Reviewed Only: 12/26/2017, 01/30/2019, 01/31/2020, 01/11/2021, 02/04/2022)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Critical Incident Stress Management (CISM)

Eff. Date ~~11/30/2020~~ 01/31/2023

## Purpose

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

The policies outlined in this SOP are intended to apply to critical incidents experienced by both commissioned and civilian employees while on duty with the Madison Police Department.

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

## Procedure

### DEFINITIONS

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

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

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

**Employee Assistance Program (EAP):** The City of Madison Employee Assistance Program provides 24-hour professional and confidential assistance, information, resource referral, and support. EAP services are available at no cost to all current and retired City of Madison employees, families of employees, and significant others of employees. The EAP is a voluntary, work-based program that offers free and confidential mental health services to employees and their eligible family members who are experiencing personal and/or work related problems.

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

**Peer Support Officer (PSO):** Selected and trained commissioned personnel who confidentially support all MPD employees (civilian and commissioned), MPD retirees, and their families, who are confronting challenging stressors of everyday life. Peer Support Officers will also ensure that MPD's Critical Incident Stress Management (CISM) process is activated in the aftermath of a critical incident and will work with Critical Incident Partners (CIP) to provide aftercare to involved officers in a critical incident.

## GUIDELINES FOR DETERMINING A CRITICAL INCIDENT

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

The following are examples of critical incidents:

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

## CHARACTERISTIC SYMPTOMS FOLLOWING A CRITICAL INCIDENT MAY INCLUDE

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

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

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

## PROCEDURAL GUIDELINES

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

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



- d. The victim of the critical incident is personally known to the employee.
  - e. Other circumstances not described above but are determined to have a significant impact.
2. If the OIC determines that the incident falls within the definition of a critical incident, the OIC shall immediately notify an on-duty Peer Support Officer, and/or the Peer Support Program Coordinators and the Command Staff of the involved employee(s) or the District where the incident occurred in the case of multiple District employees.

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

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

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

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

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

Original SOP: 02/25/2015  
(Reviewed Only: 02/15/2016, 12/26/2017, 01/30/2019, 01/31/2020)  
(Revised: 06/13/2016, 12/22/2016, 11/30/2020, 01/31/2023)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Demonstrations and Assemblies

Eff. Date ~~09/20/2022~~ 01/31/2023

## PURPOSE

The purpose of this standard operating procedure (SOP) is to establish guidelines for managing crowds, protecting individual rights, and preserving the peace during crowd events.

## POLICY

It is the policy of the Madison Police Department (MPD) to protect individual constitutional rights related to assembly and free speech; to effectively manage crowds to prevent loss of life, injury, or property damage; and to minimize disruption to persons who are not directly involved in any particular assembly or demonstration.

## DEFINITIONS

**Freedom of Speech and Assembly:** For the purposes of this SOP, as articulated in the United States Constitution and the Constitution of the State of Wisconsin, the collective rights of the people to peaceably assemble, to consult for the common good, and to petition the government, or any department thereof.

**Demonstration (or Protest):** An assembly of persons organized primarily to engage in free speech activity. These may be permitted and scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention.

**Community Dialogue Representative (CDR):** Community members and leaders who serve as communication conduits between demonstrators and law enforcement and who possess credibility with the community to defuse tense situations without law enforcement intervention.

**Community Dialogue Team (CDT):** Members of the MPD Special Events Team who serve as communication conduits between law enforcement and demonstrators and who engage in regular informational and educational sessions with CDRs and general community members at large.

**Demonstration/Event Liaison:** Member(s) of MPD who attempt(s) to engage in dialogue with known event or demonstration organizers to assist MPD in its planning and to develop a shared understanding of the organizers' needs and objectives.

**Civil Disobedience:** A non-violent form of protest or resistance to obeying certain laws, demands, or commands of a government.

**Civil Disturbance or Unlawful Assembly:** Per Wisconsin State Statute Sec. 947.06, three or more people who cause such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed. An unlawful assembly may also be known as a civil disturbance or a riot.

**Crowd Management:** Techniques used to facilitate lawful assemblies before, during, and after the event for the purpose of maintaining lawful status through event planning, pre-event contact with event organizers, issuance of permits when applicable, information gathering, personnel training, and other means.

**Crowd Control:** Law enforcement response to crowds that have become an unlawful assembly / civil disturbance that may require dispersal and / or arrests.

**Protective Equipment:** Additional clothing items and equipment that law enforcement personnel may don to help protect them from physical injury. Protective equipment includes, but is not limited to, helmets; gas masks; chest, arm, and leg protectors; and gloves.

## PROCEDURE

### MANAGEMENT AND ORGANIZATION PRINCIPLES

It is the responsibility of MPD personnel to protect the rights of people to peaceably assemble, to consult for the common good, and to petition the government or any department thereof.

When working with crowds, the overall police philosophy must be one of moderation and flexibility. To the degree that it can be done safely, it is preferred that crowd participants self-regulate and manage their own events.

Communication between police and event organizers before and during events can create mutual understanding, generate cooperation and compliance, and prevent disorder.

Crowds are dynamic in nature. The totality of the circumstances must inform the decision to introduce police action to maintain public safety. The preferred police response is one of crowd management rather than crowd control.

MPD personnel have an obligation to protect community members' rights while maintaining order, protecting property, and ensuring safety, peace, and order. Freedom of speech, association, and assembly, and the right to petition the government are subject to reasonable restrictions on the time, place, and manner of expression.

When deciding whether to use certain police tactics within a crowd, MPD personnel must always balance the benefits of such action(s) to maintain public safety and order along with the impact on the demonstration participants' freedom of speech and assembly, and the impact on people and property. MPD personnel prioritize life, safety, protection of property, and constitutional rights, with an emphasis on life safety.

When safe and feasible and without compromising public safety, MPD personnel should seek opportunities to reduce the likelihood of the need to use force. Mass arrests should be avoided unless necessary.

Officers will utilize seven principles, known as the "Madison Method," when working with crowds:

1. We protect community members' constitutional rights to assemble, to petition the government, and to engage in free speech.
2. We are impartial and remain neutral regardless of the issue.
3. We maintain open dialogue with community members and the news media before, during, and after demonstrations.
4. We monitor demonstrations and marches to protect individual rights and ensure public safety.
5. We balance the rights of demonstrators with the rights of the community at large.
6. We use restraint in the use of force; we protect people first and property second.
7. We, as peace officers, pursue continuous improvement of our method.

### ORGANIZATIONAL RESPONSIBILITIES

A Federal Emergency Management Agency (FEMA) Emergency Management Institute Incident Command System (ICS) will be used by MPD personnel to plan for, to staff, and to manage crowd events. FEMA defines ICS as follows:

“A standardized approach to the command, control, and coordination of on-scene incident management, providing a common hierarchy within which personnel from multiple organizations can be effective. ICS is the combination of procedures, personnel, facilities, equipment, and communications operating within a common organizational structure, designed to aid in the management of on-scene resources during incidents. It is used for all kinds of incidents and is applicable to small, as well as large and complex, incidents, including planned events.”

Organization of responsibilities for managing demonstrations and assemblies shall be as follows:

- 1) The Incident Commander (IC) is the individual responsible for on-scene incident activities and has overall authority and responsibility for conducting incident operations. The IC shall:
  - a) Oversee the development, dissemination, and implementation of written operational plans, also known as the Incident Action Plan (IAP), for planned crowds and events. Documentation of and about a spontaneous event may occur as the spontaneous event develops and shall be formally preserved as soon as practicable after the spontaneous event;
  - b) Determine the mission and objectives and consider what deployment options and tactics are objectively reasonable under the totality of the circumstances;
  - c) When deciding whether to use certain police tactics within a crowd, the IC shall balance the benefits of such action(s) to maintain public safety, peace, and order along with the impact on the demonstration or event participants' First Amendment rights and other constitutional rights;
- 2) The Operations Section Chief is the individual responsible for implementing tactical incident operations described in the IAP, or other available written event documentation. The Operations Section Chief shall:
  - a) Assist the IC in determining staffing levels, probable missions, and possible tactical strategies during the planning for the event; and
  - b) Assign units to specific missions during the event to meet the objectives established by the IC.
- 3) The Special Events Team (SET) Incident Command Post (ICP) Commander is the SET representative assigned to the incident/event command post and is responsible for the overall deployment and management of SET resources. The SET ICP Commander shall:
  - a) When feasible, facilitate pre-event informational briefing prior to planned events;
  - b) Effectuate tactics designed to accomplish mission objectives;
  - c) When feasible, and through the use of the Demonstration/Event Liaison, attempt to establish and maintain communication, with the Person-In-Charge / Event Point of Contact, or designee, during demonstrations;
  - d) Communicate updates and information from the Incident Command Post (ICP) to the SET Field Commander(s) and from SET Field Commander(s) to the ICP;
  - e) Ensure that grenadier munition deployments reported over the radio are recorded in the ICP event log;
  - f) Record SET activity on an ICS-214 form.
- 4) The SET Field Commander(s) / supervisor(s) is/are the highest-ranking supervisory SET member(s) assigned to the event in the field. SET Field Commander(s) shall:
  - a) Assess the behavior of the crowd and regularly provide updates to the IC;
  - b) Serve as or designate an alternate Demonstration/Event Liaison;
  - c) Direct SET members to attempt to positively interact with the crowd when safe and appropriate.

- 5) SET Sergeants are the direct supervisors of squads of SET Officers. SET Sergeants:
  - a) Shall verify that SET officers have the proper equipment;
  - b) Shall ensure that all SET officers are briefed prior to the start of the event;
  - c) Should maintain close contact with their assigned officers during deployments to ensure compliance with directives, monitor behavior and disposition, and ensure that they are aware of any changes in crowd behavior or intent;
  - d) Shall ensure the completion of required documentation for any use(s) of force and/or injury.
  
- 6) The SET Lead Grenadier is the SET Grenadier Team member designated to serve as the team leader for a given event deployment. The SET Lead Grenadier shall:
  - a) Ensure SET grenadiers are equipped with a proper grenadier equipment prior to deployment;
  - b) Ensure that additional equipment is loaded in an event accessible vehicle for deployment;
  - c) Confirm additional munitions and a system for dissemination are available in case of deployment and need for resupply;
  - d) Track the distribution of chemical and impact munitions to SET grenadiers and audit the use or return of such munitions after they are deployed into the field.
  
- 7) SET Grenadiers have specialized training, equipment, and skills in the use of chemical (CS) and oleoresin capsicum (OC or Pepper Spray) munitions, sprays, and aerosols, and in the deployment of impact munitions. SET Grenadiers:
  - a) Shall be issued a standard array of SET munitions and equipment and at a minimum, individual grenadiers will inspect and inventory their assigned load out at a minimum frequency of twice per year;
  - b) Should inspect and inventory their assigned grenadier equipment and supplies at the beginning of each activation;
  - c) When authorized, shall deploy to the field with the standardized complement of grenadier equipment and shall only deploy with authorized equipment for which they have received proper training;
  - d) Should not carry Grenadier equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee. In exigent circumstances, grenadiers may deploy specialized grenadier equipment with the permission of a supervisor, but shall inform a SET commander as soon as practicable;
  - e) Shall, as soon as practicable, relay information over the police radio about any munition deployed so that an audio record of the deployment exists; information relayed should include the type, quantity, and location of any munition deployed.
  
- 8) SET Field Extrication Team (FXT) members have specialized training and skills to extricate persons from protest devices. When demonstrators' actions and/or practices unreasonably impede traffic, restrict the public's freedom of movement, and/or jeopardize public safety, SET FXT members will be activated to respond. SET FXT members:
  - a) Shall ensure the safety of demonstrators, the public at large, and themselves when responding to a protest device;
  - b) Shall utilize techniques based on training, the MPD Code of Conduct, and other MPD SOPs to assess, plan, and when necessary, extricate a person from a protest device;
  - c) Shall demonstrate the safe and proper use of all FXT tools and equipment;
  - d) Shall inspect and maintain an inventory of all equipment and the equipment shall be stored in the designated department-issued vehicle;

- e) Should not carry FXT equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee.
- 9) SET Medics have specialized training and skills to provide immediate emergency casualty care to officers and to citizens within an austere environment. SET Medics:
- a) Should be incorporated into as many platoon or squads as staffing assigned to the event allows;
  - b) Shall be issued a standard array of SET medics supplies and equipment and shall carry this equipment with them during events;
  - c) Are authorized to keep their SET-issued specialized medical equipment with their regular work equipment to allow them to respond to any incident involving mass casualties or a clear need for emergency casualty care response;
  - d) Shall follow appropriate protocol for emergency medical treatment established by the following authorities:
    - i) The State of Wisconsin Department of Justice Law Enforcement Standards Board for Tactical Emergency Casualty Care
    - ii) The directions, trainings, and protocol as ordered by the Medical Director of MPD.
- 10) SET Bike Team members have specialized training and skills to use police bikes to perform crowd engagement and management duties. SET Bike Teams:
- a) Should be deployed in teams of a least two riders/team;
  - b) Shall wear approved bike uniform or a high-visibility vest over a standard MPD uniform when riding;
  - c) Shall wear helmet at all times when the bicycle is in operation;
  - d) Should follow rules of the road when riding, to include the display of proper front and rear lighting, except under the following conditions (Wisconsin State Statute 346.03(3)):
    - i) In response to an emergency call;
    - ii) While engaged in rescue operations;
    - iii) In the immediate pursuit of an actual or suspected violator of the law.
- 11) SET Community Dialogue Team (CDT) members will have additional training to serve as the communication conduits between law enforcement, demonstrators, and the community. SET CDT members:
- a) Will serve as Demonstration/Event Liaisons when available;
  - b) Should attempt to dialogue with event organizers/persons-in-charge and should convey information to the ICP personnel;
  - c) Will facilitate informational and educational sessions throughout the year outside of any event or demonstration.
- 12) SET Officers:
- a) Are Uniformed personnel assigned to work an event or demonstration, primarily in an on-foot capacity;
  - b) Shall wear identification (nameplates, IBM/badge number) in a visible location on their person at all times;
  - c) Should focus on conveying the message that law enforcement is present at the event to protect crowd participants and their right to demonstrate peacefully;
  - d) Shall report and document any use of force according to the Use of Force Data Collection and Review SOP.

## COMMUNICATION

MPD's goals during demonstration and assembly events are to facilitate participants' lawful objectives and protect their rights to freedom of speech and to assemble. Furthermore, where event participants comply with statutes and ordinances, MPD personnel should encourage and support participants' efforts to monitor themselves in an attempt to limit police involvement.

When a police response is requested or deemed necessary, the IC shall designate at least one Demonstration/Event Liaison who shall:

- a. Make reasonable efforts to contact and engage in dialogue with known event or demonstration organizers to assist MPD personnel in their planning and to develop a shared understanding of the organizers' needs and objectives. Similarly, the Demonstration/Event Liaison(s) should communicate law enforcement's expectations and inform participants on permissible and restricted actions during the event or demonstration and should be prepared to explain specific safety concerns and how MPD may intervene if safety becomes an issue
- b. Attempt to maintain communication with known event or demonstration organizers or the Person(s)-In-Charge before and during the event. The Demonstration/Event Liaison(s) shall maintain communications with the IC to keep them apprised of the situation. Consideration should be given to multilingual communication needs.

MPD, through the Public Information Officer (PIO) or another designee and in coordination with the IC, may communicate through the use of social media and other conventional outlets to keep the public, including the crowd, informed throughout the event.

During crowd events, MPD personnel may make announcements to the crowd designed to convey general information, to communicate targeted information to specific individuals, and to serve as a de-escalation tool by directing and informing the crowd in an attempt to prevent the need for police action.

MPD may request the presence of Community Dialogue Representatives (CDR) who can facilitate productive public safety interactions and communications at demonstrations when the presence of these community representatives may assist in achieving public safety.

## PLANNED CROWDS AND EVENTS

Planning for events or demonstrations will be the responsibility of the affected district command staff where the event is scheduled to occur, or of the MPD **Traffic & Specialized Services Lieutenant Special Events Coordinator**, or of the designee of the Chief. The designated IC shall determine the level of police response, if any, is warranted.

The IC, or designee, shall make reasonable efforts in advance to contact event organizers and attempt to gather as much of the following necessary information about the event from the event organizers and other available information sources (Criminal Intelligence Section, social media, past event experience, etc.) to ensure accurate assignment of personnel and resources:

- a. What type of event is involved?
- b. When is it planned to occur?
- c. Will the event coincide with other routine, large-scale events (e.g., sporting events)?
- d. Is opposition to the event expected?
- e. How many participants are expected to attend the event?
- f. What are the assembly areas and movement routes in and around the event location?
- g. What actions, activities, or tactics are anticipated, to include use of demonstrator devices designed to thwart arrest?



- h. What critical infrastructures are in the proximity of the event?
- i. Have permits been issued?
- j. Have other agencies, such as the Madison Fire Department (MFD), Madison Metro, and/or Traffic and Engineering been notified?
- k. Is there a need to request mutual aid?
- l. Will off-duty personnel be required?
- m. What is the history of conduct at prior such events?
- n. Are event organizers cooperative with police communication and coordination attempts?
- o. Who are the potential counter-protest groups?
- p. Is there a history of violence between the group demonstrating and potential counter-protest groups?

The IC or designee shall prepare a written plan subject to the approval of the chief executive officer or designee. The plan should address the following and should be distributed to all participating agencies and special response teams:

- a. Command assignments and responsibilities
- b. Personnel, unit structure, and deployment considerations to include the need for special response teams (i.e., SET, MFD, Special Weapons and Tactics (SWAT), Unmanned Aircraft System (UAS), etc.)
- c. Information obtained through liaison(s) with event planners
- d. Communication plan, to include release of information to the media
- e. Pre-event intelligence analysis
- f. Weather and terrain at the event location
- g. Transportation, support, and relief of personnel
- h. Staging points for additional resources and equipment
- i. Traffic management plan
- j. First aid stations established in coordination with emergency medical service providers
- k. Demonstrator devices, extrication teams, and equipment
- l. Transportation of arrestees
- m. Arrestee processing areas, to include required considerations for youth arrests
- n. Any laws, ordinances, or administrative rules specific to the event

## SET ACTIVATION

SET may be activated for a special event, demonstration, dignitary protection, or any unlawful assembly / civil disturbance. SET personnel may deploy on foot, on bicycles, and/or in vehicles for any planned or spontaneous event to which the team is assigned to work.

Initial requests for SET activation should be made to the Lead SET Commander. If that person cannot be contacted immediately, a deputy SET commander shall be contacted. A full-team SET activation should generally be approved by the lead SET Commander and designated Assistant Chief; however, SET use may be approved by any MPD supervisor if no SET commander/supervisor can be contacted, or in case of extraordinary emergency where command approval would be impractical. A SET commander will be notified as soon as possible of any SET usage that did not have prior authorization.

SET personnel, under the direction of a SET commander or designee, will have primary responsibility for on scene management and control of all crowd events in which any significant portion of the team is activated. SET personnel shall avoid leaving MPD vehicles unattended at any point during a deployment. SET personnel

shall stow their protective equipment at the stand-down location(s) for the team or in their assigned vehicle during a mobile event responses.

Whenever two or more SET platoons are activated, or when determined at the discretion of a SET commander, an incident command post (ICP) will be designated and staffed. When possible, the ICP will be staffed by a SET commander, an affected district commander, a camera operator, and a recorder. The camera operator is responsible for accessing available camera footage of the event area in the ICP and requesting the preservation as evidence of any such footage. The recorder is responsible for maintaining an event log and other necessary documentation while the ICP is active.

### **SET DEMOBILIZATION**

At the conclusion of any SET deployment:

- a. SET supervisors shall account for all personnel engaged in the incident and shall assess and document any personal injuries.
- b. Equipment used during the deployment should be inventoried and inspected for damage and replaced when necessary.
- c. Any arrests shall be reported to the incident commander.
- d. All SET field personnel shall report any and all uses of force to a supervisor before the conclusion of their assignment. SET supervisors shall complete the MPD SET demobilization checklist whenever uses of force or injury occurred during a deployment.
- e. All SET field personnel shall complete a police report on any uses of force before the conclusion of their assignment.

After a crowd control incident, SET personnel should debrief and conduct an after-action review of the incident when practicable.

### **SPONTANEOUS CROWDS**

A spontaneous crowd is not necessarily unlawful, nor does it automatically require a significant police response. If the crowd is at an MPD station or facility, refer to the District Station and Facility section of this SOP.

A sergeant shall respond to the location of a spontaneous crowd and determine if a police response is warranted. If a police response is warranted, the sergeant shall coordinate the response and notify the Officer in Charge (OIC).

When safe and feasible, the on-scene sergeant or designee may attempt to engage the spontaneous crowd organizer in an effort to determine an appropriate police response.

If crowd behavior escalates beyond civil disobedience to a level that may pose a threat to public safety during a spontaneous crowd event that is being managed by a sergeant, the OIC shall contact a commander in the affected district to assess the needs for additional resources.

### **SPONTANEOUS CIVIL DISTURBANCE**

The first officer(s) to arrive on the scene of a spontaneous civil disturbance should:

- a. Observe the situation from a safe distance to determine if property damage or acts of violence are occurring;



- b. Advise on the police radio of the nature and seriousness of the disturbance, particularly the following:
  - i) the location and estimated number of participants,
  - ii) the presence of weapons,
  - iii) current activities (e.g., blocking traffic, violence, looting),
  - iv) direction of movement of participants,
  - v) routes of ingress and egress for emergency vehicles;
- c. Request the assistance of a supervisor and necessary backup officers; and
- d. Attempt to pinpoint crowd leaders and agitators engaged in criminal acts;

A supervisor at the scene of a spontaneous civil disturbance should:

- a. Deploy officers at vantage points to report on crowd actions;
- b. Depending on intelligence and observations, consider attempting to establish contact with the demonstrators;
- c. Move and reroute pedestrian and vehicular traffic around the event location;
- d. Ensure, to the degree possible, that uninvolved individuals are evacuated from the immediate area of the event location;
- e. Designate a secure staging area for emergency responders and equipment;
- f. Provide ongoing situational assessments over the police radio and request a dedicated, encrypted police radio channel;
- g. Establish a temporary command post;
- h. Form Strike Teams: Responding officers should be formed into strike teams of generally three (3) to four (4) officers (minimum) and a sergeant. For officer safety, officers should always work in teams in crowd environments. Sergeants should rely on the experience of on duty SET members to help organize teams and tactics.
- i. Announcements: At the first available opportunity, make audible requests that the crowd voluntarily disperse. This can be done from a safer distance by using the squad public address (PA) device. When possible, make repeated announcements and allow enough time for voluntary compliance. When feasible, note announcement times with dispatch over the police radio.
- j. Ensure that adequate security is provided to MFD and Emergency Medical Services (EMS) personnel in the performance of emergency tasks.
- k. Isolate and arrest: Only when sufficient resources are on hand, strike teams should identify and attempt to arrest individuals who are engaging in criminal conduct. Officers should communicate with each other to identify individuals involved in criminal conduct and then work as a team to safely take those individuals into custody using contact / cover principles.

Other considerations:

- a. Cameras: Valuable intelligence and situational awareness can be gained by utilizing city cameras. While strike teams are responding, and if resources allow, consider assigning an officer to access the city camera network to communicate with on-scene officers.
- b. When possible, an event log can be helpful to document activities and actions taken during the course of the incident; if resources allow, consider assigning an officer to maintain an event log.
- c. Video evidence should be preserved as needed.

When civil disturbances cannot be controlled with available field personnel within a reasonable period of time, the OIC shall contact the lead SET Commander.

## PROTECTIVE EQUIPMENT

Absent exigent circumstances, protective equipment may only be donned at the direction of a commanding officer. The decision to don protective equipment shall be based on several factors, including, but not limited to, the following:

- a. the safety of officers
- b. individual and / or group physical resistance
- c. the presence of items that can be used as weapons
- d. criminal actions or their threat
- e. violent behavior or its threat
- f. the potential impact or perceived effect that appearing in protective equipment may have on the crowd.

When practicable, the officers wearing protective equipment should be positioned in locations that minimize visibility until deployment is necessary. Officers may elect to don helmets separately from the rest of their protective equipment if they can articulate that the additional protection is necessary.

Mounted Patrol (MP) officers and their horses shall have their protective gear readily available at the MP stand-down location during any event deployment; this gear may be donned at the direction of a commanding officer.

## MPD VEHICLES AND EQUIPMENT

When civil disobedience or civil disturbance can be reasonably anticipated to occur in a particular area, officers should avoid leaving any MPD vehicles unattended in those areas.

If rifles are brought in squad cars to an area where civil disobedience or civil disturbance can be reasonably anticipated to occur, the rifles must be locked in a rifle rack or in a secured cabinet in the squad car, unless the rifles are being actively handled by an officer. Any rifle that cannot be secured in the locked rack or cabinet in the vehicle should be stored at a secure MPD location.

All MPD personnel shall abide by any parking directives set in place for any planned or spontaneous events.

## UNLAWFUL ASSEMBLY

Pursuant to Wisconsin State statute 947.06, an "unlawful assembly" is an assembly which:

1. Consists of three (3) or more persons, and
2. Causes such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed.
3. An unlawful assembly includes:
  - a. an assembly of persons who assemble for the purpose of blocking or obstructing the lawful use by any other person or persons of any:
    - i) private or public thoroughfares, or
    - ii) property of or any positions of access or exit to or from any private or public building; or
    - iii) dwelling place, or any portion thereof
  - b. and which assembly which assembly *does in fact so block or obstruct* the lawful use by any other person, or persons of any such:
    - i) private or public thoroughfares, or

- ii) property of or any positions of access or exit to or from any private or public building; or
- iii) dwelling place, or any portion thereof

## DISPERSAL

If it is reasonable to believe that a significant number individuals will cause injury or property damage if not immediately dispersed, the IC may declare an unlawful assembly. The IC shall strive to accomplish the following primary objectives at an unlawful assembly:

- a) Protect people,
- b) Disperse disorderly or threatening crowds in order to mitigate the immediate risks of continued escalation and further violence;
- c) Arrest law violators, including those responsible for property damage, and remove or isolate persons inciting violent behavior.

Prior to giving the order to disperse the crowd, the IC must consider the following:

- a. The severity and degree of the threat to people or property
- b. The number and nature of unlawful acts within the crowd
- c. The number and nature of violent acts within the crowd
- d. Whether separate crowds have merged and now the group has internal conflict between participants
- e. Whether sufficient police resources are available on scene to manage the incident effectively
- f. If there are reasonable alternatives to dispersal, including
  - i) Communicating with event organizers or persons-in-charge in order to restore order through collective agreement of action
  - ii) Targeting for arrest specific individuals who are engaged in unlawful action that are driving crowd behavior
- g. Whether dispersal unduly endangers the public, the police, or participants in the crowd
- h. The mere failure to obtain a permit, such as a parade permit or sound permit, is not a sufficient basis to declare an unlawful assembly
- i. The sole fact that some of the demonstrators or organizing groups have previously engaged in violent or unlawful acts is not grounds for declaring an assembly unlawful.

Prior to forcibly dispersing the crowd and when tactically feasible and time reasonably permits, officers will issue repeated audible warnings for the crowd to voluntarily disperse and allow for reasonable time for the crowd to comply.

- a. Designate an officer to issue loud verbal directives, using, when feasible, voice amplification (Superhailer, squad PA, or SET megaphone, etc.). Notify dispatch of the issuance of each audible warning to disperse over the police radio.
- b. The audible warning to disperse should contain the following information:
  - i) That the gathering has been determined to be an Unlawful Assembly
  - ii) That participants are ordered to disperse
  - iii) Designated dispersal routes
  - iv) Descriptions of the prohibited behaviors
  - v) That those failing to disperse will be subject to arrest

- vi) That the use of chemical munitions may be used to disperse the crowd.
  - 1) Example announcement:  
This gathering has been determined to be an unlawful assembly. Property has been damaged and projectiles are being thrown. All participants must leave the immediate area or be subject to arrest. Exit the area using Main Street. The use of chemical munitions may be used to disperse the crowd.
- c. Officers making audible warnings to disperse shall document the warnings in an appropriate police report, to include date, time(s), message(s), location(s), etc. Officers who hear the audible warnings should document their location in a police report.
- d. When possible, the warnings should be audio or video recorded and the time and the names of the issuing officers recorded in the IC's event log.
- e. Whenever feasible, prior to issuing dispersal warnings, the IC should place EMS/MFD personnel on standby.
- f. During extended crowd dispersal events, audible warnings to disperse should be repeated periodically, and repeated any time a crowd is being dispersed from a separate geographic location from that of the earlier announcement(s).
- g. Immediate action may be taken to address an imminent safety risk without audible dispersal warnings being issued. Audible dispersal warnings will be provided as soon as practical consistent with the guidelines above.

## MASS ARREST

If necessary, the IC may authorize the arrests of numerous individuals over a relatively short period of time. For this process to be handled efficiently, safely, and legally, the following should be observed:

- a. Mass arrests should be conducted by designated teams.
- b. An adequate secure area should be designated for holding arrestees after processing and while awaiting transportation to a detention/arrest processing center; separate areas should be used for adult and youth arrestees.
- c. Arrest teams should be advised of the basic offenses to be charged in all arrests and all arrestees shall be advised of these charges.
- d. Arrestees who are sitting or lying down but who agree to walk shall be escorted to the transportation vehicle for processing.
- e. Arrestees shall be searched incident to arrest for weapons, evidence of the crime of arrest, and contraband.
- f. When practical, photographs should be taken of the arrestee and any arrestee property, and an arrest information form shall be completed.
- g. Transporting officers should not accept arrestees without a properly prepared field arrest form, or functionally equivalent written documentation, and photographs, when possible; transporting officers shall also ensure that all property is properly processed.
- h. Anyone who is injured shall be provided medical attention. Photographs should be taken of all known and reported injuries.

## PROTESTS AT DISTRICT STATIONS AND FACILITIES

### Planning and Preparation:

Annually, the captain in charge of each MPD district station or facility will review and update the appropriate protest plans for their MPD district station and facilities. The plans should be electronically stored on the MPD Intranet.

The information contained within the plans will be shared annually with staff assigned to the district or facility.

## SPONTANEOUS DEMONSTRATIONS AT AN MPD DISTRICT STATION OR FACILITY

Officers shall report a spontaneous demonstration at a district station or at an MPD facility to a supervisor. A supervisor shall travel to the location of the spontaneous demonstration and shall formulate an initial response including, but not limited to, the following:

- a. If practical, conduct a walk-through of the building and confirm that the building is secure and that all personnel are accounted for.
- b. Consider relocating people, vehicles, and sensitive equipment from the involved station or facility.
- c. If necessary, implement a communications plan to notify dispatch, the OIC, and any incoming district or facility officers of an alternate reporting location and important updates about the demonstration.
- d. Ensure responding officers have appropriate protective equipment available.
- e. Consider maintaining a visible presence in the area outside of the demonstration and provide enhanced monitoring with a readiness to intervene, if necessary.
- f. Depending on intelligence and observations, consider attempting to establish contact with the demonstrators.
- g. If necessary, establish a command post in an adjacent district station or alternate facility away from the affected district or facility. This ICP should include (if possible) an Incident Commander (IC), camera operator, and a Criminal Intelligence Section officer or recorder.
- h. The IC should evaluate the needs for additional personnel and resources and work with the OIC to fulfill needs, such as activating on-duty SET personnel.
- i. Command staff of the affected district / facility should initiate an Alder/Mayoral notification if the demonstration disrupts access to the station.

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(Revised: 04/25/2022, 09/20/2022, 01/31/2023)

(Reviewed Only: 01/27/2016, 12/22/2016, 12/26/2017, 01/30/2019, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Departmental Awards and Recognition

Eff. Date ~~05/28/2021~~ 03/13/2023

## Purpose

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

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

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

## Definitions/Criteria

### DEPARTMENTAL AWARDS

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

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

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

## CHIEF'S CITATIONS

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

1. **Lifesaving Citation:** Lifesaving efforts which do not involve personal risk, prolonged direct exposure, or significant hardship still have a dramatic impact on those constituents who are recipients of that assistance and should be recognized. Those department members and/or community members who engage in lifesaving efforts that do not meet the criteria for a Lifesaving Award should be considered for a Chief's Citation for Lifesaving. **Recipients of the Chief's Citation for Lifesaving will receive a certificate suitable for framing signed by the Chief of Police.**
2. **Community Member Assistance Citation:** Community Member action which does not meet the criteria for a Community Member Recognition Award, but still involves a significant level of assistance by a community member that benefits the community and the department, should be considered for a Chief's Citation for Community Member Assistance. **Recipients of the Chief's Citation for**



**Community Member Assistance will receive a certificate suitable for framing signed by the Chief of Police.**

3. **Problem-Solving Citation:** Awarded to a Madison Police Department employee who has shown creativity, initiative, and/or determination to find solutions to a problem utilizing a problem solving approach to identify and effectively deal with a problem(s) that if not addressed, would continue to negatively impact the department and/or community. **Recipients of the Chief's Citation for Problem-Solving will receive a certificate suitable for framing signed by the Chief of Police.**
4. **Exemplary Performance Citation:** Awarded to a Madison Police Department employee who has demonstrated exemplary performance in their service to the department and/or the community through work on a specific project(s) or performance during a specific incident(s). This citation should be considered when the employee's contributions do not meet the criteria for an Outstanding Service Award or Meritorious Conduct Medal. **Recipients of the Chief's Citation for Exemplary Performance will receive a certificate suitable for framing signed by the Chief of Police.**

## COMMENDATIONS/RECOGNITIONS

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

When this occurs, an Employee Recognition form should be completed. If the personnel listed should be considered for an award, the "Consider for Department Award" area of the employee recognition form should be completed. Completing this portion of the form will route the recognition form to the awards committee through the Public Information Officer.

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

A copy of the letter with explanation of the award/recognition will be placed in the employee's personnel file.

## Procedure

### ELIGIBILITY

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

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

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

The incident that is being nominated for an award/citation must have taken place in the calendar year prior to the awards ceremony (example: incident occurred January 1-December 31, 2019, is only eligible for nomination in the 2020 process).

### NOMINATION PROCESS

A nomination can come from any source. However, if a supervisor/commander becomes aware of an event or performance that would make an individual eligible for a Departmental Award or a Chief's Citation, that



supervisor/commander shall complete a nomination form or direct a person with the most direct knowledge of the event to submit a nomination form with assistance from the supervisor/commander.

## NOMINATION COMMITTEE

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

Committee members will serve between three and five years, except for the MPD Human Resources Coordinator or Chief's designee. The MPD Human Resources Coordinator will ensure "continuity of experience" when establishing the committee.

The committee will meet once a year (or as needed) to make recommendations as to which individuals qualify for the above-mentioned awards. The MPD Human Resource Coordinator will provide the committee's recommendations to the Assistant Chief of Support and Community Outreach for review. The Assistant Chief of Support and Community Outreach will take any necessary declined awards/citations to the Chief of Police for their final review.

The MPD Human Resource Coordinator will contact the nominator of the individual(s) who were not selected for a Departmental Award after they have been provided the approved recommendations from the Chief. The nominator will be notified their nomination was not approved. After notification, the decision can be appealed within a ten (10) day period. That appeal consists of an email to the Chief of Police and to the **Police Executive Office Supervisor Administrative Assistant** to the Chief of Police. *The Chief of Police will have final decision on the appeal.*

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

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

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

## WEARING OF RIBBONS

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

## NOMINATION FORM

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

Original SOP: 04/08/2015

(Revised: 03/04/2016, 04/07/2016, 01/13/2017, 10/19/2020, 05/28/2021, 03/13/2023)

(Reviewed Only: 12/26/2017, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



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

Eff. Date ~~01/15/2020~~ 01/31/2023

## Purpose

This outlines guidelines for **Madison Police Department (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

- **PBT BAC Refusals at the Jail** – If an MPD officer determines that an arrested person is incapacitated, ~~the arrested person they~~ should be conveyed to Detox. ~~If the arrested person is not incapacitated 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 **PBT 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 the officer~~ 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 **the following**:
  - Any pregnancy beyond **six (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 ~~who 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
  - **Anyone brought to the facility in a hobbled position**
  - **Anyone with significant signs of infection**

The above list is not all-inclusive. ~~Officers should work cooperatively with jail staff to determine the need for medical treatment prior to booking.~~ Per the Dane County Sheriff's Office (DCSO), medical clearances will be made at the request of the medical professional after an assessment is completed prior to intake. Disputes on appropriate dispositions should be referred to the **Officer in Charge (OIC)** ~~officer in charge~~.

### Detox

- MPD officers will continue to handle calls for service at Detox.
- Once an incapacitated person is admitted to Detox as a result of their incapacitated state, MPD should **not convey** ~~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 **the juvenile 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 **the person** 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 from Mendota Mental Health (MMH) to the Winnebago **Mental Health Institute 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 (P&P) personnel will be responsible for all routine conveyances to the PSB. In most instances, agents will take the client into custody themselves and **will** convey them to the PSB in a **Department of Corrections (DOC) D.O.C.** vehicle. Officers should be aware that these conveyances will be routinely taking place without law enforcement involvement and **should** 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 **the client 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 **client offender** into custody and then convey **the client 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 officers take an offender into custody from a P&P officer or from a transitional housing facility, the officer(s) may complete the Probation and Parole Conveyance form in lieu of a report. However, if officers arrest an offender from any other location, they should complete a short report documenting the incident.
- If a **P&P** conveyance **made by a P&P agent** 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 **Probable Cause (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.
- **Contact your commanding officer with any questions or issues that arise regarding these conveyances.**
- ~~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, **01/31/2023**)

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

(Reviewed Only: 12/26/2017, 01/30/2019, 01/11/2021, 02/04/2022)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Digital Forensics

Eff. Date ~~12/28/2021~~ 01/31/2023

### Purpose

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

### Goals

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

### Function

The function of the Digital Forensics Unit (DFU) digital forensics includes the investigation of crimes committed involving the use of computers, cellular phones, and other data storage devices that which may include the following:

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

### Collection of Devices with Digital Evidence

#### DESKTOP COMPUTERS

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

#### LAPTOP COMPUTERS

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

#### CELL PHONES / TABLETS / MOBILE DEVICES

Once it is determined that the device will require examination, **do not** allow anyone other than law enforcement (LE) personnel to handle or manipulate the device. If the device is shut down, **do not** turn it on. ~~If the device is powered on, shut it down.~~ If the device is powered on and is not related to a major case (homicide, attempted homicide, fatal crash), shut it down. If the device is related to a major case, contact personnel from DFU or FSU in order to ensure that the device remains powered on. Collect the device. If the device is going to be examined on consent, complete the "Consent to Search Cell Phone" form and have the

cell phone owner sign the form. Do not forget to ask if the phone has a pass code security lock and indicate the pass code number or pattern on the consent form.

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

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

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

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

MPD personnel shall adhere to the following operating procedures:

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

## Investigation

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

Transport all devices to a district property intake room and package the item in the manner described in the Evidence Packaging Manual. If the device is going to be transported and released directly to a forensic

examiner, the device must have an assigned property tag number prior to the examiner taking custody of the device.

## Examination and Analysis of Electronic Evidence

### EVIDENCE INTAKE

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

### PRESERVATION OF EVIDENCE

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

### DIGITAL EVIDENCE ACQUISITION

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

### ARCHIVING OF EVIDENCE

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

### RELEASE OF EVIDENCE

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

## Prosecution

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

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

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

Regarding release of information as part of the discovery process:

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

## Reporting

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

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

Original SOP: 02/25/2015

(Revised: 01/19/2017, 12/13/2017, 12/28/2020, 01/19/2021, 12/28/2021, 01/31/2023)

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





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Domestic Abuse**

Eff. Date 09/20/2022  
01/31/2023

**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 shall arrest and take a person into custody if ALL of the following apply:

1. The officer, after investigating the incident, has **probable cause\*** to believe that the person's actions constitute the commission of a crime, and
2. The relationship is considered domestic under the law:
  - Spouse
  - Former spouse
  - Adults residing together
  - Any adults who have EVER lived together
  - Adults with children in common; and
3. The suspect's acts constitute **DOMESTIC ABUSE**:
  - Intentional infliction of physical pain, physical injury, or illness **OR**
  - Intentional impairment of physical condition **OR**
  - 1st, 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.

\*Probable Cause can be used interchangeably with "reasonable grounds" and justify an arrest without a warrant when an officer in good faith believes that a crime has been committed and that the person in question committed it; and when the officer's belief is based on grounds which would induce an ordinarily prudent and cautious person, under the circumstances, to believe likewise. Mere "suspicion" alone is never sufficient to authorize an arrest without a warrant

***In circumstances meeting the mandatory arrest requirements, the suspect SHALL be taken to the Dane County Jail (DCJ) for booking if the suspect is placed under arrest. Citations shall NOT be issued in these cases. If officers have a question about whether an arrest is mandatory, they shall contact a supervisor.***

**AT LARGE SUSPECTS**

1. Officers should attempt to locate and take domestic abuse suspects into custody.
2. When probable cause exists to arrest a domestic abuse suspect who is at large, and could not be located, the reporting officer will:
  - a. Enter suspect information and charges into SharePoint.
  - b. Complete a probable cause (PC) affidavit and if practical, have a sergeant or commander review the probable cause affidavit. Contact the **Officer in Charge (OIC)** to review the

- charging decision. The OIC will post the incident in the OIC Notes if the suspect remains at large.
- c. Complete the 72 Hour No-Contact paperwork. The date and time of arrest should be left blank on the 72-Hour No Contact Provision if the suspect is not in custody.
  - d. Complete a Dane County Booking form.
  - e. Complete the required **Law Enforcement Advocate Program (LEAP)** Referral Form and Danger Assessment Form in instances of Intimate Partner Violence (IPV) (See below).
  - f. Forward the Booking form, 72 Hour No Contact paperwork, and Probable Cause Affidavit to the OIC.
3. When the suspect is taken into custody, the arresting officer will read the probable cause affidavit and attempt to interview the suspect regarding the incident. If probable cause still exists after this interview, the suspect shall be taken to the Dane County Jail (DCJ) and booked into jail.
  4. 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 shall document the attempt to contact the victim in the officer's police report.

### ARREST FACTORS

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

### DISCRETIONARY ARREST (INTIMATE PARTNER VIOLENCE)

1. Madison Police Department (MPD) officers are encouraged to take a pro-arrest approach when officers are investigating Intimate Partner Violence between adults, but have not met the State of Wisconsin's statutory mandatory arrest requirements, as outlined above.
2. The following factors should be considered when making this decision:
  - a. Probable Cause exists that a crime of violence has occurred,
  - b. Physical injury exists, or
  - c. The officer reasonably believes there is a likelihood of continued abuse.
3. In cases of Intimate Partner Violence (IPV) when a physical arrest is made, officers shall also complete the Danger Assessment form and **Law Enforcement Advocate Program (LEAP)**-Referral form.
4. ~~In all cases of IPV, officers shall check the "Domestic – Intimate Partner Viol" checkbox of the Case Data (Modus Operandi) field of the Detail tab of the Field Report.~~

### REPORT REQUIRED WHERE NO ARREST

1. Officers shall complete a report on all domestic abuse calls for service. The report shall be completed prior to the end of their shift unless a supervisor approves for the report to be held. Calls for service dispatched as a domestic abuse incident shall not be changed to a call type that requires no report without the authorization of a supervisor.
2. The domestic abuse arrest law requires a law enforcement officer who does not make an arrest in a domestic abuse incident, but has probable cause to make an arrest, to prepare a written report prior to the end of **the officer's his or her** tour of duty stating why the person was not able to be taken into custody.
3. The District Detective Lieutenant will review the case and, if necessary, request that **the Criminal Intake Unit (CIU)** send the officer's report to the Dane County District Attorney's Office for review to determine whether the person involved in the incident should be charged with the commission of a crime.
4. While Wisconsin State Statute 968.075 (Domestic Abuse Incidents) compels reasonable efforts to locate and arrest suspects who have committed acts of domestic abuse, there will be limited

instances when this is not possible (hence, the need to forward a copy of the officer's incident report to the Dane County District Attorney's Office). Examples where an arrest may not be immediately plausible include the following:

- a. Reasonable efforts to locate and arrest the suspect are unsuccessful.
  - b. The suspect is located, but due to incapacitation from alcohol and/or drug use, the suspect is placed under protective custody and is conveyed to Detox.
  - c. The suspect has been committed under the standard for an emergency detention.
  - d. The suspect has received injuries necessitating an overnight admission to a hospital. Consult with the Officer-in-Charge (OIC) to determine whether a guard should be posted.
5. Please refer to the "AT LARGE SUSPECTS" portion for procedure.

## 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 the predominant aggressor is, an officer should consider the following:

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

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

## PAPERWORK

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

## 72-HOUR NO CONTACT PROVISION

1. Unless there is a waiver by the domestic abuse victim, during the 72 hours immediately following an arrest for a domestic abuse incident, the arrested person is required to:
  - a. Avoid the residence of the domestic abuse victim of the domestic abuse incident and, if applicable, any premises temporarily occupied by the domestic abuse victim; and
  - b. Avoid contacting or causing any person, other than law enforcement officers and either party's attorney to contact the domestic abuse victim.
2. At any time during the 72-hour period specified above, the domestic abuse victim may sign a written waiver of the 72-hour No Contact Provision. The Madison Police Department (MPD) will have Change of Status forms available for this purpose. Copies of the 72-hour No Contact Provision and the Change of Status forms shall be provided to the suspect, Dane County Communication Center, Dane County Jail, and MPD Records.
3. The officer responsible for the arrest of a person for a domestic abuse incident will ensure that the domestic abuse victim is notified of the No Contact Provision.
4. A 72-hour No Contact Provision form should be completed even if the domestic abuse crime occurred outside of the 28-day mandatory arrest timeframe.

## **VIOLATION OF 72-HOUR NO CONTACT PROVISION**

1. Violation of the 72-Hour No Contact Provision is a new crime. If an officer has probable cause to believe the 72-Hour No Contact Provision has been violated (968.075(5)(a)1), the offender shall be arrested and taken to the Dane County Jail.
2. A new case number is required for the new violation.
3. Do not complete a new 72-Hour No Contact Provision if the no contact provision is the only violation (i.e. no new additional domestic abuse crimes).
4. If the Danger Assessment and LEAP were completed following the initial arrest, those forms do not need to be completed again.
5. If there is a new domestic abuse crime (see definition above on page 1) within the 72 hours, that new crime has a felony enhancer of 939.621. Furthermore, a new domestic abuse crime requires a NEW 72-hour No Contact Provision form should be completed. This felony enhancer applies even if there is a *different* domestic abuse victim of the new domestic abuse crime and not just for new domestic abuse crimes against the original victim.

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

## **NOTIFICATION TO VICTIMS-VICTIM RIGHTS' INFORMATION FORM**

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

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

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

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

## **LEAP REFERRAL**

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

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

## DANGER ASSESSMENT

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

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

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

## INCREASED PENALTY FOR CERTAIN DOMESTIC ABUSE OFFENSES 939.621

If a person commits an act of domestic abuse as defined in Wisconsin State Statute 968.075(1)(a) and the act constitutes the commission of a crime, the maximum term of imprisonment for that crime may be increased by not more than two years if the crime was committed during the 72 hours immediately following an arrest for a domestic abuse incident as set forth in Wisconsin State Statute 968.075(5)(c). As stated previously, the victim of the domestic abuse crime does not have to be the same as the victim of the domestic abuse incident that resulted in the arrested person's original arrest. The penalty increase under this section changes the status from a misdemeanor to a felony (Wisconsin State Statute 939.621).

## CHILDREN PRESENT DURING DOMESTIC ABUSE CRIMES

If children are present during domestic abuse crimes, officers shall:

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

## WEAPONS SEIZURE

1. Weapons used in the commission of a crime shall 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 a granted injunction. If a respondent is in possession of a firearm, this is a felony offense. The respondent should be arrested for Possession of a Firearm (941.29(1m)(f)) and the weapon should be seized and photographed.

5. Safekeeping: If the officer is on the scene of a domestic and no weapons were used in the commission of a crime the officer should still ask about access to weapons. If the victim is a spouse of the suspect, the officer should ask if they would like officers to take the weapons (marital property) for ~~safe keeping~~ safekeeping 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 for up to ten 10 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, 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 the Dane County Public Safety Communications (PSC) Data Operator or Dane County Jail (DCJ) records.
2. Determine whether the TRO/injunction has been served. This information can be obtained through the PSC Data Operator or DCJ Spillman jail records.
3. Determine the specific restriction(s) granted in the TRO/injunction.
4. Serve the TRO/injunction to the suspect if it has not been served, noting date, time of service, and officer name on the back of the TRO copy. Additionally, notify dispatch of the date and time of service. Attach a copy of this form to your report. The victim's copy of the TRO/Injunction can be used to serve notice to the suspect.
5. CONSTRUCTIVE KNOWLEDGE: In cases where the suspect was served with the TRO and failed to show for the injunction hearing, the injunction is automatically granted. If the suspect had been served with the TRO, then the suspect has constructive knowledge that an injunction was granted. Therefore, the suspect should be considered on notice of the injunction and shall be arrested for any violations.
6. The officer will make an arrest for a violation of the order when there is an order in existence, when the order has been served, and when there is probable cause to believe that it was knowingly violated.
7. A Violation of a TRO or injunction may or may not constitute a new domestic abuse crime under Wisconsin State Statute 968.075. If the nature of the contact is benign, then it might result in only a charge for the violation of the injunction or TRO. If the nature of the contact involves additional crimes, then the Mandatory Arrest procedures shall be followed.
  - a. Knowingly Violate Domestic Abuse Injunction, 813.12(8)(a).
  - b. Officers may also review 813.12(7)(am) regarding mandatory arrests specifically for Domestic Abuse Injunction violations.
8. If the officer is arresting a suspect for the violation of a Domestic Abuse Injunction, AND additional domestic abuse crimes have occurred, a 72-Hour No Contact Provision shall be completed.
9. 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.

## STALKING (WI STATE STATUTE 940.32(2))

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

## STALKING WARNING LETTER

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

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



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

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

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

### **STRANGULATION/SUFFOCATION (WI STATE STATUTE 940.235)**

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

#### **Procedure**

1. Victims of strangulation should be encouraged to respond to Meriter Hospital Emergency Room (ER) for medical assistance and for a Forensic Nurse Exam (FNE). Strangulation injuries are often not visible, so medical care is important for the victim's well-being. The forensic exam is important for prosecution of offenders. Officers shall assist transporting victims to Meriter Hospital 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 Form. This guide can be used to facilitate a detailed interview of the victim.
4. If the suspect is present on scene and willing, a buccal standard should be obtained from the suspect when it is known that the victim will be responding to Meriter Hospital ER for an FNE.
5. Officers sent to Meriter Hospital to collect a strangulation FNE kit shall place the kit into MPD property according to the MPD property room guidelines.

### **MANDATORY DOMESTIC ARREST AND EMERGENCY DETENTION**

#### ***Responsibilities of the Investigating officer/detective:***

When officers are investigating crimes of domestic abuse and mental health appears to be a contributing factor to the crimes alleged, officers should:

1. Determine if the probable cause exists for a crime of domestic abuse as outlined above.
2. Evaluate/Assess the potential for an Emergency Detention (see Mental Health Incidents/Crises SOP).
3. If 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).
4. If probable cause exists for an otherwise mandatory arrest for a crime of domestic abuse and Journey Mental Health supports an Emergency Detention (ED) for the suspect/patient, officers shall:
  - a. Process the Emergency Detention and transport the suspect/patient to the appropriate medical facility.
  - ~~b. If the underlying offense for which probable cause exists is a mandatory arrest under Wis. Stat. 968.075, the disposition of the subject must be an emergency detention, protective custody, or arrest (voluntary admissions are not an option).~~
  - c. Complete the required domestic paper work to include the Probable Cause affidavit, the 72-hour No Contact Provision (time enforced begins at the time of detention for the ED), the Domestic Violence Danger Assessment Form, and the LEAP referral.

- d. Complete the necessary paperwork and police report before the end of the officer's tour of duty, unless an MPD commander approves the reports being held.
- e. Request that the destination facility where the subject is conveyed contact MPD when the subject is released to facilitate conveyance/booking.

***Responsibilities of the Criminal Intake Unit:***

When officers or detectives working within the Madison Police Department Criminal Intake Unit (CIU) are made aware of a mandatory arrest under Wis. Stat. 968.075 which resulted in an Emergency Detention, the following shall occur:

1. Complete the electronic criminal intake referral and note that the suspect is located at a secured mental health medical detention facility.
2. Monitor/Review the Dane County District Attorney's criminal intake return for a charging decision.
3. Communicate with the Office of the Dane County District Attorney and MPD Mental Health Unit. The Mental Health Unit will work with the "hospital discharge planner" for Journey Mental Health regarding the criminal intake referral and the potential transport of the suspect/patient to the Dane County Jail for a booking.
4. If the Office of the Dane County District Attorney issues criminal charges for crimes of Domestic Abuse as outlined under Wis. Stat. 968.075 and requests a booking into the Dane County Jail, then arrangements shall be made for transport of the suspect to the Dane County Jail by the Madison Police Department.
5. If the Office of the Dane County District Attorney issues criminal charges and chooses to summons the offender/patient to Court, then transport to the Dane County Jail is not required.
6. If the Office of the Dane County District Attorney declines criminal charges, then the Madison Police Department should remove the Probable Cause Affidavit from the OIC's office.

***Responsibilities of the Officer-In-Charge:***

When notified by the MPD Criminal Intake Unit, Journey Mental Health, or any secure mental health facility such as Winnebago Mental Health Institute (WMHI) that a patient is to be released and outstanding criminal charges exist that necessitate transport to the Dane County Jail, the Officer-in-Charge shall assist in coordinating MPD's transportation response plan.

When notified by an investigating officer that probable cause exists for a crime of domestic abuse and the suspect/patient is being medically admitted to a hospital, the Officer-in-Charge shall determine if MPD will continue to guard the suspect/patient until the suspect's/patient's release from the hospital (see Guard Duty SOP).

Original SOP: 07/01/2015

(Revised: 02/24/2016, 03/31/2016, 01/15/2019, 02/28/2020, 01/15/2021, 06/14/2021, 12/28/2021, 09/20/2022, 01/31/2023)

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



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Emergency Vehicle Operation Guidelines

Eff. Date: ~~07/20/2020~~ 02/07/2023

## Purpose

This standard operating procedure (SOP) meets the obligation of Wisconsin State Statute Sec 346.03(6).

**Members of the Madison Police Department (MPD) shall, at all times, operate City vehicles with due regard for the safety of all persons.** When operating under emergency conditions, officers shall be ever vigilant in assessing evolving risk factors that could jeopardize public safety. Members of the department shall also operate city vehicles safely and with a high degree of situational awareness during routine driving and parking maneuvers.

Intersections present a special hazard to emergency vehicles. Officers should always be prepared to slow the speed of their vehicles and be able to stop when approaching an intersection.

## Procedure

### APPLICABILITY

This SOP governs the actions of MPD officers for MPD initiated response/pursuits as well as MPD involvement in mutual aid requests for assistance with pursuits that enter the City of Madison. For MPD officers to participate in an outside agency pursuit, the pursuit must meet the criteria outlined within this SOP.

### DEFINITIONS

**Authorized Emergency Vehicle:** A fully marked or unmarked squad with full or partial internal light package operated by a Law Enforcement Officer (LEO). A full internal light package is defined as follows:

1. Showing to the front of the vehicle: multiple red/blue flashing lights and flashing headlights; and
2. Showing to the rear and sides of the vehicle: multiple red/blue flashing lights.

**Channelization:** Channelization is not itself a technique that induces a fleeing driver to stop; it is used to divert a driver to a preferred location. The number of squads required depends on the number of alternative routes that must be blocked. Sufficient warning and adequate distance for the driver to avoid the blocked-off road and choose the preferred route should be given. As with a stationary roadblock, other traffic should be kept out of the area.

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

**Due Regard:** The degree of care that a reasonably careful person, performing similar duties, and acting under similar circumstances would show.

**Eluding/Fleeing:** §346.04(3): No operator of a vehicle, after having received a visual or audible signal from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knows or reasonably should know is being operated by a law enforcement officer, shall knowingly flee or attempt to elude any officer by willful or wanton disregard of such signal so as to interfere with or endanger the operation of the police vehicle, the traffic officer, the law enforcement officer, other vehicles, or pedestrians, nor shall the operator increase the speed of the operator's vehicle or extinguish the lights of the vehicle in an attempt to elude or flee.

**Obedience to traffic officers, signs and signals; Fleeing from officer:** §346.04(2t) No operator of a vehicle, after having received a visible or audible signal to stop his or her vehicle from a traffic officer or marked police vehicle, shall knowingly resist the traffic officer by failing to stop his or her vehicle as promptly as safety permits.

**Officer:** Any sworn commissioned personnel, independent of rank.

**Pursuit:** § 85.07(8)(a) – An active attempt by a traffic officer in a police vehicle to apprehend one or more occupants of a moving motor vehicle, the operator of which is resisting apprehension by disregarding the officer's visual or audible signal to stop his or her vehicle, increasing the speed of the vehicle or extinguishing the lights of the vehicle.

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

§346.04(2t): No operator of a vehicle, after having received a visible or audible signal to stop his or her vehicle from a traffic officer, federal law enforcement officer, or marked or unmarked police vehicle that the operator knows or reasonably should know is being operated by a law enforcement officer, shall knowingly resist the officer by failing to stop his or her vehicle as promptly as safety reasonably permits.

**Silent Emergency:** This is when a police vehicle does not use its siren or emergency lights in response to a crime. Officers responding to a call, which is reasonably believed to be a **felony** in progress, may exceed the speed limit without giving audible signal but should give visual signal when doing so will not compromise a tactical response. When not giving a signal, the officer must reasonably believe that one of the following exists:

- a. Knowledge of the officer's presence may endanger the safety of a victim or other person.
- b. Knowledge of the officer's presence may cause the suspected violator to evade apprehension.
- c. Knowledge of the officer's presence may cause the suspected violator to destroy evidence of a suspected felony, or may otherwise result in the loss of evidence of a suspected felony.
- d. Knowledge of the officer's presence may cause the suspected violator to cease the commission of a suspected felony before the officer obtains sufficient evidence to establish grounds for arrest.

**True Emergency:** A situation in which there is a high probability of death or serious injury or significant property loss, and action by an emergency vehicle operator may reduce the seriousness of the situation.

#### **AUTHORIZED EMERGENCY VEHICLE SITUATIONS**

1. In response to calls of true emergency;
2. In pursuit of an actual or suspected violator of law consistent with MPD SOP regarding authorized pursuits; or
3. While obtaining evidence of a speeding violation. (See below: Use of Warning Devices, paragraph 3.)

#### **USE OF WARNING DEVICES**

1. The red and blue emergency lights shall be activated whenever an officer, in the course of duty, stops, stands or parks an assigned vehicle contrary to the rules of the road. Officers may, however, elect to only use vehicle hazard flashers, rather than the red and blue emergency lights on their vehicles, whenever it is necessary to stop, stand, or park in a space adjacent to a curb, which is not a legal parking space, as long as the vehicle does not obstruct a traffic lane.

2. The red and blue emergency lights and siren shall be used whenever an officer, in the course of duty, passes through a stop sign or signal, operates contrary to regulations governing direction of movement or turning, or exceeds the speed limit. This includes when operating in emergency mode.
3. An officer may exceed the speed limit without giving audible and visual signal, if the officer is obtaining evidence of a speeding violation; however, the officer **shall activate** this equipment and **attempt to stop** the violator once sufficient evidence is obtained for the violation.

## USE OF OTHER SAFETY EQUIPMENT

All occupants of MPD vehicles shall use vehicle safety belts/restraint devices (Exceptions: combative/oversize citizens. This requirement does not prevent officers from removing restraint devices in limited circumstances when approaching an imminent tactical situation.

Parking Enforcement Officers acting under State Statute Sec. 347.48(2m)(dr) are not required to utilize safety harnesses, but are encouraged to do so whenever possible.

## CIVILIAN MEMBERS OF THE MADISON POLICE DEPARTMENT

1. Civilian members of the MPD are never authorized to operate the vehicle's red and blue emergency lights and/or siren to exceed the speed limit, to operate contrary to regulations governing direction of movement or turning, or to pass through a stop sign or signal.
2. Although civilian members of the MPD shall, for the protection of the public, operate the red and blue emergency lights of a police vehicle if it becomes necessary to stop, stand, or park contrary to the rules of the road (i.e., to protect persons and vehicles at an accident scene or at the location of a traffic hazard until an officer's arrival).

## AUTHORIZED PURSUIT

For all pursuits, **Due Regard** must be followed at all times. The pursuit of vehicles is authorized only under the following circumstances:

1. Probable cause exists to believe that the vehicle driver and/or occupant(s) has recently committed, is committing, or is about to commit a violent felony

Officers will not initiate or engage in a pursuit (other than a "refusal to stop" pursuit) for a traffic, ordinance, or non-violent criminal offense.

Officers may initiate and engage in a "refusal to stop" pursuit for any offense. If a driver accelerates beyond a reasonable speed, engages in driving behavior indicating an attempt to evade officers, operates the vehicle in an unsafe manner, or otherwise meets the statutory elements of Eluding (§346.04(3)), pursuit is only authorized under section 1. above.

## ASSESSMENT OF UNREASONABLE DANGER

When determining whether to initiate or continue a pursuit, officers and supervisors must continually evaluate the circumstances surrounding the pursuit. **Any pursuit must be terminated when the risk created by the pursuit itself outweighs the need to immediately apprehend the vehicle's driver/occupant(s).** Examples of factors to be considered when making this determination include the following:

1. **Is the act of the pursuit aggravating the dangerousness of the suspect's behavior?**
2. Severity of the suspected crime.
3. Severity and certainty of risk posed to the public by the suspect(s) if not apprehended immediately.
4. Speed, evasive tactics, and driving behavior of suspect vehicle.
5. Geographic area of pursuit and its population density.

6. Time of day/day of week.
7. Vehicular and pedestrian traffic present in area.
8. Road and weather conditions.
9. Officer's familiarity with the area of pursuit.
10. Necessity of pursuit.
11. Road configuration (divided/undivided; controlled/uncontrolled access; etc.).
12. Population density.
13. Lighting and visibility.
14. Type of squad being operated.
15. City events where large groups are likely to be gathered (i.e. farmers market, races, protests, etc.).
16. Ability to track vehicle location through other means (OnStar, etc.).

### TERMINATION OF PURSUIT

1. **Any pursuit must be terminated when the risk created by the pursuit itself outweighs the need to immediately apprehend the vehicle's driver/occupant(s).** The following shall be accomplished as part of termination procedure:
  - a. Notify dispatch and secondary units of termination location and last known direction of travel for suspect vehicle.
  - b. Bring your vehicle to a complete stop or divert direction of travel away from suspect vehicle.
  - c. Deactivate visual and audible signals.
2. If specific location of the suspect becomes unknown, the pursuit shall be immediately terminated.
3. Once a pursuit has been terminated, other options should be explored to apprehend the suspect(s) prior to initiating another attempt to stop.

### NON-COMMISSIONED PASSENGERS

Pursuit should not be undertaken by any officer driving with civilians (with the exception of authorized ride-alongs) who are not commissioned law enforcement officers, except under circumstances involving death or great bodily harm violations.

### UNMARKED SQUADS

Pursuit by officers in unmarked squads not equipped with full internal light packages is not authorized, except under circumstances involving death or great bodily harm. Pursuit by officers in unmarked squads equipped with full internal light packages is authorized as outlined above.

### ROLES AND RESPONSIBILITIES

#### 1. Primary Pursuing Officer

- a. Inform Dispatch that you are in pursuit.
- b. Radio communications may be delegated to another officer involved in the pursuit.
- c. Reasonably attempt to inform Dispatch of the following:
  - If your vehicle is unmarked.
  - Location and direction of pursuit.
  - Description of suspect vehicle, license plate number and description of occupants.
  - Reason for pursuit.
  - Estimated speed of suspect vehicle.

- Driver and occupant behaviors.
- d. Continually update Dispatch with:
  - Changes of direction.
  - Speed of vehicles involved.
  - Actions of the suspect(s) and vehicle.
- e. As soon as possible, ensure the lead pursuing unit is in a fully marked squad.
- f. Secondary police vehicles should not attempt to pass the primary pursuit vehicle and shall remain a safe distance back unless a coordinated change of lead needs to be made.
- g. Pursuits should be accomplished with a minimum number of vehicles. The number of vehicles directly involved may be adjusted to fit the situation.
- h. As a pursuit proceeds through adjoining patrol districts, officers in these areas may parallel the pursuit so as to be available in the event their assistance is needed.
- i. If suspect vehicle is stopped:
  - Notify Dispatch of location and any additional resources needed.
  - Coordinate the high risk stop.

## 2. Supervisor

- a. A supervisor that is not actively pursuing will monitor the pursuit from the point of notification to its conclusion.
- b. Control, if appropriate, by directing and coordinating the police units involved in the pursuit.
- c. Terminate any pursuit, which in the supervisor's judgment, does not conform to the guidelines under "Authorized Pursuit."
- d. Ensure adherence to all MPD procedures.
- e. The supervisor shall complete a supplemental police report for all pursuits documenting their role and actions related to the pursuit. This includes both "refuse (slow) to stop pursuits" and "eluding/fleeing" pursuits.
- f. After reviewing the circumstances of the pursuit, the monitoring supervisor shall document the actions of the officers involved in the pursuit. This review will also extend to officers indirectly involved in the pursuit (i.e., responding officers, officers deploying tire deflation devices, etc.).
  - The supervisor shall complete a Blue Team entry and attach a memo detailing their review of the pursuit within seven (7) days of the incident. The review will be forwarded to Professional Standards and Internal Affairs (PSIA) for tracking. PSIA will forward the Blue Team entry to the lead Emergency Vehicle Operations Course Master Instructor Trainer (EVOC MIT). The EVOC MIT group shall be copied on the Blue Team entry.
  - All MPD initiated vehicle pursuits will be reviewed by EVOC MITs. EVOC MITs will meet regularly to review any known pursuits. The EVOC MITs will meet within 30 days of receipt of the pursuit review in Blue Team to complete a detailed review of the pursuit.
  - The lead EVOC MIT will then forward their review to PSIA, who will forward it to the appropriate Unit/District Commander. The Unit/District Commander will review the incident and make a recommendation as to whether the pursuit and all involved personnel's actions are within or outside of MPD SOP.
  - The Unit/District Commander will then forward the review to PSIA for additional policy compliance investigation if necessary.
  - PSIA will then forward the review to the Field Operations Assistant Chief for final review and discussion regarding final recommended outcomes if necessary.



### 3. Officer In Charge (OIC)

- a. If no field supervisor is available during a pursuit, the OIC will fulfill the duties outlined in Supervisory Roles and Responsibilities.
- b. The OIC of the shift on which a pursuit occurs shall e-mail the involved officers' commanders with the date and case number of the incident, as well as the press release (if one was issued).
- c. In the event the pursuit terminates in a crash causing injury to any party, the OIC shall follow established Command notification protocols.
- d. Follow Officer Involved Critical Incident SOP (if applicable).

## STOP TECHNIQUES

### 1. PURSUIT INTERVENTION TECHNIQUE (PIT) AND RAMMING TECHNIQUES

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

### 2. ROADBLOCKS

#### Emergency stationary roadblocks

Emergency stationary roadblocks are those which, due to the urgency of the situation, must be set up with a minimum amount of notice and preparation for the purpose of stopping a vehicle which is actively attempting to elude. These will be set up, controlled, and/or authorized whenever possible, by a commissioned supervisor. An emergency stationary roadblock is only authorized if all of the following circumstances exist:

1. An emergency stationary roadblock is considered deadly force and shall only be used under deadly force circumstances.
2. Other reasonable means of apprehension/control have been exhausted or are not practical.
3. The roadblock can be established in a manner that the violator has sufficient opportunity to observe the roadblock and stop.
4. The roadblock does not create an unreasonable risk to uninvolved vehicles.

#### Emergency Moving Roadblocks

Although the use of an emergency moving roadblock is discouraged as a tactical response, it may be authorized by a commissioned supervisor to stop a vehicle when a high probability exists that the suspect, if not immediately apprehended, will cause death or great bodily harm. In this technique, the suspect vehicle is surrounded by three squad cars, traveling in the same direction as the suspect vehicle—one in front, one in back, and one to the side (just behind the driver door). Once in position, the squads gradually slow, bringing the suspect vehicle to a safe, gradual stop. This technique is only authorized with prior supervisor approval.

### 3. USE OF TIRE DEFLATION DEVICES

Refer to MPD Use of Tire Deflation Devices SOP.

## PURSUIT INTO ANOTHER JURISDICTION

When acting in accordance with the provisions of this SOP, officers may pursue vehicles into adjoining jurisdictions. In this event, the jurisdiction involved should be notified by Dispatch of the pursuit, the reason for it, and whether direct assistance with the pursuit is requested. Direct pursuit assistance should only be requested if available MPD resources are inadequate, or if assistance of a special nature is needed. Officers

equipped with tire deflation devices may continue monitoring an MPD pursuit and may deploy tire deflation devices in accordance with this SOP.

### **INVOLVEMENT IN THE PURSUIT OF ANOTHER JURISDICTION ENTERING THE CITY OF MADISON**

- a. MPD will not actively pursue the suspect vehicle in another jurisdiction's pursuit unless mutual aid is specifically requested by the agency involved and the circumstances of the pursuit (reason for pursuit, etc.) would permit MPD to initiate and to continue a pursuit under this SOP. Upon receiving a request of this nature, Dispatch will obtain and relay information to the officers and a supervisor regarding the request (including the reason for the pursuit).
- b. MPD involvement in an outside agency pursuit must meet the guidelines outlined in this SOP. If the outside agency reason for pursuit does not meet the guidelines outlined, mutual aid will not be granted for the pursuit and MPD officers will not get directly involved in the pursuit. This does not preclude officers from providing other assistance to the pursuing agency.
- c. When being requested to assist an outside agency with a pursuit, MPD personnel will request/determine the reason for the pursuit as soon as possible.
- d. If the circumstances of another jurisdiction's pursuit dictate that an MPD officer become involved prior to a request for mutual aid, the MPD officer must be able to clearly articulate the immediate need for their actions.
- e. Tire deflation device in support of another jurisdiction: officers may deploy in accordance with the Tire Deflation Devices SOP.

### **INVOLVEMENT IN POLICE ESCORTS**

**See Vehicle Escorts SOP**

Original SOP: 02/25/2015

(Revised: 10/21/2015, 10/12/2016, 01/19/2017, 08/18/2017, 01/25/2018, 06/08/2018, 01/14/2019, 07/20/2020, 02/07/2023)

(Reviewed Only: 12/26/2018, 02/04/2022)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Employee Assistance Program (EAP)

Eff. Date ~~12/22/2016~~ 02/07/2023

### Purpose

The City of Madison Police Department is responsible for carrying out varied and complex programs, policies, and missions. The Department's key resource in meeting this responsibility is its employees. The Department is therefore interested in providing employees and their family members with support and resources to help contribute to a productive and healthy workforce. The Employee Assistance Program (EAP) helps address and build social and behavioral skills needed to increase success in the workplace, as well as identify options around and/or solutions to personal and work-related challenges, which may interfere with an employee's job performance, job satisfaction, and/or longevity in their career.

~~It is the policy of the City of Madison at all levels and locations to maintain and promote an EAP that will support the organization and its employees in the following ways: (1) provide individual support, resources, and referral options to employees and family members for various occupational and behavioral health-related needs; (2) conduct relevant trainings to city departments based on assessed need and request for behavioral health skill development; (3) consult with supervisors (on topics such as handling an employee situation, concerns about an employee and how to address it, how to offer EAP services, request for EAP training, etc.); (4) respond to employees' needs following traumatic events that occur at work or impact the workplace.~~

It is the policy of the City of Madison at all levels and locations to maintain and promote an EAP that will support the organization and its employees in the following ways:

- Provide individual support, resources, and referral options to employees and family members for various occupational and behavioral health-related needs
- Conduct relevant trainings to city departments based on assessed need and request for behavioral health skill development
- Consult with supervisors (on topics such as handling an employee situation, concerns about an employee and how to address it, how to offer EAP services, request for EAP training, etc.)
- Respond to employees' needs following traumatic events that occur at work or impact the workplace.

### EAP Overview

The EAP is a voluntary, work-based program that offers free and confidential mental health services to employees and their eligible family members who are experiencing personal and/or work related problems. These services include providing confidential assessments, short-term counseling, supervisor consultations, referrals, resources, and follow-up services. The City of Madison EAP utilizes a dual model EAP which consists of an internal EAP office and an external EAP provider that utilizes a 24/7 support and referral line to connect employees to local EAP affiliate counselors. Employees and family members have the option of accessing services through the internal or external program. The EAP also conducts city-wide and departmental trainings for employees, consults and advises on organizational issues that include mental or behavioral health components, and oversees an internal network of employees, designated as sworn Peer Support Officers and civilian EAP Facilitators, to help support the mental health and wellbeing of Madison Police Department personnel.

EAP is not a substitute for discipline, and does not interfere with personnel-related issues, including fitness for duty or alcohol and drug violations. The EAP can guide and support employees and supervisors as they navigate such situations, and provide referral options for employees who may want assistance addressing mental health or substance abuse related issues that may be impacting their performance in the workplace. Supervisors are asked to make EAP referrals at each step of progressive discipline.

## EAP Services on Work Time

Employees may use EAP services on work time and be compensated for it. In order to do this, they must inform their direct supervisor of the date and time they will be going to the EAP if they have a work position where they need to be held accountable for their whereabouts. Employees do not need to inform anyone at work, including their supervisor, of the topic or content of their session(s) with the EAP. They can also attend EAP off work hours and not be compensated for it if they do not wish to disclose to their supervisor that they will be using EAP services.

Counseling that takes place outside of the City of Madison's EAP is not compensated as work time. This will be treated like any other personal appointment ~~that which~~ requires proper notice of the absence and the use of benefit time to cover time away from work. If the employee requires counseling or other mental health supportive services which need to take place on work time, they may also inquire with their supervisor and Human Resources to see if they qualify for a protected leave of absence, accommodations, or flexing their schedule.

## Confidentiality Guidelines

All contacts (which includes dates, times and content of sessions) with City EAP staff, Peer Support Officers, and external EAP Provider shall remain strictly confidential unless one of the following situations is involved:

- An unexplained, unusual, or suspicious death
- A case of suspected abuse or suspected neglect of a child, dependent adult, elderly or disabled person
- A threat to inflict bodily harm to yourself or to another person
- A threat to commit or a report of committing a serious crime
- A threat to public health and safety
- A report or information required to be reported by police per S.S. 968.075 (WI Domestic Abuse Law);

Peer Support Officers, however, are not afforded the same legal privilege regarding confidentiality that City EAP staff and external EAP Providers receive. ~~There is no guarantee that a court, whether civil or criminal, will not under some circumstances be able to order either the individual seeking assistance through the Peer Support Program, or a Peer Support Officer to whom the individual spoke, to disclose any conversations which may have taken place, unless the Peer Support Officer has a confidentiality privilege under Chapter 905 of the Wis. Stats. (Clergy, etc.). See the Peer Support SOP for additional information regarding confidentiality of that cadre.~~

If the EAP representative is served with a subpoena requesting information covered by these guidelines, the EAP representative will notify the employee and consult with the City Attorney. The EAP representative shall reveal to the City Attorney only that information which is necessary for the City Attorney to take appropriate action.

In addition to these areas, information may also be released with your written consent by completing an "Authorization for Release of Confidential Information" form. If you have questions about this "Statement of Confidentiality", please raise them with the EAP representative at the beginning of your meeting.

### *A note about suicide*

People often wonder if they can discuss things like suicide, self-harm, domestic violence, or substance abuse, out of fear that we will need to report them or the person they are talking about. Unless we assess that there is an imminent and serious threat of life or safety for you or the person you are talking about, we will continue to work with you confidentially and to assist you on getting the help you may need on your terms. When we are required to disclose information to provide you or the person you are concerned about

with immediate medical or mental health assistance, we only disclose the minimum of what is required to assure safety, and only to those who are required to hear it.

Included below are suicide warning signs from the [Suicide and Crisis Lifeline](#):

- Talking about wanting to die or to kill themselves
- Looking for a way to kill themselves, like searching online or buying a gun
- Talking about feeling hopeless or having no reason to live
- Talking about feeling trapped or in unbearable pain
- Talking about being a burden to others
- Increasing the use of alcohol or drugs
- Acting anxious or agitated; behaving recklessly
- Sleeping too little or too much
- Withdrawing or isolating themselves
- Showing rage or talking about seeking revenge
- Extreme mood swings

For more information, call or text 988.

## Peer Support Program

Due to the stresses faced by first responders throughout the course of their careers, the Madison Police Department established its Peer Support Team in 2006 in order to provide support and linkage to resources for commissioned personnel. A designated Peer Support Program Administrator and Coordinator from MPD work with the EAP Manager to support, train, and oversee the activities of the Peer Support Officers (PSOs). Police PSOs must be active, sworn officers.

The purpose of the Peer Support Program is to provide a core group of personnel who are trained to provide support, information, and referral to employees and family members who are seeking assistance related to a critical incident, day-to-day work stress or personal life stress.

## EAP Facilitator Network

The role of the EAP Facilitator is to serve as a support person for employees and their family members who are seeking information on EAP resources. Facilitators will not provide therapy or counseling, but will act as a referral person to professional resources. They assist the EAP staff in marketing the program and distributing EAP literature within their departments. EAP Facilitators are MPD civilian staff and are recruited based on the recommendation of their manager and peers. EAP Facilitators should be viewed as trustworthy and confidential and able to relate to co-workers who may be experiencing emotional distress.

## EAP Referral Options

Employees, family members, and significant others may contact the City's internal EAP staff, or the external EAP Provider. All employee contact with the Employee Assistance Program is voluntary.

Supervisors should encourage employees to contact EAP when persistent job performance problems occur. If taking disciplinary action, supervisors are required to offer EAP at each stage of the disciplinary process. When an employee is referred to the EAP by his/her supervisor, the employee may choose whether or not to use the program and whom ~~in~~ **the employee he/she** will contact (the internal or external EAP).

Types of **EAP** Referrals:

**Self-referral:** Employees experiencing with personal challenges problems are encouraged to seek help on their own initiative before health or job performance is affected. They can discuss their problems with the internal, or the external EAP staff. EAP staff will assist the employee in contacting the employee's his/her health care provider or in contacting appropriate community resources, if requested. The EAP will also follow up with employees to determine satisfaction with the referral and offer additional support, if needed.

**Supervisory:** Whenever an employee with an established record of acceptable work evidences a pattern of inconsistent or deteriorating job performance that fails to respond to supervisory input (e.g., verbal instructions, written job instructions, discussion of job performance), the supervisor should encourage the employee to contact the EAP. Please see [APM 2-12](#) for information on making a supervisor referral.

**Family:** Family members and significant others may contact the EAP concerning their own issue or the employee's. EAP contact information is made available to City employees and their family members/significant others.

**Union/Employee Association:** Like supervisors, union stewards/employee representatives often have the opportunity to observe job performance and interactions with other employees. They can play an important part in introducing EAP and encouraging employee utilization. Union stewards/employee representatives may be able to serve as a referral source by supporting the employee and encouraging them to contact the EAP.

**Peer Support Officer:** Peer Support Program Team members are often a first point of contact for employees seeking EAP information. They receive specialized training on how to support and refer an employee or family member for EAP services.

**EAP Facilitator:** EAP Facilitators are often a first point of contact for employees seeking EAP information. They receive specialized training on how to support and refer an employee or family member for EAP services.

**Coworker:** A co-worker may recommend EAP to a fellow employee.

## Records and Reporting

The City of Madison EAP uses an EAP industry-specific software for collection and reporting of all utilization and program data. The data is securely stored external to the City's IT system and is administered by EAP professionals. EAP contact notes will be retained as electronic records for five 5 years after a case is closed.

City of Madison EAP calculates utilization based on the calendar year (January – December). EAP annual utilization data is aggregated to protect the confidentiality of program users. Highlights of the report include number of new employee contacts, presenting issues, number and type of supervisor contacts, number and nature of critical incidents, and list of trainings presented.

Original SOP: 02/25/2015  
(Reviewed Only: 02/15/2016, 12/26/2017, 01/31/2020)  
(Revised: 12/22/2016, 02/07/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Enforcement of Immigration Laws

Eff. Date ~~12/16/2019~~ 01/31/2023

## Purpose

MPD is committed to community policing. Therefore, it is imperative that all our constituents come to expect that MPD will provide access to anyone seeking our services. An individual's immigration status is immaterial with respect to MPD's mission statement, vision statement, core values, and operational systems. Immigration status is only relevant when an officer reasonably believes that an individual has committed serious crimes directly related to public safety (as outlined below).

## Procedure

The enforcement of immigration law is primarily the responsibility of the federal government, through the United States Immigration and Custom Enforcement Agency (ICE). Accordingly, MPD will not undertake any immigration-related investigation unless said operation involves an individual who has committed serious crimes directly related to public safety (as outlined below). Section 287(g) agreements under 8 U.S.C. § 1357 are voluntary agreements which require local consent. MPD will refrain from entering into Section 287(g) these agreements as they are not consistent with furthering MPD's policing philosophy.

Officers shall not detain or arrest an individual solely for a suspected violation of immigration law. When time and circumstances permit, an officer should obtain approval from a commander or Officer in Charge (OIC) prior to detaining any individual for the below-outlined reasons. Any notification or contact with ICE for the purposes of detaining or apprehending individuals should only be made with the approval of a Commanding Officer and only after contacting the Assistant Chief of Support and Community Outreach.

MPD will only cooperate with a lawful request of ICE under the following circumstances:

1. The individual is engaged in or is suspected of terrorism or espionage; or
2. The individual is reasonably suspected of participating in a criminal street gang; or
3. The individual is arrested for any violent felony; or
4. The individual is a previously deported felon, under circumstances for which there is an independent basis for officers to detain or arrest the individual.

~~When time and circumstances permit, an officer should obtain approval from a commander or OIC prior to detaining any individual for the above-outlined reasons. Any notification or contact with ICE for the purposes of detaining or apprehending individuals should only be made with the approval of a Commanding Officer and only after contacting the Assistant Chief of Support and Community Outreach.~~

An individual's right to file a police report or otherwise receive services from MPD is not contingent upon their citizenship or immigration status. MPD officers shall strive to treat all individuals equally and fairly regardless of their immigration status. Therefore, officers shall not routinely inquire into the immigration status of persons encountered during police operations.

Officers shall not ask any individual to produce a passport, Alien Registration Card (Green Card), or any other immigration documentation in the normal course of business. This does not prohibit an officer from considering these documents as appropriate forms of identification when voluntarily provided by the individual.

Original SOP: 01/30/2017  
(Revised: 10/09/2017, 12/16/2019, 01/31/2023)  
(Reviewed Only: 12/26/2017, 01/30/2019, 01/11/2021, 02/04/2022)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Funerals and Ceremonies of Law Enforcement Officers (LEO)

Eff. Date 11/15/2019-01/31/2023

## Purpose

In order to respond to requests and ensure equal treatment in similar circumstances, the following guidelines are provided to assist members of the Madison Police Department (MPD) in fulfilling their responsibilities/duties in an efficient and expeditious manner. These guidelines are not meant to imply inflexibility on the part of the agency in deployment and type of service offered; rather, they serve to promote understanding and cooperation for all concerned.

## Procedure

All requests for MPD participation in funerals or ceremonies should be directed to the Police Executive Office Supervisor ~~Chief's Administrative Assistant~~, who will route the requests to the Honor Guard commander or his/her designee. In the event of a short notice request, the request should be routed to the Officer in Charge, who will then notify the Honor Guard commander or his/her designee.

The Honor Guard will have primary responsibility of planning and coordination of activities for the agency. A current Honor Guard roster, identifying the team commander and his/her designee, will be updated each year and a copy will be provided to the Chief of Police.

## DUTY GUIDELINES FOR EMPLOYEE PARTICIPATION IN HONOR GUARD EVENTS

1. On-duty participation will be allowed only if staffing levels are above minimum.
2. All off-duty members wishing to participate in an approved service in MPD uniform shall request authorization from the Chief of Police or designee.
3. MPD will provide transportation for on-duty personnel. Vehicle use will be at the discretion of unit/section command.
4. The Chief of Police or designee may authorize any deviation from this procedure.

## UNIFORM GUIDELINES FOR PARTICIPATION IN HONOR GUARD EVENTS

### Uniform

1. Year-round attire:
  - MPD court uniform
  - 8-point hat
  - Badge cover
  - MPD-issued polished shoes/boots

### Badge Covers

MPD-issued badge covers can be worn when authorized by the Chief of Police or designee.

## DUTY GUIDELINES FOR HONOR GUARD

### Participation in Honor Guard Events

1. On-duty participation will be allowed if staffing levels are above minimum.
2. If the Honor Guard activity requires eight hours, this will be considered the employee's work day.
3. In the event that staffing levels do not accommodate on-duty participation, off-duty Honor Guard members will be used to fill the assignment.

4. All off-duty Honor Guard members participating in an approved service shall be compensated in accordance with the existing Memorandum of Understanding (MOU).
5. MPD will provide transportation.
6. The Chief of Police or designee may authorize any deviation from this procedure.

### Requests from Outside Police Jurisdictions

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In the event a notification is received of the death of a police officer from an outside jurisdiction, the Honor Guard will evaluate a response:

1. When the officer is killed in the line of duty.
2. When the officer dies from natural causes (active or retired), retired or active, and the Honor Guard is requested.

### Requests from Outside Organizations

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When the services of the Honor Guard are requested by an outside organization to participate in a memorial service, parade, etc., the Honor Guard may respond if it is determined the event would serve the interests of the community and MPD.

Original SOP: 03/03/2015  
(Reviewed Only: 01/27/2016, 11/01/2016, 12/26/2017)  
(Revised: 02/23/2016, 11/15/2019, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



General Duties and Expectations of Employees

Eff. Date ~~04/22/2022~~ 01/31/2023

## Purpose

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

## Procedure

### EXPECTATIONS FOR ALL PERSONNEL

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

Actively support the Mission, ~~V~~ision, and Core Values of the MPD.

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

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

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

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

Be accountable to your chain of command or supervision.

Strive to improve working conditions for maximum efficiency and morale.

Actively participate in team meetings and provide feedback as appropriate.

Promote teamwork through effective relationships.

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

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

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

Personnel must notify the Chief's Office within 24 hours of returning to work after any change of address and telephone by filling out the "change personal info" form on the intranet (how to section). For legal name and/or gender confirmation, please refer to the instructions at the end of this SOP. Personnel must notify the Chief's Office of these legal changes by emailing the Police Executive Office Supervisor.

Visit the City of Madison's employeenet website for additional helpful information on changes to employee's information: <https://www.cityofmadison.com/employeenet/pay-benefits/changes-to-employee-information>

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

## EXPECTATIONS FOR SUPERVISORY PERSONNEL

Provide active and visible leadership to the MPD.

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

Identify personnel training needs or deficiencies and facilitate appropriate training.

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

Coach, consult, and guide MPD personnel.

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

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

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

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

Routinely meet, both formally and informally, with subordinate staff.

Recognize and reward outstanding personnel performance.

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

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

Conduct personnel evaluations and investigations as required.

Ensure proper and economical use of MPD property and equipment.

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

## PERSONNEL NAME CHANGE

Obtain one of the following documents in order to change your name with the Social Security Administration:-

- Marriage document
- Divorce decree
- Certificate of Naturalization showing the new name

- Court order approving the name change

After your name has legally been changed with the Social Security Administration, you will have all necessary documents to change your name on official City records.

Send the Federal (W-4) and State (W-204 WT-4) tax withholding forms to your Payroll Clerk. The Payroll Clerk will process a personnel action to update your name on City official records.  
<https://www.cityofmadison.com/employeenet/finance/payroll/payroll-clerks>

The Federal and State tax withholding forms links are updated annually, but current forms can always be found here: <https://www.cityofmadison.com/employeenet/pay-benefits/changes-to-employee-information>

- **Federal:** <https://www.irs.gov/pub/irs-pdf/fw4.pdf>
- **State:** <https://www.revenue.wi.gov/TaxForms2017through2019/w-204f.pdf>

## PERSONNEL GENDER CHANGE

You will need a new state ID or court order recognizing your gender.

- Send a photocopy of your new state ID or court order to your Payroll Clerk. Payroll staff will process a personnel action to update your gender on official City records.
- To update your gender in your Health Insurance information, contact Employee Trust Funds:  
<https://etf.wi.gov/benefits/life-changes-and-my-benefits/policy-change-gender>  
<https://etf.wi.gov/resource/addressnamegender-change>

Original SOP: 04/30/2015

(Revised: 03/04/2016, 01/13/2017, 04/27/2017, 11/09/2020, 04/22/2022, 01/31/2023)

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



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Handling of Evidence, Contraband, Found, or Lost Property

Eff. Date ~~12/28/2021~~ 01/31/2023

### Purpose

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

### Responsibility

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

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

### Property Intake Rooms

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

### LOCKERS

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

### Tagging and Packaging Property

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

### Temporary Evidence Storage

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

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

## Safe Handling of Drugs

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

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

## Firearms

1. A Seized Property Receipt shall be provided to all owners of confiscated firearms.
2. **No loaded firearms** of any type should be property tagged and stored in the Property Room. Proper unloading procedures are described in the Wisconsin State Crime Lab (WSCL) Handbook and an Investigator will assist with the unloading of any weapon which is to be checked for deoxyribonucleic acid (DNA) and/or fingerprints.



3. **All ammunition must be packaged separately from firearms.**
4. All firearms, including facsimile, should be placed in a gun box with the case number, tag number, date, employee name/IBM number, weapon description, and serial number printed on the outside.

### RECEIVING RECOVERED STOLEN FIREARMS FROM OUTSIDE AGENCIES

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

### BACKGROUND OF FIREARMS FOR RELEASE

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

### Med Drop

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

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

medications within the bucket/box in accordance with the procedures outlined in the MPD Packaging Guide. The Med Drop collection bucket/box will be replaced with a new bucket/box and the receptacle shall be secured. The receptacle key shall be returned to the respective commander from which it was obtained.

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

## Liquid Evidence

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

## Collection of Standard Blood Sample in Criminal Investigations

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

### BLOOD DRAW

1. Blood is to be drawn only by a physician or a person acting under his or her direction. An officer should witness the blood being drawn, shall properly seal, number, and mark each tube drawn, and shall report the chain of evidence, including:
  - a. Subject's name.
  - b. Offense.
  - c. Date and time of collection.
  - d. Name of person drawing the sample.
  - e. Identification of each tube collected.
  - f. Location of each tube.The blood kit itself must be sealed in accordance with the MPD Packaging Guide.
2. If a suspect objects to having blood samples taken and if there is any doubt about drawing blood without a search warrant, the OIC may need to contact the on-duty District Attorney for advice.
3. Screening for Controlled Substances - Use the WI Implied Consent Blood Kit when screening for controlled substances. The kit has all the equipment and forms necessary to obtain the blood sample. Follow instructions provided in blood kit.
4. Screening for Blood Type - Use the blood kit provided by the State Hygiene Laboratory. In sexual assault cases, the blood kit and instructions are found in the Wisconsin State Crime Lab Forensic Nurse Examiner Kits.
5. Deceased Person - The Medical Examiner takes the blood.
6. Sexual Assaults - Refer to MPD Sexual Assault Checklist for type of samples needed. All Madison hospitals have a supply of Wisconsin State Crime Lab Evidence Collection Kits with Instructions. Officers should utilize both documents when investigating sexual assaults.

### PROCEDURAL GUIDELINES

1. **Packaging Blood Samples:** Within two hours, if possible, after each blood sample tube has been properly sealed and marked with all required information (case number, date, name of subject from whom the sample was drawn, employee's name witnessing drawing, and sample tube number), the individual tubes should be packaged in such a way that the glass tube is protected from breaking. The blood kit box should also be properly sealed and marked on the outside with the date, case number, tag number, employee name, suspect name, and offense.

2. **Refrigeration of Samples (never freeze liquid blood before testing):** For proper analysis of blood samples, it is best practice that the samples be refrigerated as soon as possible after the samples are drawn. It is important to keep the samples away from extreme temperatures. The sample(s) should be properly tagged and be placed in the refrigerator located in the **City County Building (CCB)** Property Intake Room. If the refrigerator is locked, the key for the refrigerator can be obtained from the OIC or designee.
3. **Disposition of Evidence in Sexual Assault Cases Where no Suspect is Known:** In cases where there is no suspect identified, all blood samples (victim, suspect, or other) shall be turned over to the State Crime Lab for analysis as soon as possible, or until the sample is no longer of evidentiary value. The Crime Lab will analyze the blood samples even though specific suspect is not identified. The follow-up officer shall periodically monitor the value of maintaining other biological evidence in the property room.
4. **Reporting Evidence Chain:** Transportation or disposition of any evidence shall be documented in reports by any officer involved in the evidence chain.

### COLLECTION OF WHOLE BLOOD IN TRAFFIC-RELATED CASES

1. WI Implied Consent Blood Kits, supplied by the State Hygiene Laboratory, shall be utilized for traffic-related cases. The kit supply is maintained by the local hospitals and by MPD. The kits are stored in the **City County Building (CCB)** Intake Room and in area hospital emergency rooms. The kit has all the equipment and forms necessary to obtain the blood sample.
2. Blood is to be drawn only by a physician or registered nurse, medical technologist, physician assistant, phlebotomist, or other medical professional who is authorized to draw blood, or person acting under the direction of a physician. The arresting officer should witness the blood being drawn and maintain custody of the evidence once sealed by the medical personnel.
3. It shall be the responsibility of the Police Property Supervisor to coordinate the transport of all blood samples in a timely fashion to the UW Hygiene Laboratory or to the State Crime Laboratory when appropriate.

### Deceased Animals

In the event that a deceased animal needs to be collected for evidence/necropsy purposes, it is recommended that you contact the **Wisconsin Veterinary Diagnostic Laboratory (WVDL) at 608-262-5432 (Monday-Friday 7:45am-4:30pm)**. The WVDL is located at 445 Easterday Lane, Madison, WI. The WVDL does not recommend freezing the animal prior to necropsy. Therefore, if an animal is collected for necropsy and it is after the WVDL normal business hours, you can contact the **University of Wisconsin (UW) Veterinary Hospital at 608-263-7600** for refrigerated storage options. The UW Veterinary Hospital can then turn the deceased animal over to the WVDL during normal business hours.

The Property Room **WILL NOT** store a deceased animal in the Evidence Refrigerator; it will only be stored in the Evidence Freezer. In the unusual event that a deceased animal is collected and not going to have a necropsy, it will be stored in the Property Room Freezer. If the animal is collected and packaged during the hours of 7:00am-4:00pm, please contact the Property Room for assistance. If it is after hours and the animal is small enough to fit into the Evidence Refrigerator Freezer in the CCB Intake room, it can be stored there. If it is after hours and the animal cannot fit into the Evidence Refrigerator Freezer in the CCB Intake Room, contact the OIC to call in a Property Room Staff Member to allow access to the larger evidence freezer.

### Latent Evidence

Items of evidence bearing or suspected of bearing latent evidence (e.g., fingerprints, palm prints, foot or shoe prints) which are to be processed must be entered into LERMS Quick Entry, marked and sealed, and secured in a Property Intake Room. If there is danger of destroying possible evidence by marking the item, it must be protected and the package containing the item must be marked.

## Vehicles

### VEHICLE STORAGE

The MPD's Vehicle Impound Facility (VIF) is for the processing and storage of vehicles of evidentiary value. All other vehicles MUST be towed to the contracted tow company's storage facility.

A vehicle should be towed to the VIF when a vehicle has been determined to be evidence of a crime and needs to be processed. An electronic MPD vehicle tow card must be completed for all vehicles towed to the VIF. The tow card must be completely filled out. The pink copy of the tow card shall be emailed to PD Tow prior to the end of shift. Property Staff will email a copy to the contracted tow company. ~~is given to the tow truck driver and the other copies should be placed in the box in the VIF intake office.~~

Vehicle keys will be placed in a clear plastic Ziploc envelope provided in the VIF Intake room. The case number will be written clearly on the envelope and the keys placed in the tray with the tow card.

Officers are required to make any entries into LERMS.

### Two Options are Available to Release a Vehicle from the VIF

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1. Utilizing MPD's Contracted Tow Company:

When a vehicle has been processed and retains no evidentiary value, the authorizing official will send an email to PD Tow authorizing its release.

This email should include the following information:

Please release vehicle:

- Case#
- Tag#
- Make
- Model
- VIN
- License information (state and number)
- Owner Information

The Property Room Staff will arrange release of the vehicle by contacting the contracted tow company and completely filling out the electronic MPD vehicle tow card. The appropriate tow code for releasing a vehicle is "6". The name of the releasing officer will be annotated in the tow card left margin. When the tow company arrives, the driver must sign in utilizing the VIF log if releasing vehicle from the inside storage area. The vehicle will then be removed and the driver will sign out. ~~The pink copy of the tow card will be given to the tow driver; the remaining two copies (goldenrod and white) will be forwarded to MPD Records.~~ The tow card shall be emailed to PD Tow prior to the end of shift. Property Staff will email a copy to the contracted tow company.

After the vehicle release has been completed, the Property Room Staff will notify the authorizing official and send an email message to the PD Tow email group that the release transaction is complete. Property Staff will make the appropriate computer entries and the authorizing official will notify the owner of the release.

2. Release of a Vehicle to Owner/Victim without Utilizing Contracted Tow Company.

***Under no circumstances should a vehicle be released to an owner/victim at the VIF.***

In the event that a person authorizing the release deems it appropriate to release a vehicle directly to an owner, the person authorizing the release must first check with Court Services to verify there are

no Owners Fees associated with the vehicle to be released. If there are no fees, the person authorizing the release must send an email message to the PD Tow.

This email should include the following information:

Please release vehicle:

- Case#
- Tag#
- Make
- Model
- VIN
- License information (state and number)
- Owner Information
- Date and time of release

A supplemental report must be submitted by the releasing officer. Property will make the appropriate computer entries documenting the release.

No unauthorized personnel or personal vehicles will be allowed inside the VIF.

## Air-Drying

1. Items requiring air-drying should be placed in the special air-dry lockers available at the Central District Air Dry Room. If these lockers are not available, standard lockers in the Central District Air Dry Room may be used. **Do not air dry any items in standard lockers at other districts' property intake rooms.**
2. Within four days of placing any item into an air-dry locker and provided the items have fully dried, officers must complete the packaging of the item(s). If absent from duty for more than four days, arrangements should be made with a commissioned co-worker to complete packaging of the items (if the items are dry).

## Chain of Custody

Written documentation for the removal or disposition of any item in evidence will be submitted to a Property Clerk. Any officer involved in the evidence chain shall document in a police report the transportation or disposition of any evidence.

## Refusal of Property

Property that does not meet the packaging and labeling standards outlined in the MPD Packaging Guide will be placed back into the storage locker with the associated lock. The locker will be secured and sealed with a red evidence zip tie. The zip tie will be labeled with the name and IBM of the Police Property Clerk refusing the property. In addition, the case **number #**, tag **number #**, and officer responsible for the item will be annotated. The Property Clerk will notify via email the employee and the Police Property Supervisor of the deficiency and the steps needed to correct the problem.

The responsible employee will verify the information on the red evidence zip tie and then cut the red evidence zip tie to remove the affected property.

The employee will correct the deficiencies outlined in accordance with the MPD Packaging Guide and will return the correctly packaged property to the storage locker. The red zip tie should also be placed (unpacked) in the storage locker to allow the Police Property Clerk to identify the property and the deficiencies that were to be corrected.

The employee will notify Property via email that the deficiencies have been corrected and the item is ready for pickup. The employee will submit a supplemental report outlining the deficiency, the circumstances

surrounding the opening of the locker, the correction, and the re-securing of the evidence. When picking up the packaged property, the Property Clerk will verify that the cut red evidence zip tie is indeed theirs and that the property has been corrected in accordance with MPD SOP. In the event the indicated deficiency is not corrected within a reasonable amount of time of refusal, the Property Clerk will send a second email notification to the employee. The Police Property Supervisor will take the necessary steps to facilitate correction of the indicated deficiencies.

## **Release of Sensitive Evidence/Property**

Certain types of evidence and property create a higher liability by their very nature and shall be subject to special restrictions for temporary or permanent release.

### **DESIGNATED EVIDENCE/PROPERTY**

The following categories of property or evidence fall within these sensitive evidence/property guidelines:

1. All controlled substances/drugs.
2. Any functional firearms.
3. U.S. Currency amounts in excess of \$100.
4. Individual items with an estimated value in excess of \$1,000 (excluding vehicles).

### **AUTHORIZATION**

Temporary or permanent release of any of the property/evidence listed above must have documented authorization by a Lieutenant (to include OICs), Captain, or Chief.

The temporary release of any controlled substances/drugs that have been designated to be destroyed may only be authorized by the Assistant Chief of Investigative and Specialized Services.

### **DOCUMENTATION**

The temporary or permanent release of any of the designated sensitive evidence/property shall be documented on a "Property Release/Receipt Form" signed by the authorizing Commander.

In addition to this form, any officer to whom designated sensitive evidence/property is released shall complete an official police report documenting the handling and disposition of this evidence/property.

## **Disposition of Property Requirements**

### **UNCLAIMED PROPERTY**

Wisconsin State Statutes 66.0139 and 170.07-170.11 and Madison General Ordinance 8.44 regulate the manner in which property coming into the possession of the MPD is handled.

### **ITEMS NOT TO BE SOLD AT AUCTION**

It is required that items such as firearms, beer, liquor, fireworks, and flammables be destroyed after it is determined it is no longer necessary to retain the item.

### **BICYCLES FOR DONATION**

Section 12.761(4) of the Madison General Ordinances allows for donation of bicycles to charitable non-profit organizations. When abandoned bicycles are not returned to the owner or sold, the City of Madison Police Department will donate abandoned bicycles to qualified organizations.



1. Bicycles shall be held by the Madison Police Department Property Section for 45 days before being considered for donation.
2. All requests for bicycle donations must be made with the "Bicycle Donation Form" (found at <https://www.cityofmadison.com/police/support/bicycleDonation.cfm>) which is to be reviewed by the Police Property Supervisor and the Captain of Traffic & Specialized Services. The Police Property Supervisor will notify all requesters of the approval/denial of their requests. If approved, the Police Bicycle Recovery Specialist will be in contact with the requester to schedule a pick-up date and time for the requested bicycles.
3. Requests should be made at least 30 days in advance of from when the organization would like to receive the bicycles.
4. Donations shall be limited to charitable non-profit organizations. Such organizations must provide proof of their non-profit government status (subsequent applications may reference these materials as "on file" with the Police Property Room) and assurances that the bicycles will be used as part of a charitable program sponsored by the organization.
5. Bicycles shall only be for the use of clients of requesting organizations and not for the employees or directors of such organizations. Bicycles may not be sold to raise revenue for any purpose. By accepting a bicycle under this program, the applicant grants permission to the City of Madison Police Department to audit its use of said bicycles in accordance with these guidelines.
6. Organizations wishing to request an ongoing supply of bicycles are required to submit a separate request on each occasion when a donation is desired. Bicycle donations are subject to availability, as determined by the Madison Police Department. Organizations may receive no more than 20 bicycles at one time. Once all requests have been filled, an organization may receive additional bicycles.
7. Organizations receiving donated bicycles must sign a liability waiver and provide for the removal of the bicycles.
8. The Madison Police Department Property Supervisor will maintain the following related to each bicycle donation: copy of the approved request form, date the donation form was filled, and number of bicycles received by the organization.

## EXPLOSIVES

Items capable of exploding such as dynamite, nitroglycerin, pipe bombs, or any Class A explosive, including M-80s and other powerful fireworks, will be handled by the Dane County Sheriff's Office Hazardous Devices Unit (HDU) and will not be placed in the Police Property Room.

## FIREARMS AND AMMUNITION

Firearms and ammunition must be turned over to the Wisconsin State Crime Laboratory when it is no longer necessary to retain them for any reason.

## SEIZED ITEMS

Items seized during the service of a search warrant or incident to an arrest that which are not later used as evidence in a court case, must be returned to the owner or disposed of in accordance with Wisconsin State Statute.

## OTHER PROPERTY RELEASED TO OWNER

Other property will be released to the owner according to procedural guidelines set up by the Commander in charge of the Property Room.

## Property Room Controls

An audit of all, or of a specified portion, of the property/evidence storage areas is a critical internal control and will be conducted quarterly. Comprehensive inventories will be conducted when deemed necessary. The audit will review policies, procedures, and processes of the property and evidence functions to ensure compliance.



Any variances or irregularities identified as a result of an audit or inventory of the property system will be documented by the Police Property Supervisor and/or Commander designated to monitor those processes.

This documentation shall be forwarded to the Assistant Chiefs and to the Chief of Police for review.

Original SOP: 02/25/2015

(Revised: 01/20/2017, 02/07/2017, 06/15/2017, 10/09/2017, 01/25/2018, 11/15/2019, 04/06/2020, 12/28/2020, 12/28/2021, 01/31/2023)

(Reviewed Only: 01/30/2019)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Hours Worked

Eff. Date ~~01/15/2020~~ 02/06/2023

### 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 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
- Overtime that results in less than 6 hours of consecutive leave time between normal duty shifts
- More than eighty-four (84) hours of work per calendar week

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, 02/06/2023)  
(Reviewed Only: 02/04/2022)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Identification Procedures**

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Eff. Date ~~01/03/2020~~ 01/31/2023

**Purpose**

This **standard operating procedure (SOP)** 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**

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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**

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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**

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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**

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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**

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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 documented, along with any significant remarks made by an officer, lawyer, or suspect.

**Show-Ups**

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

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## When Permissible

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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.

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## Show-up Following Temporary Detention

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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 date of birth (DOB) pursuant to appropriate departmental procedures.

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## Minimizing Suggestiveness

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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 that they should not feel compelled to make identification, and that 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 that 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.

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## Multiple Witnesses

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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.

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## Cruising Area of Offense

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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.

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## Emergency Presentations

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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. However, 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.

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## Right to a Lawyer

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

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## When Single Photographs May be Used

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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. In cases where the victim/witness only knows the suspect by a nickname or other partial identifier, a single photograph may still be appropriate if the officer sufficiently clarifies the extent and nature of the witness' familiarity with the suspect and ensures the witness can provide a physical description of the suspect prior to showing a single photograph for identification.

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## Sequential Photo Arrays

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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 personnel for identification of suspects when the suspect is unknown or only partially known by the victim or witness.

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## Creating and Presenting the Sequential Photo Array

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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 may administer the photo array to the victim/witness 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. ~~(c)Case detective~~ task).
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 to the victim/witness. ~~(c)Case detective~~ task).
6. Give the administrator folders containing the suspect photo and remaining four filler photos; ask administrator to and have him/her mix up 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. ~~(a)Administrator~~ task).
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 victim/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 victim/witness should be informed not to show any of the photos to the case detective (if present). As the victim/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 victim/witness how certain they are. Use similar language for each photo presented.

4. Avoid any statements or actions that may influence the victim's/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 the following details:
  - 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 victim's/witness' own words.
  - b. Ensure that the photos are signed and dated by the victim/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 victim/witness.
  - d. Ensure that the victim/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 victim/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 victim/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 victim/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**

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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

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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

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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 **such as the following**:

- 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 **victim/witness** any photos immediately prior to the development of the composite (unless part of the procedure).
- The most reliable **victim/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 **victim/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 **into 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 **victim/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

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

## Right to a Lawyer

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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 **the suspect he/she** cannot afford one.

## Advising the Suspect of the Right to a Lawyer

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The suspect shall be told of the right to have a lawyer present to observe the lineup procedure; that if the suspect 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 a desire to have he/she wants the lawyer to attend the lineup, the suspect 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 an ability to 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

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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. 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 Dane County Jail residents to participate in the lineup 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 victim/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 Forensic Services Unit (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

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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 their his/her attorney prior to the lineup.
3. The planning detective should coordinate forming the lineup in the holding area. Ensure that victims/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 their 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

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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

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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 **that which** would render the procedure more consistent with these guidelines should be implemented.
3. A lawyer should be permitted to be present when a **victim/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 **victim's/witness'** conclusion. The lawyer may speak with any **victim/witness** after the procedure if the **victim/witness** agrees to speak with the lawyer.
4. **Victims/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 **victim's/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**

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“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**

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1. Single Locale: A **victim/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 **victim/witness** may be taken to five or more similar locales—at one of which the suspect is believed to be.

#### **Recording Informal Procedures**

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A detailed record of any “informal” identification procedure must be made. Such a record should include **the following**: (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 **victim's/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, 01/31/2023)  
(Reviewed Only: 12/26/2017, 01/30/2019, 01/11/2021, 02/04/2022)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Incident Review Process

Eff. Date ~~03/16/2020~~ 01/31/2023

### Purpose

The Madison Police Department (MPD) has maintained a long, historical commitment to continuous improvement. Among 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 **standard operating procedure (SOP)** outlines mechanisms for reviewing incidents to identify areas for improvement.

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 (PSIA) function; evaluation of individual employee compliance with MPD’s Code of Conduct or Standard Operation Procedures are not part of the **incident** 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, or their designee
- Use of Force Coordinator, Defense and Arrest Tactics (DAAT) Master Instructor, or their designee
- ~~Defense and Arrest Tactics Master Instructor~~
- Professional Communications Master Instructor, or their designee

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 **representative**
- Special Weapons and Tactics (SWAT) team representative
- Special Events Team (SET) 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
  - Supervision
  - Unit structure
  - MPD standard operating procedures or other departmental directives
  - 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.

Original SOP: 11/11/2015

(Reviewed Only: 02/11/2016, 01/09/2017, 12/26/2017)

(Revised: 03/16/2020, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



## Interns Application and Acceptance Process

Eff. Date ~~02/25/2015~~ 01/31/2023

### Purpose

The Madison Police Department (MPD) recognizes the **value worth** of utilizing interns to assist with MPD projects and functions. The **intern** program is designed to be mutually beneficial, and as such, MPD Intern Supervisors are to provide **interns students** with a broad range of experiences by exposing them to the varied units and systems that make up the MPD. **MPD Internships are unpaid.** Interns who perform at a high level will be encouraged to apply with the MPD.

### Procedure

- All MPD internships are to be coordinated by the MPD's Intern Coordinator (currently the **PIO Academy Sergeant**).
- The Intern Coordinator has the responsibility to seek interest from internal staff on becoming an Intern Supervisor when a request for an internship **is received comes in.**
- The most common time of year that MPD has **interns working at for the** MPD is during the summer. Applicants interested in competing for summer internships send resumes and **cover letters applications** to the MPD Intern Coordinator **in by the month of March January.** Intern applicants can compete for fall and spring internships based on the needs of the department. Those applications will be considered by the Academy Sergeant and processed the month preceding each semester.
- MPD **Records** staff **conduct** background **checks** of applicants in **March February.**
- The MPD Intern Coordinator uses results, coupled with resume and **cover letters application** analysis, to develop a pool of potential candidates **to be offered MPD internships.**
- Each **potential intern** candidate is invited to participate in an in-person interview, conducted in March.
- The Intern Coordinator will contact potential MPD supervisors to determine the number of available **internship** positions.
- Internship offers will be made in late March or early April. The Intern Coordinator corresponds with all applicants letting each know **his/her their** status in the process.
- A waiting list is developed for viable candidates who **were not** extended initial offers.
- Successful candidates, those extended offers, and those waitlisted, **will** be ranked by the Intern Coordinator.
- If an additional internship position becomes available, or if an invited candidate **declines turns down** an offer, the Intern Coordinator will offer an internship to the person ranked highest on the waiting list. The Intern Coordinator matches interns with supervisors based on the candidates' skills, knowledge, and/or interests.
- Those **candidates who accept accepting** internships **will** attend an orientation meeting in May. At that time, interns are provided supervisor contact information. It is up to the intern and supervisor to determine a **mutually convenient** weekly schedule. At the orientation, interns are given rules, expectations, dress code information, and other general information **they need needed** to be successful. They also receive an intern manual, an identification badge, building access cards, and computer access codes.
- The Intern Coordinator will keep a file on each intern, **and will** provide information contained therein to prospective future employers.
- The Intern Coordinator will be responsible for purging old intern files in accordance to the MPD **records** retention schedule approved by the State Records Board.
- The Intern Coordinator will be responsible for adjusting this review and acceptance process as necessary when internships are requested for **times time periods** other than during the summer.

Original SOP: 02/25/2015

(Reviewed Only: 02/04/2016, 12/20/2016, 12/26/2017, 01/31/2020)

(Revised: 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Labor Disputes and Picketing**

Eff. Date ~~12/28/2021~~ 01/31/2023

**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 **the police response to the event** to a SET event.

**Obligations of Madison Police Department Personnel**

Madison Police Department (MPD) personnel, when on duty, must be completely impartial and strive to avoid any actions which give the appearance of partiality; therefore:

- Members shall make no public statement which reflects preference, in the form of support or opposition, for either side in a labor dispute, and
- Members shall not accept gifts of any sort, including food or beverages, from anyone involved in a labor dispute.

**Picketing**

Picketing and information dissemination shall be restricted to those areas that which are, or are considered to be, public; however, if the public nature of the premises is uncertain, peaceful picketing and information dissemination should be presumed by officers to be lawful unless told otherwise by a supervisor.

Picketing restrictions include the following:

1. Picket lines shall not block public use of roads, sidewalks, or public ways.
2. Violence, threats of violence, deception, coercion, or fraud on the part of any person, or on the part of any agent for any person, should not be tolerated.
3. All citizens shall be guaranteed access to picketed premises, free from violence or threats against them.
4. Destruction of or damage to property will be cause for arrest.

**Notification of Parties Involved**

As soon as possible after the start of a labor dispute, the MPD will undertake to acquaint both parties with MPD policies in this area and with the manner in which they will be applied in the specific case. Whenever possible, such information will be provided to both parties in the presence of the other.

**Communications with Parties Involved**

Communications with both labor and management should be made through designated representatives who should be encouraged to pass on, to those they represent, the information or orders received from the police. Both sides of the dispute should be encouraged to keep the police informed of their intended activities.

## Enforcement of Laws

All felonies committed during labor disputes will be handled by physical arrest. If an arrest is not immediately possible, every effort will be made to pursue a subsequent felony arrest. Serious misdemeanors and ordinance violations may be handled by arrest or citation as appropriate. Because enforcement of some minor offenses might lead to violence or greater hostilities, enforcement of them will be at the discretion of the supervisor present.

## Enforcement of Injunctions

No arrests shall be made for violations of injunctions or court orders unless the MPD is specifically ordered by the court.

Original SOP: 02/25/2015  
(Reviewed Only: 01/27/2016, 12/22/2016, 12/26/2017, 01/30/2019, 01/11/2021)  
(Revised: 01/21/2020, 12/28/2021, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Language Access Services

Eff. Date ~~10/25/2018~~ 01/31/2023

## Purpose

The Madison Police Department (MPD) is committed to providing equal opportunity and equal access to all police resources and services in order to ensure full compliance with all civil rights laws. These guidelines further the MPD's commitment to broadening access to its services for our increasingly diverse residents, including those for which English is not their first language.

Language barriers can sometimes inhibit or even prohibit individuals with Limited English proficiency (LEP) from accessing and/or understanding important rights, obligations, and services, or from communicating accurately and effectively in difficult situations. Hampered communication with LEP victims, witnesses, alleged perpetrators, and community members can present the MPD with safety, evidentiary, and ethical challenges. Ensuring maximum communication ability between police officers and all segments of the community serves the interests of all.

## Procedure

It is the standard operating procedure (SOP) of the MPD that members will take reasonable steps to provide timely, meaningful access for persons with limited English Proficiency (LEP) to the services and benefits the MPD provides.

In implementing this ~~SOP Standard Operating Procedure~~, the MPD will inform members of the public that language assistance services are available free of charge as part of the MPD's community policing, outreach, and enforcement efforts. All MPD personnel shall provide free language assistance services to LEP individuals whenever the individual requests language assistance services or if it is evident that the individual is unable to effectively read, write, or understand English.

When available, MPD will attempt to use commissioned officers for interpretation/translation services. In the event an officer is not available, civilian employees may be considered to assist in translating. The following guidelines should be used:

- Contact the Officer-in-Charge (OIC) to discuss the case and determine if commissioned personnel are available.
- In the event civilians are to be used, consideration shall be given to the following:
  - Any request to use a civilian employee must first be approved by their supervisor before initiating contact with the employee.
  - Nature of the request (criminal investigation, obtaining information).
  - How extensive will their involvement be, where, in time, follow-up, potential court testimony, etc.
  - Safety of employee (in-person/by phone), officer should stand by.
  - Any personal conflicts for the employee to become involved.

While the employee can request not to provide translation, due to exceptional circumstances, the OIC or an MPD commander will have the final authority in deciding their use based on the needs of the MPD.

If a qualified MPD employee is not available, a certified interpreter can be accessed 24 hours/day seven days/week 24/7 by the MPD via various services contracted by the City of Madison and the Dane County 911 Center including in-person assistance, telephonic interpretation, and/or audio visual aids. The OIC will maintain contact information to provide to all employees when needed.

Using family, friends, bystanders or others to interpret creates the potential for a breach of confidentiality, conflict of interest, or inadequate interpretation. MPD personnel should not request the assistance of family, friends, or bystanders to serve as interpreters when communicating with an LEP individual who is the subject

of a criminal investigation unless exigent circumstances exist and no MPD or City resources are available to assist. If this occurs, the non-availability of MPD or City resources should be documented in the officer's report. When interacting with an LEP individual in an informal, non-confrontational context (when the LEP individual is not the subject of a criminal investigation), officers may use friends, family, or bystanders to serve as interpreters if the LEP individual requests that the third party assist and the third party agrees to do so. Barring exigent circumstances or non-arrest situations, MPD personnel should avoid using minor children to provide interpretation assistance.

When considering requesting interpretation assistance from outside agency professionals (social workers, medical staff, etc.) MPD personnel should be cognizant of the potential for conflict of interest and breach of confidentiality. These requests should generally be avoided when communicating with an LEP individual who is the subject of a criminal investigation unless exigent circumstances exist and no MPD or City resources are available to assist. MPD personnel may request translation assistance from **Dane County Human Services (DCHS)** employees; the decision to assist is that of the individual.

## Definitions

1. **Primary Language:** A primary language is an individual's native tongue or the language in which an individual most effectively communicates. The MPD should make every effort to ascertain an individual's primary language to ensure effective communication.
2. **Limited English Proficiency (LEP):** Limited English Proficiency designates individuals whose primary language is not English and who have a limited ability to read, write, speak, or understand English. This includes individuals who are deaf and hard of hearing.
3. **Interpretation:** Interpretation is the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.
4. **Translation:** Translation is the replacement of written text from one language (source language) into an equivalent written text in another language (target language).
5. **Bilingual:** Bilingual refers to the ability to use two languages proficiently.
6. **MPD Qualified Bilingual Member:** An MPD qualified bilingual member is a bilingual employee, who has identified themselves during the hiring process as being able to speak, read, and/or write a foreign language and who has the ability to communicate directly and accurately both in English and another language. Bilingual members may be fluent enough to communicate in a non-English language, but may not be sufficiently fluent to interpret or translate from one language into another.
7. **MPD Authorized/Qualified List:** The qualified list is an accounting of the MPD personnel who are bilingual and are authorized to act as interpreters and bilingual communicators. This list will be updated and modified on a yearly basis.

## Public Notification of MPD Services

1. At each MPD building public entry point and lobby, signage shall be posted in multiple languages stating that interpreters are available free of charge to LEP individuals.
2. MPD shall post notification of the availability of translated forms and documents in the public lobby of each district station to inform LEP person about which forms are translated.
3. Additionally, language identification cards will be posted to enable the LEP person to point to the language they speak so the employee can inform the chosen interpretation service of the language required for interpretation.

## Translation of Written Material

1. This plan shall be translated into Spanish (and other languages if deemed appropriate) and will be available in Spanish in any locations where the plan is posted in English.
2. In addition, the MPD will translate written materials that are distributed to the public (pamphlets, fliers, notices, posters, etc.) when reasonable.
3. Additional languages will be added or removed as deemed necessary through annual reviews conducted.

## Website

The MPD will post various items on its website that are translated into Spanish; such items include as forms, community-related announcements, and other information.

## Cellular Phones

The MPD will provide cell phones to patrol officers with the Language Line number programmed to provide access to language interpretation services to members in the field.

## Complaints

The MPD will offer a variety of ways in which LEP individuals can file a complaint against an employee. Community members Citizens can file a complaint online through our website, via telephone, in person, or by picking up a paper form at any of the district stations or public libraries.

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(Revised: 02/29/2016, 10/25/2018, 01/31/2023)  
(Reviewed Only: 12/22/2016, 12/26/2017, 01/11/2021)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Line of Duty Death of an Employee

Effective Date: 01/28/2020  
01/31/2023

## 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 (MPD) 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 of 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 emergency medical technicians (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 will shall meet with their supervisor annually to review and edit (if necessary) 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 packet is saved to the employee's personnel file in LERMS. file will be kept with the Officer-in-Charge. This alphabetical file packet 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 Information Packet (Form A) Form.
  - b) All employees are encouraged to make sure they have up-to-date beneficiary designations in place.
  - c) Employee Emergency Notification packets shall only be viewed for official purposes related to a notification, or for administrative purposes by the supervisor responsible to ensure the form has been reviewed annually. Access history to Employee Emergency Notification packets will be audited to ensure that only appropriate access occurs.
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. When practical, any radio communication should be done over an encrypted radio channel.
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 entry 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 employee's personnel tab in LERMS, 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 Officer Involved Critical Incident (OICI) team commander or his or her designee, and the Forensic Services Sergeant-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 Mobile Data Computer (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 **Madison Professional Police Officers Association (MPPOA)** or **Association of Madison Police Supervisors (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 **phone chain, followed by an email (sent to 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 **immediately** available **at the residence** at the time of notification.
3. Notification will be made in person and **ideally** 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, and gather the survivors together.~~ 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-en** 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 **(TTY)** 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.~~ If an outside agency lead investigator is unavailable, MPD will oversee the criminal investigation and assign a lead investigator.
2. Will evaluate the need for an administrative review and/ or the need for Professional Standards & Internal Affairs (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 the line of duty death ~~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 will 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; the Peer Support Commander then s/he will then 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 Employee Assistance Program (EAP) and Critical Incident Stress Management (CISM) responses for the survivors.
7. If an 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 Critical Incident Partner (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 stored in the employee's personnel file in LERMS, 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 the line of duty death 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 Public Information Officer (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.~~
5. The name of the decedent should be withheld until survivors are notified.
6. If the medial learns the identity of the decedent prior to notifications, 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. Coordinate with the Support Commander to 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 is 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 of which 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 Police or 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, 02/04/2022)

(Revised: 01/15/2019, 01/28/2020, 01/31/2023)

(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



Major Case Investigations

Eff. Date ~~01/03/2022~~ 01/31/2023

**Violent Crime Unit (VCU) Major Cases**

**INITIAL CONTACT/ASSIGNMENTS**

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

1. Homicide or attempted homicide
2. Any death that is not attended by a physician
3. Any serious injury and/or condition where there is reason to suspect the injury/condition was caused by the act or omission of another or the cause is unknown
4. Any death or serious injury involving a motor vehicle (MV) where there is intent to injure or kill (MV accidents, however negligent, will be investigated in accordance with the Investigation of Motor Vehicle Crashes Involving Serious Injury or Death procedure)
5. Any weapons violation believed to have just occurred or in progress

The supervisor at the scene shall ensure that the Officer in Charge (OIC) is notified and advised of the circumstances surrounding the incident **as soon as practicable**.

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

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

If the Lieutenant of Investigative Services determines the case will likely fall within the scope of VCU responsibility, the VCU Detective Sergeants should be contacted. If the Lieutenant of Investigative Services is unavailable, one of the off-duty VCU Detective Sergeants should be contacted. If the Investigative Services Lieutenant or Sergeants are unavailable, the Investigative Services Captain should be contacted. If it is unclear whether the incident should be investigated by VCU or by the District where the incident occurred, the Investigative Services Captain and District Captain of the district where the incident occurred should be contacted to discuss the circumstances and determine the appropriate assignment.

The Officer in Charge will ensure the notifications are made to the following per current protocol:

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

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

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

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



The Investigative Services Lieutenant is responsible for determining what resources are needed and for ensuring that those resources are contacted. The Investigative Services Lieutenant and VCU Detective Sergeant will be responsible for designating a lead detective. The Investigative Lieutenant should consider utilizing detectives from other specialized units, such as the Burglary Crime Unit (BCU), as well as detectives from the affected district, to supplement VCU detectives. One district detective should be assigned as the primary district detective who will be imbedded in the VCU until it is mutually agreed upon for that detective to return to their district.

## COMMAND POST

A command post will be set up to direct the overall operation of the investigation. The Investigative Services Lieutenant will select the location of the command post based on the needs of the case (typically the appropriate district station). The CP will be run out of this district, ideally for the first 24-48 hours (as the investigation dictates); then, if it is necessary for the CP to continue operations after this time, the CP will be transferred to the Central District Incident Command Room.

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

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

Back up to the following personnel should be as follows:

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

## RESPONSIBILITIES

### Investigative Captain

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- Make appropriate notifications, as needed:
  - Chiefs
  - District Command
  - District Attorney's (DA's) office (if appropriate and in all homicide cases)
- Ensure Investigative Lieutenant has necessary resources
- Keep Chief and Assistant Chiefs apprised of investigation
- Communicate with MPD Finance Section staff for Association of Madison Police Supervisors (AMPS) overtime implications

### Investigative Lieutenant and Detective Sergeant

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- Overall management of the case
- Identify Lead and Scene Detectives
- Make investigative assignments:
  - Designate lead detective
  - Designate lieutenant (if needed/available) and detective to oversee each scene
  - Coordinate investigative response to hospitals (if appropriate)



- Designate detective to serve as liaison to victim families
- Coordinate MPD detectives presence at autopsy (if appropriate)
- Work with District Detective Lieutenant to designate primary district detective assigned to VCU
- Identify and coordinate other investigative tasks, as needed
- Communicate and coordinate efforts with the designated scene Lieutenant supervisor
- Communicate and coordinate efforts with CIS Supervisor
- Communicate and coordinate efforts with Case Lead Detective
- Communicate with the OIC
- Communicate with Command Staff
- Designate case as “Extraordinary” for TeleStaff/payroll purposes, if appropriate
- Communicate with MPD Finance Section staff for case number cost accounting
- Facilitate the release of information to MPD personnel through briefing and other police agencies
- Collaborate with the Public Information Officer (PIO), case detective, Investigative Captain, and District Captain on case press releases
- Communicate with District Attorney staff and case detective
- Review reports for investigative leads
- Management of personnel (assignments, monitoring hours worked, etc.)
- Managing overtime and arranging relief for Investigative personnel
- Evaluate need for support staff, such as Gang and Neighborhood Crime Abatement Team (GNCAT), Neighborhood Resource Officers (NRO)/Neighborhood Police Officers (NPO), additional detectives, etc.
- Notify Property Room staff and evaluate needs, if applicable
- Create and prioritize a task list of work to be done
- Organize and lead briefings and debriefings of case investigators
- Organize and coordinate case information
- Ensure phone calls made to the command post are answered and information recorded
- Evaluate need for a detective to be assigned to family members (victim, suspect, witness, etc.)
- Arrange for special equipment or needs of the investigation
- ~~Ensure that a timeline is started and kept up to date~~
- Oversee report completion and process (see below)
- Brief incoming commander when being relieved
- Make sure command post log is maintained
- Manage the “to do list”

### Lead Detective

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

- Assist case lieutenant in briefing the District Attorney
- Work closely with assigned Assistant District Attorney

### **District Command Staff**

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

### **CIS Personnel**

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

The CIS Supervisor and/or Officer will:

- Communicate with and assist the Investigative Lieutenant
- Evaluate and ensure that adequate CIS resources are called-in (i.e. additional CIS Officers/Investigative Support Officer)
- Ensure that the Electronic Log Sheet is set-up for assigned staff to make log entries
- Establish and post the "CIS Requests To Do List" to best determine CIS request priorities

## **Non-VCU Major Cases**

### **INITIAL CONTACT/ASSIGNMENTS**

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

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

- Is there a Commander available to run the Command Post?

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

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

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

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

- District detective from assigned specialty related to incident
- District detective with skills/experience related to incident
- Out-of-district detective from assigned specialty related to incident
- Out-of-district detective with skills/experience related to incident

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

## COMMAND POST

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

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

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

## RESPONSIBILITIES

### Case Detective Lieutenant or Case Commander

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- Overall management of the case
- Identify Case and Scene Detectives
- Make investigative assignments:
  - Designate lead detective and co-lead (if appropriate)
  - Designate lieutenant (if needed/available) and detective to oversee each scene
  - Coordinate investigative response to hospitals (if appropriate)
  - Designate detective to serve as liaison to victim families
  - Coordinate MPD detectives presence at autopsy (if appropriate)
  - Identify and coordinate other investigative tasks, as needed
- Communicate and coordinate efforts with the designated scene Lieutenant supervisor, if needed/available

- Communicate and coordinate efforts with CIS Supervisor
- Communicate and coordinate efforts with Case Lead Detective
- Communicate with the OIC
- Communicate with Command Staff
- Make appropriate notifications, as needed:
  - Chiefs
  - District Command
  - DA's office (if appropriate and in all homicide cases)
- Communicate with MPD Finance Section staff for case number cost accounting
- Designate case as "Extraordinary" for TeleStaff/payroll purposes, if appropriate
- Facilitate the release of information to MPD personnel through briefing and to other police agencies
- Collaborate with the PIO, case detective, and District Captain on case press releases
- Communicate with District Attorney's office staff with case detective
- Review reports for investigative leads
- Management of personnel (assignments, monitoring hours worked, etc.)
- Managing overtime and arranging relief for staff
- Evaluate need for support staff
- Notify Property Room staff and evaluate needs, if applicable
- Create and prioritize a task list of work to be done
- Organize and lead briefings and debriefings of case investigators
- Organize and coordinate case information
- Ensure phone calls made to the command post are answered and information recorded
- Evaluate need for a detective to be assigned to family members (victim, suspect, witness, etc.)
- Arrange for special equipment or needs of the investigation
- Ensure that a timeline is started and kept up to date
- Oversee report completion and process (see below)
- Brief incoming commander when being relieved
- Keep Chief and Assistant Chiefs apprised of investigation
- Make sure command post log is maintained
- Manage the "to do list"

### Lead Detective

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

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### District Command Staff

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

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### CIS Personnel

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Upon request from the District, CIS will respond directly to the Command Post as soon as possible. CIS will immediately provide one CIS Supervisor (if needed) and one CIS Officer in the Command Post for the first 72 hours. If special circumstances are present, District Commanders can request to extend CIS assignment beyond the 72 hours through the Investigative Services Captain or Lieutenant.

The CIS Supervisor and/or Officer will:

- Communicate with and assist the Case Detective Lieutenant.
- Evaluate and ensure that adequate CIS resources are called in (e.g., additional CIS Officers/ Investigative Support Officer).
- Ensure that the Electronic Log Sheet is set up for assigned staff to make log entries.
- Establish and post the "CIS Requests To Do List" to best determine CIS request priorities.
- Generate and Search Available Intelligence venues.
- Communicate and obtain information from outside resources.

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### Logistics Officer

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

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### Command Post Assistant

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

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### Crime Scene

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

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

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### **Designated Crime Scene **Lieutenant Supervisor****

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- If utilized, typically the **designated** crime scene **Lieutenant supervisor** role is filled by the district operations Lieutenant

- Overall responsibility for the management, security, and processing of the crime scene
  - Respond directly to scene
  - Relieve patrol sergeant of overall scene responsibility
- Assign perimeter security positions
  - Maintain inner and outer perimeter
  - Ensure that scene is properly secured
  - Ensure that an officer is assigned to maintain log of who enters/exits scene
- Coordinate assignment of detectives at scene with case detective lieutenant
- If necessary, request mobile command post response **vehicle** (CV-1)
- Verify that legal authority exists to perform complete search/processing of scene
- Work with the FSU **Lieutenant Sergeant** to coordinate the investigative efforts of detectives and investigators
- Control access to the scene to reduce contamination
- Management of personnel (assignments, monitoring hours worked, etc.)
- Managing overtime and arranging relief for staff
- Evaluate resource needs:
  - Additional personnel
  - Special equipment
- Coordinate area canvass after consultation with the Command Post
- Establish staging area for media:
  - In absence of PIO, serve as point of contact for media
  - Coordinate any media releases with command post
- Ensure crime scene log is maintained
- Coordinate responsibility of scene with FSU **Lieutenant Sergeant** or other supervisor
- After scene stabilizes and assignments are given, respond to the Command Post
- Assist the Case Lieutenant, as needed

### FSU **Lieutenant Sergeant**

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- If utilized, has overall responsibility for directing the collection and processing of evidence
- Communicate and work with the **designated** Crime Scene **Lieutenant supervisor** to coordinate the efforts of investigators and Detectives
- Work with **designated** Crime Scene **Lieutenant supervisor** to determine which evidence investigators will collect and which evidence detectives will collect
- Determine the need for outside agency assistance with processing scene/evidence
- FSU **Lieutenant Sergeant** may request the County Crime Scene Vehicle through the Dane County Sheriff's Office (DCSO) OIC, if needed
- Ensure Lead Investigator has been selected as the representative for the FSU
- Make sure Lead Investigator briefs CP staff at completion of scene processing
- As conclusion of incident, a formal After Incident Review will take place incorporating the FSU personnel and the detective(s) of the affected district

### Crime Scene Detective

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

## Investigators

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

## Canvass Personnel

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

## Other Scene Personnel

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

## Use of CV-1

- The **designated** scene **Lieutenant supervisor** is in charge of CV-1
- CV-1 is a resource for personnel at the scene; it is not a substitute for the main command post
- Entry to CV-1 is limited to those who have a specific need for access
- Make request through the 911 Center for delivery to scene. Request MPD designee to operate at scene and return after use

## Hospital Assignment

- Supervisor should respond if possible
- Detective or officer must stay with victim until released by the Command Post (includes going into surgery, wearing proper hospital attire)
- Limit number of people in exam room or with victim
- Obtain names of **Madison Fire Department (MFD)** personnel treating/transporting victim
- Obtain names of hospital emergency room (ER) personnel treating victim
- If possible, an investigator who has not been to crime scene shall assist in processing victim, clothing, and evidence. Swabs, photographs, and evidence collection shall be coordinated through the investigator assigned to the hospital
- Collect evidence (bedding, clothing, etc.), as needed
- Obtain consent for release of medical information from victim, if possible



- Check in with command post prior to leaving hospital
- Hospital Investigator will link up with Dane County Medical Examiner personnel to ensure body recovery goes according to protocol and to ensure an autopsy time has been identified. This information will be passed on to the Lead Investigator and CP by the Hospital Investigator.

## TeleStaff/Payroll/Personnel Management

- Incidents that should be considered a TeleStaff Extraordinary Event:
  - All homicides
  - All officer involved shootings
  - All fatality or critical injury traffic crashes
  - All full-team SWAT activations
  - Other events likely to generate 30 or more hours of total overtime (including follow-up)
- If incident qualifies, notify MPD Payroll personnel by sending an email to the PD Payroll email group. Notification must include date of incident, time of incident, location of incident, case number, and brief explanation of incident (e.g. shots fired, attempted homicide, house explosion, etc.). Payroll notification should occur as soon as possible (preferably the date of the incident), but must take place prior to the close of payroll for the incident.
- All employees working the event need to be notified that overtime entries should be OT Extraordinary.
- Personnel management includes the following considerations:
  - Manage overall overtime
  - After an employee(s) has worked 10 continuous hours, a supervisor should start to work on a transition plan for the ~~eat~~-employee(s), so the employee(s) does not work more than 12 continuous hours. If a supervisor deems it necessary to hold an employee(s) in excess of 12 continuous hours, the supervisor should evaluate the following:
    - How vital a role in the investigation does the employee have?
    - Is there a compelling reason the employee needs to work extended hours?
    - Does the employee show signs of fatigue?
    - Can the employee reasonably be relieved without adversely impacting the investigation?
    - Relieve the employee(s) as soon as possible.

## Autopsy Protocol

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

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

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

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

The following will usually be collected:

- Fingerprints (MPD Investigator)
- Fingernail scrapings (occasionally)
- Fingernail clippings or swabs of fingernails, if nails are too short
- Blood (even if transfused) needed for deoxyribonucleic acid (DNA) testing and toxicology
- DNA stain cards

- Clothing and personal effects of the deceased
- Photographs (MPD Investigator)
  - Photograph entire body with injuries prior to removing clothes and/or washing
  - Photograph entire body with injuries after body washing
  - Photograph entire body after removing clothing
  - Photographs of case appropriate internal evidence
  - Photographs of the body and autopsy should be reviewed by case detective prior to body being released

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

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

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

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

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

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

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

Evidence will be shipped ~~to AIT~~ by the Medical Examiner's office personnel to an appropriate laboratory for analysis. All refrigerated and freezer evidence resulting from an autopsy will be stored at the Dane County Morgue unless specifically signed out to MPD for testing by the Wisconsin State Crime Lab (WSCL) at the request of the District Attorney.

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

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

A search warrant can be based on the preliminary findings of the autopsy. However, detectives should be mindful of the need to carefully document and clarify the Medical Examiner's findings to prevent a misunderstanding or misinterpretation of a Medical Examiner's statement.

When the cause of death is pending toxicology, ~~personnel at the appropriate laboratory AIT~~ will initially test specimen samples as requested by the Medical Examiner. The District Attorney may request secondary tests conducted by the WSCL. The samples will be obtained from the Medical Examiner's office and transported to

the WSCL by the case detective. Those requests may be appropriate when investigating an unexplained death, gunshot wounds, or drug overdoses. When submitting requests, the case detective will need to specify the reasons and tests needed. The results will be provided to the specific detective who submitted the request and to the Medical Examiner's Office.

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

In all drug overdose or suspected drug overdose cases, the Medical Examiner will collect blood to be analyzed by **an appropriate laboratory for analysis AIT**. If there is a probability that criminal charges will be filed or if there is a questionable death, the detective, at the request of the District Attorney, will transport the specimen to the WSCL as soon as possible. If there are no criminal charges or suspect identified, then the detective can wait until the results of the Medical Examiner's test is made available.

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

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

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

The Medical Examiner will not release the body of the deceased before consulting with the case detective and District Attorney's Office.

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

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

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

Investigator reports documenting an autopsy should include:

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

## Information Sharing

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

### EXTERNAL

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

### INTERNAL

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

## Lead/Tip Management

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

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

- Each tip should be assigned for follow up/review and the actions taken should be documented in a report as well as in the log-book/database

## Reporting Procedures

- The decision to lock cases in the Law Enforcement Records Management System (LERMS) will be made by the District or Unit Commander with notification to the Captain (though the OIC may initially designate that a major case be temporarily locked pending this decision). The following personnel should be notified that a case should be locked:
  - **Case Process Police Report (PRT)** Supervisor
  - Records Manager if **Case Process Police Report** Supervisor is unavailable
  - Records Supervisor if **Case Process Police Report** Supervisor is unavailable
- Reports will be added to LERMS as they come in with security as to who has access. Default access for locked cases includes Chiefs, Captains, and Lieutenants; others may be specified as appropriate by a Commander (case Detectives, etc.). Access may be limited further if needed (sensitive cases, etc.)
- Cases appropriate for consideration to be locked:
  - Homicides
  - Cases involving Officers or other high-profile individuals as suspects
  - Other high-profile cases (oOfficer involved critical incidents, etc.)
- OIC, Lead Detective Lieutenant, and **PRT Case Process** Supervisor decide if Police Report Typists (PRTs) need to be called in; the **PRT Case Process** Supervisor will decide who and when if PRT support is needed
- Command Staff in the Investigative CP will be responsible for notifying on-scene patrol personnel to respond to the Investigative CP upon clearing the scene. Once at the CP, field personnel will be asked to brief the CP or designated team leader on actions taken at the scene (verbal summary of action and information about the case)
- The case Detective Lieutenant or VCU supervisor will review all reports in a Major Case in LERMS;
- The case Detective Lieutenant, the lead Detective, and the District Attorney assigned (if applicable) may have the option to receive a draft version of hard copies of the numbered reports as they are updated
- Detectives and investigators should follow their normal protocol in reviewing and correcting reports for uploading to LERMS and major case reports should be a priority
- All major case documents should be scanned into LERMS
- Any investigative work created by specialized software (timelines, phone analysis, etc.) should be scanned into LERMS (if possible). The officer/detective creating the work should complete a supplemental report outlining the process and software utilized. ~~The original electronic file containing the investigative work should also be saved in LERMS if possible~~
- Supporting documents (timelines, bulletins, etc.) should also be saved in LERMS under "Case Activity"
- Lead Detective is designated as in charge of the reports and begin to number reports and attachments in LERMS
- Numbered reports can be referred via the e-Referral process to the DA's office whenever possible depending on the size of the case and updated via e-Referral periodically depending on need. If too large, the case can be put on a CD or DVD and delivered to Intake staff at the DA's office. Reports need to be in the DA's office PROTECT program and not just given directly to the assigned **Deputy District Attorney (DDA) or Assistant District Attorney (ADA)**. Property and contact information can be extracted directly from LERMS as a tool to be given to the DA's office as well. Hard copies of reports will be considered draft or working copies and original reports will be housed in LERMS

## Long-Term Case Management

If a detective changes assignment (e.g., changes districts, goes to Task Force, or another detective assigned position) and still has an assigned caseload, the general rule is the caseload will follow that detective to their

new assignment. Detectives should work with their current supervisors prior to changing assignments on what cases are still active and will need additional follow-up. Other inactive cases should be closed out appropriately. If a **Detective case** lieutenant changes assignment, the general rule is that supervisory responsibility for a major case will remain in the district where it occurred. Detectives should still **confer touch base** with their previous supervisor on additional work done on those caseloads for record-keeping purposes.

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

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

### **Deviation from this SOP**

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

Original SOP: 02/01/2015

(Revised: 04/23/2015, 09/15/2017, 12/06/2017, 08/02/2018, 09/20/2018, 01/03/2022, 01/31/2023)

(Reviewed Only: 02/25/2016, 01/09/2017, 01/30/2019, 01/31/2020, 01/11/2021)

(Persons Crimes Investigations SOP merged into this SOP 12/06/2017)





# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Military Leave

Eff. Date ~~01/27/2020~~ 01/31/2023

### Purpose

The purpose of this ~~standard operating procedure~~ ~~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 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 [the PD Payroll email group](#). At least 30 days notice is preferred, **whenever possible**.
- 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/**deployment** dates.
- If the location of the drill/**deployment** 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.
- 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 Human Resources Coordinator and/or the Master Scheduler to finalize their schedule. **The general guidance is for employees to be allowed eight (8) hours of rest and a reasonable amount of travel time as it relates to their drill location and shift 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).
- **When an employee is notified that they will be assigned to a long-term deployment, they shall request a meeting with the HR Coordinator to discuss benefit impacts. Long-term deployment is defined as 30 consecutive days or more.**
- The affected employee may be reimbursed ~~for lost wages~~ by the department **for lost wages** 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 Human Resources Coordinator will be responsible for providing guidance and assuring administrative compliance with law, **to include the MPD promotional process**. 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, **01/31/2023**)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## NIBIN Use

Eff. Date: 11/11/2022  
03/17/2023

### Purpose

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

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

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

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

### DEFINITIONS

The following terms shall have the meanings specified:

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

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

## NIBIN PROCESS

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

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

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

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

## PROCEDURES

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

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

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

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

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

### A. EVIDENTIARY FIRED CARTRIDGE CASINGS

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

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

### B. TEST FIRING OF CRIME GUNS

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

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

### PRELIMINARY FIREARM EXAMINATION

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

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

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

- the firearm is unsafe
- the firearm was deemed unsuitable for NIBIN entry
- the firearm was never fired and was never licensee-transferred
- the firearm is contaminated in such a way as to make it a potential biohazard
- a NIBIN partner has already test fired and submitted the firearm for NIBIN entry

- the firearm is a law enforcement officer (LEO) issued firearm and involved in an officer involved shooting. LEO firearms from officer-involved shootings are not test fired and are not entered into NIBIN.

## CRIME GUN PROCEDURE

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

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

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

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

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

## INTELLIGENCE SHARING

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

## FOLLOW-UP

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

## EXTERNAL USE OF MPD EQUIPMENT & FACILITIES

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

Certified NIBIN users from other law enforcement agencies may also use the MPD Training Center indoor range for test firing of crime guns free of charge, but must supply their own ammunition. A representative from the other law enforcement agency will need to contact the MPD Training Coordinator to check range availability and schedule range dates. Test firing will be conducted by a minimum of two personnel (both from outside agency or in conjunction with a MPD certified NIBIN user if one is available). All range safety

rules must be followed to include donning of appropriate hearing and eye protection, and the use of ventilation and warning systems.

#### **PUBLICITY AND DISCLOSURE OF INFORMATION**

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

Original SOP: 11/11/2022  
(Revised: 03/17/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Notification of Commanding Officers

Eff. Date 01/15/2021 01/31/2023

**Purpose**

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

**Required Notification of Commanding Officers**

The following situations always require the notification of the District/Work Unit Command staff **and** the Assistant Chief of Field Operations as soon as possible **regardless of when the incident occurs**. Voice/Text messages should be left, but it is important to have direct contact with the command staff and an assistant chief. The Officer in Charge (OIC) is responsible to ensure these notifications are made.

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

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

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

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

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



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

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

Imminent threat, targeted, or mass casualty violence	<b>Yes</b>		
MPD pursuit (if terminates with crash causing injury follow Command notification protocols)	<b>Yes</b>	Email involved officer's District/work unit Lieutenant with date and case #	Email involved officer's District/work unit Lieutenant with date and case #

**NOTE:** There may be circumstances involving crimes other than those already specified, which, because of the complexity, on-going crime pattern, etc. (examples: counterfeit rings, business burglaries, armed robberies) warrant the immediate involvement of detectives. A call to the On-Call Detective Lieutenant is appropriate in these instances. **When in doubt**, a call to consult with the On-Call Detective Lieutenant should be made. The on-call contact number is 608-243-0544.

**CONTACTING THE FORENSIC SERVICES UNIT SERGEANT LIEUTENANT**

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

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

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

**CALL-IN PROCEDURE FOR DETECTIVES, SWAT, SET**

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

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

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

**NOTIFICATION OF MPPOA/AMPS PRESIDENT**

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

**INFORMATION CONSIDERATIONS PRIOR TO CALLING ON-CALL DETECTIVE LIEUTENANT**

1. Nature of incident (i.e. stabbing, sexual assault, home invasion, etc.); was weapon/force/threat of violence used

2. Scene(s) – located and secured (i.e. vehicle, residence, outdoors, etc.); Supervisor, Detective, or Investigator currently involved in on-duty status; presence of evidence; weather conditions that may impact evidence collection; evidence collection coordination
3. Time lapse from incident to reporting — if there was a delay, why
4. Victim(s) information – name; age; current location (hospital, scene, unknown, etc.); injuries; MPD in contact
5. Suspect(s) information – name(s), if known; if unknown, do we have a description or other pertinent information; relation to victim(s); location/custody status, if known;
6. Witness(s) information – are there any; if so, how many; location; MPD in contact
7. Other considerations – language/culture barrier; handicap for any involved parties (physical, mental illness, cognitive delays, etc.); juvenile (Safe Harbor situation, contact **Dane County Human Services (DCHS)**, protection issues, etc.); crowd or media concerns

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

Original SOP: 02/25/2015

(Revised: 02/24/2016, 02/03/2017, 06/15/2017, 02/19/2018, 05/02/2018, 01/17/2019, 05/01/2019, 12/30/2019, 01/15/2021, **01/31/2023**)

(Reviewed Only: 02/04/2022)



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### Peer Support Program

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Eff. Date 02/07/2023

#### **Purpose**

Due to the stresses faced by first responders throughout the course of their careers, the Madison Police Department established its Peer Support Team in 2006 in order to provide support and linkage to resources for commissioned personnel. The purpose of the Peer Support Program (PSP) is to provide a core group of personnel who are trained to provide support, information, and referral to employees and family members who are seeking assistance related to a critical incident, day-to-day work stress, or personal life stress.

#### **Program Structure**

Oversight of the Peer Support Program will be the responsibility of a designated Program Administrator at the rank of Captain, a designated Program Coordinator at the rank of Lieutenant, and the Employee Assistance Program (EAP) Manager. One or two Peer Support Officers (PSO) will be selected to serve as back-up contacts to the PSP Coordinator, who may not always be available.

#### **Role of the Program Administrator (Captain)**

1. The Program Administrator will collaborate with the Program Coordinator (Lieutenant) and the EAP Manager to ensure the success and quality of the MPD Peer Support Team and EAP services.
2. The Program Administrator does not play a role in the day-to-day work and interactions of the Peer Support Program, but instead provides necessary peripheral support, advocacy and periodic updates to the Chief and to other Management personnel as necessary.
3. No information is provided to the Program Administrator that will contain identifiable information on personnel who receive services from the Peer Support Program or from the Critical Incident Stress Management (CISM) debriefing services.

#### **Role of the Program Coordinator (Lieutenant)**

1. Work with City EAP/CISM staff to facilitate program use and assure adherence to program guidelines.
2. In collaboration with the EAP Manager, supervise Peer Support Officers (PSOs) and overall program implementation and utilization.
3. Work with City EAP/CISM staff to provide ongoing training for PSOs, as well as other department training on EAP/CISM programs.
4. Coordinate regular meetings and share timely information with PSOs.

#### **Role of the Employee Assistance Program (EAP) Manager**

1. Work in collaboration with the Program Coordinator on the operations of the Peer Support Program.
2. Ensure that the Peer Support Program follows the professional standards and guidelines of the Employee Assistance Program.
3. Consult with PSP Coordinator and/or PSO(s) assigned after a critical incident to determine appropriate level of response or to delegate this task to available EAP Specialist.
4. Plan new PSO recruitment and training every three years in collaboration with the Program Coordinator and other EAP staff.
5. Provide consultation to the MPD Management Team on officer wellness related issues, resources, policies, and critical incident response.

### Role of the Peer Support Officer (PSO)

1. The PSO serves as a confidential support person for employees and their families seeking information on EAP resources for issues such as work or personal stress, emotional stress, addictions, financial stress, relationship difficulties, family concerns, or any other behavioral health concern.
2. The PSO is trained to provide confidential assistance to co-workers through supportive listening and providing appropriate referrals and/or resources when necessary. PSOs will not provide therapy or counseling.
3. The PSO may also serve as the first point of contact for the Officer in Charge (OIC) when a critical incident has occurred. Upon notification, the PSO reviews the incident, coordinates contact between the involved employee(s) and the responding CISM provider, and makes arrangements for follow-up as appropriate.
4. In the event of an MPD Line of Duty Death, a PSO will perform the role of the Family Liaison Officer. The PSO will be assigned and report to the Peer Support Commander (Coordinator). The PSO will work with the survivors of the officer killed in the line of duty, for the purposes of coordinating communication between the survivors and the involved agency related to funeral arrangements, benefits, and investigative updates.

### Expectations of a Peer Support Officer (PSO)

- Convey trust, provide anonymity, and assure confidentiality to officers seeking assistance as outlined below.
- Be available for peer contact and be willing to provide support on a voluntary basis.
- Be a potential first point of contact to initiate Critical Incident Response.
- Complete all necessary paperwork for the purpose of documenting program utilization.
- Attend mandatory orientation and refresher trainings.
- Commit to three years of peer support service, with the option to continue on a yearly basis upon completion of the three-year term.

### PSO Confidentiality Guidelines

Any contact with a Peer Support Officer is confidential. Here is what that means:

- A PSO will not generally disclose whether or not they have been in contact with a member of the MPD seeking peer support services.
- When a PSO needs to consult on a particular contact, they will not generally disclose the identity of the contact and will use non-identifiable language, even when consulting with another peer support officer.
- If a PSO needs to consult more specifically on a contact, they will consult with the EAP to ensure that confidentiality is maintained.
- Any documentation of a PSO contact will not generally include the name or other identifiable information, and will be provided directly to the EAP.

Peer Support Officers are not afforded the same legal privilege regarding confidentiality that the EAP/CISM Staff and external EAP Providers receive. There is no guarantee that a court, whether civil or criminal, will not under some circumstances be able to order either the individual seeking assistance through the Peer Support Program, or a Peer Support Officer to whom the individual spoke, to disclose any conversations which may have taken place, unless the Peer Support Officer has a confidentiality privilege under Chapter 905 of the Wis. Stats. (Clergy, etc.).

When needed, a PSO will remind their peers when consulting that their status as a PSO does not supersede their requirements as a police officer. As an example, if a PSO believes a peer is about to disclose

information about an Officer Involved Critical Incident (OICI) during the investigatory process (per Officer Involved Deaths and Other Critical Incidents standard operating procedure), or is seeking help for domestic violence (per S.S. 968.075 WI Domestic Abuse Law), the PSO will state the limits of their confidentiality and make a referral to the EAP.

### **EAP Confidentiality Guidelines**

Peer Support works closely with EAP personnel who are also governed by confidentiality guidelines; please refer to the EAP SOP for those guidelines.

### **Selection Process**

Peer Support Officers (PSOs) are selected based on self-nomination and/or nominations from their peers.

Written nominations will be submitted to a selection committee that is comprised of representation from each of the following: the Program Coordinator, a Madison Professional Police Officers Association (MPPOA Representative), one EAP/CISM Staff, and one current Peer Support Officer.

Each officer receiving a nomination or nominating themselves, must complete a written Interest Questionnaire to assist in the selection process. During the selection process, the selection committee will select the PSO based on the following criteria:

1. Information provided on the Peer Nomination Form
2. Responses to the Interest Questionnaire
3. Need for representation of various ranks and/or work groups

### **Term of PSO Appointment**

Minimum terms of appointment will be **three years** with an option to continue each year following.

### **PSO Code of Ethics and Removal from Position**

During the PSO orientation training, each PSO reviews and signs a Code of Ethics. Signing the code demonstrates that the officer has read, understood, and agrees to abide by the EAP/PSO Code of Ethics. If the PSO should fail to comply with any one or several of the outlined ethical responsibilities, or for other related reasons, it is at the discretion of the EAP Manager in consultation with designated MPD personnel assigned to program oversight, to remove that officer from their role as a Peer Support Officer in the Peer Support Program.

### **PSO Training Requirements**

- All PSOs are required to complete a 2-day PSO Orientation Training.
- At least two update meetings per year may be convened by the MPD Peer Support Program Coordinator and EAP/CISM Staff, as needed.

### **Evaluation of the PSP Program**

Periodically, a department-wide survey will be conducted to assess satisfaction with Peer Support Contacts and use of EAP/CISM services. This information will be compiled and stored with the EAP/CISM Staff.

### **Reporting Requirements**

1. Every PSO contact requires that the Peer Support/EAP Contact Data Utilization Form be completed and submitted to the EAP Office. This form does not contain any identifying information, but only general demographics, problem areas presented, and referral information if applicable.
2. No records will be maintained by the PSO.

3. No reference to any PSO contact will be placed in an employee's personnel file.

Original SOP: 02/07/2023





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



Eff. Date ~~12/28/2020~~ 01/31/2023

## 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 exhaustive inclusive. The training team is responsible for creating folders for Pre-Service Academy, Field Training, Employee file and Medical file for commissioned personnel. The Police Executive Office Supervisor is responsible for creating the Employee file and Medical file for non-commissioned personnel.

## Files/Definitions

### EMPLOYEE FILE (GREEN)

**(Maintained by the Human Resources Coordinator and the Police Executive Office Supervisor)**

This file is stored in the Master File room in the City County Building (CCB) in a green file folder. File contents are typically related to the following:

- 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 (On-Boarding Reports)
- Employee Feedback Forms
- Employee Notification of Grant Funded Position
- Retirement and Resignation Documents
- New Employee Set-Up Form
- MPD Self ID Form and New Civilian Orientation Check List
- Notification of Promotion and Promotion Memos
- Extensions of probationary period or field training (non-disciplinary) as well as performance improvement plans prior to permanent employee status

### MEDICAL FILE (BLUE)

**(Maintained by the Human Resources (HR) Coordinator and PD Medical)**

This file is stored in the Master File Room in the CCB in a blue file folder. File contents are typically related to the following:

- Doctors Documents
- Workers Compensation Documents (Paradigm injury report, Determination of Exposure)
- Occupational Safety and Health Administration (OSHA)
- Donated Leave Forms
- Any Medical Related Documents (Medical Status Report, or non-work related medical note)
- Family Leave Application & Approval Form
- Fitness to Use a Respirator
- Drug Test Results (Post-Employment Offer)

## TRAINING

### (Maintained by the Training Team 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 the following:

- 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 (PSIA)<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. Under 2021 Wisconsin Act 182, if there is a resignation in lieu of termination on file for an employee, PSIA is required to transfer the file to the Wisconsin Department of Justice if requested by CIB (Crime Information Bureau). File contents are typically related to the following:

- Internal and External Complaints
- Investigations by PSIA and District Command of SOP and Codes of Conduct Violations
- Documentation of Sanctions (discipline and non-discipline)
- Existing and expired Work Rules/Performance Improvement Plans
- Historic Disciplinary Records
- Pursuit Reviews
- Squad Crash Reviews, Arbitrator, MDC messages, Emails, and Sick Leave Use Audits
- Disciplinary Notice/Findings
- Probationary Officer Extension Memos Crafted by District Captains (if not related to performance, an inquiry only file will be created)

## PRE-SERVICE ACADEMY TRAINING FILE (YELLOW)

### (Maintained by the Lieutenant of Training, until transferred to the HR Coordinator)

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 the CCB Headquarters. The transfer to the Master File Room should be made prior to the following Academy, and include all documents created during the Academy. Prior to

<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.

transfer, these records should be printed and filed in the corresponding recruit folder. The maintenance of these files is then the responsibility of the Human Resources Coordinator. Documents related to tests and performance measures of probationary commissioned personnel while attending the MPD Police Academy are housed electronically or on microfilm; certain paper files may also be housed in the Master File Room located at the CCB Headquarters. File contents are typically related to the following:

- Exams, Quizzes and Assessments (Law, Operating Motor Vehicle While Intoxicated (OMVWI), Laser, Radar (if prior to 2022), and Defensive and Arrest Tactics (DAAT))
- Emergency Vehicle Operations Course (EVOC) Driving Skills Check List
- Conduct Log and Attendance Report
- Firearms Qualification
- Fitness Scores

## FIELD TRAINING & EXPERIENCE (FT&E) FILE (ORANGE)

**(Maintained by the Lieutenant assigned as FT&E Coordinator, until transferred to the HR Coordinator)**

Documents related to performance measures of probationary commissioned personnel while participating in MPD's Field Training and Experience program are housed electronically (2015-2021) or on microfilm (prior to 2015) and maintained by Training until the employee is deployed to a field assignment. ~~Certain paper~~ All field-training files may should be printed and filed within six months of deployment, also be housed in the Master File Room, located at the CCB Headquarters. File contents are typically related to the following:

- Daily Observation Reports
- Supervisor Weekly
- Supervisor Monthly Evaluations (starts when officers move to solo patrol and until they are off probation)

## PROMOTIONAL PROCESS FILE

**(Maintained by the Human Resources Coordinator/Police Executive Office Supervisor Chief's Administrative Assistant)**

Certain process documents, including those that are generated as the result of candidate interviews with the Chief, will be stored in the Master File Room. These documents are specific to the commissioned promotional process.

## Rules and Guidelines

### CRITERIA

- A current or former employee may review their personnel records once per calendar year, upon request. A review form indicating date of review and signature of employee will be maintained within the file.
- Employees must be notified and/or sign off on new documents placed within their personnel file pertaining to performance issues.
- All file entries should include the following specific dates when appropriate: the date the information was added to the file and/or the date the information was received by PS&IA.
- Documentation should occur each time someone accesses an employee personnel file. This documentation should consist of a short memo indicating the date of the review, who conducted the review, the reason for the review, and what sections of the personnel file were accessed. This memo shall be placed within the employee file.
- Personnel files are all to be housed within the locked Master Personnel File Room located at the CCB Headquarters. However, certain some 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, to the employee's representative when involved in a grievance, to an employee's physician (per medical record exception), and to decision-maker (Human Resources Coordinator or their Commanding Officer). Personnel files are public record and are subject to applicable state and federal law.
- Employees may add to their files; i.e., when they receive direct commendations from the public.
- Copies of an employee file will be requested and received through the Records Custodian, applicable laws will be applied. The right of the employee or the employee's representative to inspect records includes the right to copy or receive a copy of records. The employer may charge a reasonable fee for providing copies of records, which may not exceed the actual cost of reproduction.

## RETENTION OF RECORDS

- No records are to be removed or purged at an employee's request. If an employee believes a record exists in error or disagrees with the content of a record, the employee can submit a memo stating they dispute the record and why. This memo will be stapled to the disputed record.
- All documents listed above that are placed in an employee's permanent file will be stored for at least eight (8) years after separation from service.

Wisconsin State Statutes §§19.31-19.39 and §103.13 clearly articulate exceptions related to employee access of their Personnel Records. These exceptions include the following:

- 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 assignments or other comments or ratings used for the employer's planning purposes.
- Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- ~~An employer who does not maintain any personnel records.~~
- Records relevant to any other pending claim between the employer and the employee, which may be discovered in a judicial proceeding.

## RECORDS APPEAL PROCESS

- Review processes initiated by the employee shall be in writing describing the disputed information and directed to the authority responsible for maintaining the record in question.
- The authorities designated to maintain the specific record will be responsible for the review process and may delegate the review to his/her designee. The designated authority will make a determination on the record in dispute. Appeals to this decision are to be directed to an Assistant Chief.
- The final decision on the disposition of the appeal shall be the responsibility of an Assistant Chief.
- If an agreement is not reached through the appeal process, an employee may submit a response to their written dispute articulating the employee's position. That response is to be attached to the original disputed document.

Original SOP: 05/11/2012

(Revised: 02/25/2015, 06/10/2015, 02/12/2016, 03/21/2016, 02/03/2017, 12/21/2017, 01/15/2020, 12/28/2020, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Political Activity

Eff. Date 03/04/2015-01/31/2023

Purpose

Police officers share the individual right to engage in political and other protected first amendment activity. However, police should not use their authority or the indicia of office, such as the uniform or title, for this purpose because of its inherently coercive nature; nor should they engage in collective political activity which that compromises their ability to objectively view objectively conflicts with which they may be called upon to deal.

Procedure

Madison General Ordinances specifically regulates political activity by all City of Madison employees. All police officers are bound by the City's Ethics Code provisions related to Political Activity Section 3.35(8) (Rev. 06/15/07):

~~(8) Political Activity:~~

~~(a) No employee while on duty or on official City business shall, for the apparent purpose of influencing the outcome of any referendum, or improving the chance of election of a person seeking elective office:~~

~~1. Wear or display any campaign material.~~

~~2. Distribute any campaign literature.~~

~~3. Solicit, receive or give subscriptions, contributions or service for any candidate or referendum position.~~

~~4. Actively campaign for any candidate or any referendum position.~~

~~(b) No employee while on duty or other official City business or off duty shall in any way coerce or attempt to coerce subscriptions, contributions or service from subordinate employees in support of a political party or a candidate for elective office or for or against a referendum position, or retaliate against or reward an employee for refraining from participating in any political activity. No employee on or off duty shall use her or his title or position or indicia thereof in any elective political activity.~~

~~(c) This subsection does not apply to a response by a legal custodian or subordinate of the custodian to a request to locate, reproduce or inspect a record under Sec. 19.35, Wis. Stats., if the request is processed in the same manner as the custodian or subordinate response to other requests to locate, reproduce or inspect a record under such section or to an employee providing other information within the knowledge of the employee by virtue of her or his City position if such information is made equally available upon request to any other person.~~

~~(d) Police officers and firefighters shall observe the applicable rules of the Police and Fire Departments relating to political activity.~~

~~(e) No elected official or candidate for a City elected office shall promise an appointment any municipal position as an apparent reward for any political activity.~~

~~(f) Pursuant to 5 USC sec. 1502, employees whose positions are federally funded in whole or in part may not be candidates in partisan elections without first being granted an unpaid leave of absence.~~

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(d) Police officers and firefighters shall observe the applicable rules of the Police and Fire Departments relating to political activity.

(e) No elected official or candidate for a City elected office shall promise an appointment to any municipal position as an apparent reward for any political activity.

(f) Pursuant to 5 USC sec. 1502, employees whose positions are federally funded in whole or in part may not be candidates in partisan elections without first being granted an unpaid leave of absence.

Mayoral Administrative Procedural Memorandum 2-33, Rules of Conduct, also prohibits all police officers from “engaging in political activity in the workplace, or other conduct” as prohibited by Madison General Ordinance 3.35”.

Original SOP: 03/04/2015

(Reviewed Only: 02/11/2016, 01/09/2017, 12/26/2017, 01/31/2020)

(Revised: 01/31/2023)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Pre-Employment Candidate Files

Eff. Date ~~01/15/2020~~ 01/31/2023

### 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 (SOP) 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.~~

~~Pre-Employment files are not considered part of the employment file by definition in Wisconsin State Statute §§ 165.85 (2) (ap) (2021 Wisconsin Act 82). Law Enforcement entities seeking to view or receive copies under 2021 Wisconsin Act 82 to employment records do not have access to pre-employment files (see statutory definition above). See SOP titled "Personnel File Contents and the Process for Accessing These Records" for a listing of employment file contents. In addition, there may be a reasonable charge for providing copies of records.~~

### File/Definition

These files are stored in the Master ~~Personnel Records~~ file room ~~located at the City County Building at Headquarters~~ in separate folders within a secured area. These files can only be accessed by the Human Resources Coordinator and the ~~Police Executive Office Supervisor~~ ~~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 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 driver's 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
- **Field Training Officer (FTO)** Ride-a-long Overview
- MPD Background Summary

## INTERN FILE

(Maintained by the **assigned Training Sergeant** **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 and the **Police Executive Office Supervisor** **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 **their his/her** designee are responsible for maintaining and purging these records. For candidates in a civilian position process, the respective Civilian Managers and/or **their his/her** designees are responsible for maintaining and purging these records. The **assigned Training Sergeant** **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 **assigned Training Sergeant** **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, **01/31/2023**)



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



**Professional Standards and Internal Affairs Discipline Matrix**

Eff. Date ~~10/26/2020~~ **03/29/2023**

**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.</p> <p><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:</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.</p> <p><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>In-Car Video System (Continued)</b>					
	Failure to record when required by SOP		X			
<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.

Employees receiving formal discipline are not eligible for promotion or selection to a closed position for a period of one year from the date of the incident leading to discipline.

### Restorative Performance Initiative

MPD employees who have received a Letter of Reprimand (considered discipline) may be eligible for Restorative Performance based on the Chief of Police’s discretion. By taking part in Restorative Performance, the Letter of Discipline may be reduced to Documented Counseling (not considered discipline).

The following are requirements for successful completion of the Restorative Performance Initiative:

- No prior sustained cases resulting in discipline and no recent (last five years) sustained violations
- Offered at the Letter of Reprimand level of discipline.
- Officer will attend training in a field related to what Code of Conduct, Standard Operating Procedure, or City APM was violated.



- Officer will provide a written summary of the training attended and demonstrate knowledge learned.
- No additional Code of Conduct, Standard Operating Procedure, or City APM violations that result in discipline within one year from date of agreement.

An employee who is participating in the Restorative Performance Initiative will have the PSIA case held in “open” status for one year. If the above listed requirements are met after one year, the Letter of Reprimand is amended to Documented Counseling and the case status will be removed from the employee’s personnel file.

If the employee is unsuccessful in completing the program, the discipline will be maintained as a “Letter of Reprimand.”

## Multiple Violations

In cases where there may be multiple code of conduct/procedural violations involved with a single investigation, each violation may receive a separate and distinct sanction.

## Police and Fire Commission (PFC)

The PFC is established by Wis. Stats. Sec. 62.13. The PFC appoints all commissioned officers and establishes hiring guidelines. Charges may be filed against an officer by the Chief of Police, member of the PFC, or by any aggrieved party. These charges may request that an officer be reduced in rank, suspended, or removed. Under the statute, the PFC shall hold a hearing on the charges and evidence shall be presented. After the presentation of evidence, the PFC must determine that the seven just causes (outlined in Wis. Stats. Sec. 62.13(5)(3m)) have been met. If the PFC determines there is just cause to sustain the charges, the PFC may suspend, reduce in rank, suspend and reduce in rank, or remove the officer.

## Rights of the Chief of Police/Right of Deviation

The Chief of Police reserves the right of suspension, transfer of assignment and extension of probation, counseling, alcohol/drug assessment, psychiatric evaluation, fitness for duty evaluation, or any other training, treatment, or evaluation reasonably deemed necessary by the Chief of Police, in certain cases. The Chief of Police also reserves the right to file charges with the PFC as outlined above. The Chief of Police also reserves the right to terminate civilian employees with just cause.

The Chief of Police or designee will approve all discipline.

The Chief of Police reserves the right to hold suspension days in abeyance.

The Chief of Police reserves the right to deviate outside the recommended Matrix guidelines. If a deviation occurs, the factors leading to the deviation shall be addressed in the discipline notice to the employee. Deviation may be based on mitigating or aggravating factors.

The Chief of Police will make the final determination of disposition.

## EXAMPLES OF MITIGATING AND AGGRAVATING FACTORS

Mitigating factors include but are not limited to:

- Ordered by supervisor.
- Mistake of facts.
- Necessity.
- Unintentional.

Aggravating Factors include but are not limited to:

- Inappropriate use of force.
- Personal motive.
- Intoxication.
- Conspiracy.
- Criminal conduct.
- Deception.
- Intentional act.

Nothing in this code of conduct shall be construed to limit the management prerogative of the Chief of Police, nor any other supervisory officer, to take corrective action whenever appropriate.

The Chief of Police may file formal charges against an employee, with the appropriate authorities, irrespective of an internal investigation.

## **Civilian Employees**

All employees are expected to adhere to the MPD code of conduct, SOPs, city administrative procedural memoranda (APMs), and the City of Madison Employee Benefits Handbooks. This discipline matrix is not meant to cover civilian employees of the MPD. Discipline matters resulting from a sustained finding involving non-commissioned personnel follow the overall City of Madison Personnel Rules.

In situations where there is a conflict between the MPD Code of Conduct, SOP, APM or the Employee Benefit Handbook, the most stringent rule, code, guideline shall apply.

## **Probationary Police Officers**

This matrix SOP may not apply to probationary police officers whose employment status is subject to their probationary performance.

Original SOP: 02/27/2015

(Revised: 02/29/2016, 03/21/2016, 01/06/2017, 06/15/2017, 07/06/2017, 12/06/2017, 06/08/2018, 05/31/2019, 01/03/2020, 01/09/2020, 10/26/2020, 03/29/2023)

(Reviewed Only: 01/30/2019, 02/04/2022, 01/31/2023)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Records Inspection and Release

Eff. Date ~~11/29/2021~~ 01/31/2023

### Purpose

The Madison Police Department (MPD) recognizes that employees of this agency will need to access different records within our agency for a variety of reasons and that records created and/or maintained by this agency are subject to release as outlined in the Wisconsin Public Records Laws. This standard operating procedure (SOP) outlines when it is appropriate for employees to access MPD records and the procedures for processing public requests for access to MPD records. This procedure also recognizes that citizens accessing our records through our public records request process is an essential element of establishing trust **and transparency** within our community and confidence in this agency.

### Procedure for Requesting a Record

The MPD will accept an oral, electronic, or written request from a member of the public who desires to inspect MPD records. All public requests and releases of records must be coordinated through the Public Records Unit. This unit will maintain a log of all records released, identifying the requestor (if known), the date the request was made, and the date the request was processed. The MPD begins with the presumption that our records are open to inspection and copying, recognizing that there are some exceptions. We understand that requestors do not have to identify themselves or provide a reason for their request. If no responsive record exists, a record does not have to be created to fulfill a request.

The public may submit their request for records during regular business hours between 8 a.m. - 4 p.m., Monday through Friday, holidays excluded, at the Records Section in person, electronically, by mail, or by phone. Requests made by mail should be mailed to: Madison Police Department, Public Records Unit, 211 S. Carroll St, Room GR-10, Madison, WI 53703 or by email to [PDrecords@cityofmadison.com](mailto:PDrecords@cityofmadison.com).

All **public** records requests will be handled as soon as practicable and without delay in the order in which they are received.

All requests involving "sensitive" issues (personnel file contents, Professional Standards & Internal Affairs (PS&IA) documents/investigations, high profile investigations) require notification to the Office of the Chief of Police and will be handled by the designated Records Custodian.

All media requests require notification to the Public Information Officer (PIO) and to the Chief's Office and will be handled by the designated Records Custodian.

A copy of all data releases to the public by any MPD employee will be routed through PD Records.

Requests for MPD records from other law enforcement agencies should be routed to [pdrecords@cityofmadison.com](mailto:pdrecords@cityofmadison.com) unless a release is necessary for urgent public safety. Sharing records deemed urgent between the MPD and fellow law enforcement agencies is permissible for "law enforcement investigative purposes", as long as the Public Records Unit is notified via email at [pdrecords@cityofmadison.com](mailto:pdrecords@cityofmadison.com) with the necessary information for the records release log. Detectives and Detective Lieutenants may share reports with other law enforcement for investigative purposes and shall copy [pdrecords@cityofmadison.com](mailto:pdrecords@cityofmadison.com) when they released such records. MPD members releasing records to fellow law enforcement agencies shall consult with the Dane County District Attorney's Office regarding release when such release carries potential for impacting open cases.

### PERSONS WHO MAY CONSIDER REQUESTS FOR PUBLIC INSPECTION

The following officers of the MPD will consider requests for the inspection of public records and documents in the custody of the MPD: Chief of Police, Assistant Chiefs of Police, trained Records

Custodians, Public Information Officers, PS&IA Commander, and records staff assigned to the Records Unit.

Budget requests and logistical information will be released only by the Chief of Police or his/her designee.

All comments referring to inter-departmental memos, orders, and communications will originate from the Chief of Police.

Plans, personnel matters, and prepared releases concerning specific news items will be released only by permission of the Chief of Police.

Personnel photographs will be released only by permission of the Chief of Police.

Investigative photographs from an active or ongoing investigation will be released by the Commanding Officer of the investigating district/section.

### ACCESS TO POLICE RECORDS

Access to records maintained by the MPD shall only be authorized for official business needs. This regulation prohibits all unofficial and/or personal use of police records. This includes accessing or retrieving any personally identifiable information of another employee (to include date of birth, home address, home/cell phone numbers, social security numbers, and driver's license numbers). Tampering with records by members of the MPD is prohibited.

Members of the MPD shall not divulge the contents of police records to anyone outside the MPD without permission from their Commanding Officer or from a Records Custodian. The only exception to this is that it is permissible to share information with other law enforcement agencies and other governmental or service agencies as necessary to ensure public safety (e.g., Dane County Human Service, Journey Mental Health). No member of the MPD shall otherwise divulge any matters relating to official police business without first receiving authorization. The MPD Records Unit shall be notified by any MPD employee of any release of records made to another agency under this provision. Such notification should be sent via email to [PDrecords@cityofmadison.com](mailto:PDrecords@cityofmadison.com).

### SUBPOENAS

Subpoenas solely for police reports or other investigative files should be directed to MPD Records. Subpoenas for personnel or disciplinary records should be directed to PS&IA.

If an employee receives a subpoena to appear at a court/judicial proceeding and the subpoena includes a requirement to produce records, the employee should:

- Review the requested documents with his/her commanding officer or the Police Records Custodian. The commanding officer or the Police Records Custodian will assess the records in question and determine whether any special response to the subpoena is required (such as a protective order or motion to quash the subpoena). If necessary, the City Attorney's Office assigned to MPD records will be consulted.
- Absent any special circumstances, the employee may bring a copy of the specified records to the court/judicial proceeding and provide them.
- The employee who has been subpoenaed will email a copy of the released documents to PD Records along with a copy of the subpoena.

## INSPECTION VS. NON-INSPECTION OF RECORD

Records are presumed to be open for public inspection unless access is controlled by a specific state or federal statute, case law restricts access to the record, or the presumed public benefits of inspection are outweighed by the harm that would be incurred to the public interests by inspection of the record.

When access to a record is being denied in whole, or in part, through redaction of information, the person requesting inspection of the record shall be informed that their request is being denied. This denial can be orally provided if the request was made verbally. All other requests must be responded to in writing. This response will explain the statutory, common law, or public policy reasons for the denial or redactions contained within the document. This written response must also inform the requestor of his or her right to court review of the denial under mandamus action or upon application to the Wisconsin Attorney General or to the Dane County District Attorney. The Public Records Unit is not required by law to give an explanation for redactions to the requestor if the request was made verbally. Written responses for the denial of access to a record must be reviewed by the City Attorney's Office in accordance to Madison General Ordinance (MGO) 3.70(6). The Madison Police Department uses form letter replies, approved by the City Attorney's office, for most simple responses.

When a request cannot be fulfilled within ten (10) business days, the requestor shall be informed that their request has been received, is being processed, and will be produced as soon as practicable. The requestor shall also be provided with the reasons why the request cannot be fulfilled (if the location/redaction of the documents will be time consuming, or research into the request will cause delays), as well as the anticipated amount of time when the request will be complete.

Requests for video and audio records will be forwarded to the Forensic Services Video Technology staff for a copy of these records to be generated. Dissemination of these records will follow the above-stated process.

Requests for employee disciplinary investigations or potential law violation(s) will be processed by the designated Records Custodian. Prior to release, a notice will be provided to the affected employee(s) as required by State Law (Wisconsin State Statute §19.356). The Chief's Office will be notified of all requests of this type.

Prepayment for records shall be required as set forth in MGO 3.70(4)(b)3.e.. This includes requests where location costs exceed \$50.00, where reproduction costs exceed \$5.00, or when the requestor is a prisoner/institutionalized person. Copy costs are determined by the City's Information Technology Director and by the Finance Director.

## PUBLIC RECORDS OR DOCUMENTS WHERE RELEASE MAY BE DENIED

Certain records and documents are confidential under Wisconsin law or common law and are precluded from public inspection. In the following instances, inspection may be limited or denied to the public:

### 1. Juvenile Records

Requests for inspection of children's police records may not be granted except to representatives of newspapers or other reporters of news who wish to obtain information for the purpose of reporting news without revealing the identity of the child involved. (WI §48.26 and 938.396).

Wisconsin §938 and 48.396 allow certain persons access to juvenile records without obtaining a court order. While these certain persons are generally referenced below, additional requirements may apply to the various exceptions:

- Legal Guardian or Custodial Parent (or to any person designated in writing by a legal guardian or custodial parent)
- Subject of Report (if over 14 years of age)

- News Media
- Victim-Witness Coordinators
- Victims of the Juvenile Act (but only for the purposes of collecting for their losses)
- Law Enforcement
- Social Service Agency with legal authority
- Schools as allowed under Wisconsin §118.127
- The identity of the requestor must be verified prior to any release of information to ensure they are entitled to receive the record. Acceptable forms of identification include the following:
  - Photo Identification of party requesting record, and
  - A Birth Certificate verifying the relationship with the child, or
  - A Court Order showing legal guardianship

Information will not be released if the case in question is an active or pending investigation or prosecution and the release of that information would jeopardize the investigation/prosecution; or if the release would subject an individual to threats of harm or intimidation. The identity of a reporter of child abuse shall not be released; various provisions of WI §48.981(7) prohibit the disclosure of a reporter's identity, including the extraordinary prohibition that such disclosure shall not even be made to a subject's attorney.

If the requestor requests a police report that contains information on a juvenile and the requestor does not provide proof of entitlement to the information, juvenile information will be redacted in its entirety.

## 2. Attorney-Client

Certain information contained in public records and documents in the MPD is protected by the attorney-client privilege.

Original SOP: 02/25/2015

(Revised: 03/16/2016, 02/03/2017, 11/30/2017, 02/14/2019, 12/20/2019, 04/29/2020, 11/29/2021, 01/31/2023)

(Reviewed Only: 01/11/2021)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



## Retail Theft

Eff. Date **11/05/2018**  
**01/31/2023**

### Purpose

To outline the procedure for responding to and investigating Retail Thefts and their attempts.

### Definitions

**Loss Prevention Officer (LPO):** Any person designated or authorized by the business in question to investigate the theft or damage of merchandise, wares, etc., and to pursue a complaint.

### Procedure

#### MUNICIPAL VIOLATIONS

1. Municipal citations for any theft under **\$200**, unless it involves any of the following:
  - a. Any other crime (e.g. DC, Battery, Resisting)
  - b. Advanced Techniques (e.g. professional thieves, multiple stores, lookouts, diversionary tactics, removing anti-theft devices)
  - c. Repeat offenses

#### MISDEMEANOR VIOLATIONS

1. Misdemeanor charges should be issued if the theft is over **\$200**, or involves any of the municipal exceptions above

#### FELONY VIOLATIONS

1. Felony charges shall be issued if the theft is over **\$500**

#### SELF-REPORT REFERRALS

##### Dispatch Guidelines

1. LPOs should self-report any incident where:
  - a. Loss is less than \$50.00, regardless if suspect is on scene  
OR
  - b. Cold Scene Retail Theft of any amount with no readily identifiable information
  - c. Anytime the store is unsure about pursuit/prosecution policies
2. Exceptions:
  - a. Involves theft of firearm
  - b. LPO is injured
3. Dollar amount requirement may be negated if theft involved another citable offense
  - a. Trespass, Disorderly Conduct, Battery, Minor in Possession of Alcohol, etc
  - b. Still self-reported if no readily identifiable information
4. If an identification becomes available after the incident is already self-reported, the loss prevention officers may reach out to have officers follow-up and issue charges where appropriate

##### Store Officer Requirements for Self-Reported Retail Thefts

1. Complete a store report with stills **photos of suspect(s)** to have on hand in case requested by officer
2. Save video **surveillance footage** if the incident is over \$100.00, in case requested by officer



**COLD-SCENE RETAIL THEFT (SUSPECT NOT ON SCENE)**Dispatch Guidelines

1. Officer will be dispatched as soon as possible per Calls For Service (CFS) guidelines if all of the following exist:
  - a. Theft is **more than over** \$50.00
  - b. Store has suspect info that readily **identifies ID's** the suspect
    - i. Name/Rewards Member Info/Employee recognition of suspect
    - ii. License plate
  - c. Store must articulate a willingness to pursue charges prior to officer dispatch
  - d. LPO has completed the store documentation and has two copies of video **surveillance footage** ready to turn over to **the** 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
2. Dollar amount requirement may be negated if theft involved another citable offense
  - a. Trespass, Disorderly Conduct, Battery, Minor in Possession of Alcohol, etc.

Store Officer Requirements for Cold Scene Retail Thefts

1. Store report completed prior to officer dispatch
2. List of items taken (receipt or in store report) provided to officer
3. **Stills photos** of the suspect provided to officer (printed, emailed, or burned to disc/**digital file storage device**)
4. Video surveillance **footage** (two copies) completed when requested by officer
5. Copy of the ban form attached to report, or ban information noted in narrative **of store report**

Officer Report Requirements

1. Good faith follow-up attempts to **ID identify** the suspect
2. Report completed in timely manner per correct basket and priority levels
3. Store **R**eport and **s**Stills photos **a**ttached to report
4. Video **s**urveillance **footage** obtained for Misdemeanors/Felonies, even if no suspect **ID'd identified**
  - a. Following Video Retrieval SOP
  - b. Originals tagged into property
  - c. Working copies submitted
5. Ban information documented
6. Any suspect vehicles documented

**ACTIVE RETAIL THEFT**Dispatch Guidelines

1. Officer(s) will be dispatched as soon as possible per CFS guidelines if:
  - a. Theft is **more than over** \$50.00 AND suspect is on-scene
    - i. In custody
    - ii. Still in the store
  - b. Store articulates a willingness to pursue charges
  - c. LPO is injured, regardless of dollar amount
2. Dollar amount requirement may be negated if theft involved another citable offense
  - a. Trespass, Disorderly Conduct, Battery, Minor in Possession of Alcohol, etc.
3. If suspect is actively fleeing:
  - a. Dispatch will announce the information over the air in case any officers are nearby **and are able to respond want to break**

- b. LPOs will proceed with completing the store report (ala see Cold Scene Retail Thefts above)
  - c. LPOs will call back with the case number when documentation is ready
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
  5. In rare cases (i.e., priorities—calls for service response only) when an LPO has a cooperative, identifiable shoplifter in custody for a municipal violation, an officer may request via phone that the LPO release the subject, with the understanding that the officer will follow-up with that suspect for citations. Subject to LPO agreement. This course of action should be documented in the Officer's report.

#### Disposition Guidelines

1. \* Felony Retail Theft violators should be taken to jail
2. Misdemeanor/Municipal violators may be cited-and-released or taken to jail at the officer's discretion and per MPD policy
  - a. If released, suspect must be positively identified
    - i. Verbal ID identification compared to DOT photo is generally not enough, as many suspects can provide their sibling's/friend's information to avoid jail
    - ii. In cases where suspect has no physical ID on them, officer must take good faith steps to attempt to positively identify that person and document that process, which can include but is not limited to:
      - Check Spillman for tattoos
      - Check online school profiles for juveniles' pictures
      - Have family member verify their ID identity
  - b. If no positive ID identification can be met through these good faith steps:
    - i. Any adult suspect should be taken to jail to post
    - ii. Any juvenile suspect should be released to guardian, regardless of age
3. Consider MAARI referral, as appropriate

#### Store Officer Requirements

1. Store report completed in timely manner and provided to officer
  - a. If suspect arrested, report should be done prior to LPO shift ending
  - b. If suspect cited and released, report should be done within three business days
2. List of items taken (receipt or in store report) provided to officer
3. Stills of the suspect provided to officer (printed out or emailed)
4. Video surveillance (two copies) completed when requested by officer
5. Copy of the ban form attached to report, or ban info noted in LPO narrative

#### Officer Report Requirements

1. Report completed in timely manner per correct basket and priority levels
2. Store report and still photos attached Stills Attached for all cases
3. Video surveillance footage required for any Felony or Misdemeanor incident
  - a. Following Video Retrieval SOP
  - b. Originals tagged into property
  - c. Working copies submitted
4. Ban information documented
5. Any suspect vehicles documented

\* Jail disposition shall only be waived by supervisory approval in extraordinary circumstances. Examples may include, but are not limited to the following: hospitalization of suspect, on-going major incident, or overwhelming calls for service, etc.

Original SOP: 07/05/2018  
(Revised: 11/05/2018, 01/31/2023)  
(Reviewed Only: 01/11/2021)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Searches

Eff. Date ~~01/04/2021~~ 01/31/2023

**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 exist. 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 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 to 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 an object thing which may constitute evidence of the offense for which they have been arrested in such a manner that a strip search or body cavity search is necessary.
3. The search is authorized by a valid search warrant or court order.

### **Strip Searches Must Be Conducted in the Following Manner**

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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**

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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 the Chief's designee.
5. No visual or sound recording is made of the search.

### **SUPERVISORS PERMITTED TO AUTHORIZE**

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

1. All command supervisors (Lieutenants and above);
2. Sergeants assigned to Patrol;
3. Sergeants assigned to the Dane County Narcotics 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

Up-to-date Strip Search Forms are located in the filing cabinet in the **Officer in Charge's (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 subject to 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, **objects-things** used in committing a crime, and other evidence of **a** 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.

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

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

## Searches of Vehicles Connected with Arrests

### FULL-CUSTODY ARREST

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

### STOP FOLLOWED BY CITATION

#### 1. Street Citation

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

## 2. Stationhouse Citation

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

## Searches of Vehicles Not Connected with an Arrest

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

An officer lawfully in any place accessible to the public may, without obtaining a search warrant, seize from a motor vehicle any item which the officer observes in plain view or open view (including items observed through the use of a flashlight), if there is probable cause to believe that the item is contraband, anything used in committing a crime, or other evidence of a 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. A consent search may not be conducted 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 the custody of MPD shall be classified for purposes of these guidelines into one of the following five categories: seizures for forfeiture; seizures as evidence; prisoner’s property; traffic/parking impoundments; and other non-criminal impoundments. The procedures for carrying out the seizure, the need for a warrant, the right to search or inventory a vehicle, and the time and scope of any such inventory depend upon how the vehicle is classified.



## Seizures for Forfeiture: Vehicle Used Illegally

### 1. When Permitted

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

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

### 2. Exception for Federal Offenses

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

### 3. Necessity for Search Warrant

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

### 4. Inventory Procedure

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

## Seizures as Evidence

### 1. When Permitted

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

### 2. Exception for Minor Traffic Offenses

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

### 3. Necessity for Search Warrant

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

### 4. Inventory and Release Procedures

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

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

### 5. Recovered Stolen Vehicles

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

## Disposition of Arrested Person's Vehicle

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

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

## Traffic or Parking Removals

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

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

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

## Other Non-Criminal Impoundments

### 1. Definition

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

### 2. Procedure Upon Non-Criminal Impoundment

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

## Procedure for Vehicle Contents Inventory

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

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

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

## When Foregoing Guidelines May Be Disregarded

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

## Consent Search of Residences

An officer may request consent to search a residence from any person who has apparent authority over and control of the premises, whenever articulable reasons for the search exist. A consent search will not be conducted unless the officer has received voluntary consent to do so. A "Consent to Search of Residence" form may be completed as evidence that the search was consensual. Whenever an officer requests consent to search, the officer shall document the required articulable reasons in a police report.

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

## ENTRY TO RESIDENCES TO MAKE AN ARREST

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

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

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

Officers considering entry to a private residence should be cognizant of the inherent risks to entry and utilize proper tactics, equipment, and resources to do so safely. In some instances, the appropriate course of action will be to wait for 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 to search) and exigent circumstances are present. Exigent circumstances are defined as a compelling need for action without having time to secure a warrant and fall into one of these categories:

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

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

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

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

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

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

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

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

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

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(Reviewed Only: 02/17/2016, 12/26/2017, 02/04/2022)

(Revised: 03/21/2016, 03/03/2017, 12/03/2018, 01/03/2020, 01/04/2021, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Search Warrant Service

Eff. Date ~~01/03/2022~~ 01/31/2023

Search warrants will only be sought where probable cause exists to believe that evidence, or contraband, or a person for whom an arrest warrant exists is in the location named in the warrant. Command approval is required prior to seeking a search warrant for any building, dwelling, or other occupied premises. Command approval is not required to apply for a search warrant for property or vehicles that are already in Madison Police Department (MPD) custody/control, or for premises that are already occupied and controlled by MPD personnel.

All search warrants requiring any type of tactical/forcible entry will be planned and executed serviced as knock and announce warrants by MPD Special Weapons and Tactics (SWAT) personnel. The following process will be utilized:

1. The District/Team/Work Unit wanting to serve the search warrant obtains permission from their command staff to proceed with the search warrant planning process. The appropriate Assistant Chief will be notified.
2. District/unit commander or designee contacts an MPD SWAT commander or supervisor to request assistance with warrant planning and service. The MPD SWAT Search Warrant Request Summary form will be completed and provided to District and SWAT Command. A SWAT supervisor will be designated to coordinate the planning process.
3. The district/unit commander or designee will assist SWAT in the planning process as needed (providing intelligence/information, assisting with threat assessment, etc.).
4. SWAT personnel will plan and serve the warrant. District/unit personnel may be requested to assist with the tactical plan (stop cars, etc.) and will be responsible for the post-entry investigative aspect of the warrant. District command staff will coordinate post-warrant communication with the neighborhood/community as appropriate (based on investigative needs, impact on the area, visibility of the tactical operation, etc.).
5. MPD Personnel should not apply for no-knock search warrants that will be served by MPD SWAT.

The threat assessment/planning process will dictate the number of personnel, equipment, and tactics to be used during the warrant's service. All personnel directly involved in a search warrant operation will be in uniform or otherwise clearly identifiable as police. The operational plan and tactics utilized will be consistent with MPD SWAT training and procedures and with best practices. Operational planning for search warrant service will focus on mitigating risk to officers, suspects, and community members.

### Unknown Risk and High-Risk Warrants

SWAT assesses warrant service as either takes on two forms, unknown risk and or high-risk. Regardless of known or perceived risk factors, and whether or not the warrant is deemed to be high-risk or unknown risk, **MPD SWAT will utilize knock and announce practices on all warrant service.** The use of knock and announcement is based on guidance and best practices provided by the National Tactical Officers Association (NTOA) and is congruent with MPD's and SWAT's safety priorities.

### Knock and Announce

Officers must knock and announce prior to entering the dwelling. The team leader is responsible for performing the knock and announce function and for notifying dispatch or the Command Post of such, or designating another officer to do so.

When knocking and announcing, officers must provide notice to anyone inside the residence, including verbal and physical announcements/notifications, including use of a public address device (PA), police sirens, knocking on the door to the dwelling, and other means and mechanisms in order to announce their presence and purpose. The knock and announcement must be reasonably audible to persons inside the dwelling. It is only necessary to knock and announce once per dwelling.

After knocking and announcing, officers must wait a reasonable amount of time for the occupants to allow entry. If a reasonable amount of time passes and officers are not allowed in, entry may be forced. What constitutes a reasonable time is primarily dependent on the time of day the warrant is served and the size of the residence.

If occupants refuse to comply with officers, or if there is no response, a forcible breach of the residence may be authorized by the Command Post.

Should a forcible breach be authorized, MPD SWAT may employ a variety of tactical methods and equipment in order to serve the warrant while minimizing risk to uninvolved subjects, officers, and suspects.

### *High-Risk Warrant Service*

High-Risk Warrants typically involve a greater investment of police personnel and utilization of additional equipment and resources in order to address and/or mitigate the various risk factors.

The following factors should be considered when evaluating whether service of a particular warrant is high-risk:

- Presence of firearms at the location to be searched
- Presence of other weapons posing a risk to officers at the location to be searched
- History of firearm possession/use on the part of suspects or others who may be present at the location to be searched
- History of possession/use of other weapons on the part of suspects or others who may be present at the location to be searched
- History of violence on the part of suspects or others who may be present at the location to be searched (includes any history demonstrating a risk/threat to officers)
- History of resisting officers on the part of suspects or others who may be present at the location to be searched
- Presence of dangerous dogs at location to be searched
- Fortifications
- Look outs
- Other specific dwelling issues (size of dwelling, location, etc.)
- Video surveillance

### *Waiver of Knock and Announce Requirement*

Under certain circumstances, the requirement to knock and announce may be waived. During warrant service where information and/or observation indicate that the situation has transitioned into a hostage situation or active shooter, there is no requirement to knock and announce prior to making entry. It is also understood that in a fluid and dynamic tactical environment, there may be other circumstances that justify waiver of the knock and announce requirement; however, for most circumstances, a tactical disengagement and other efforts aimed at avoiding the compression of time is the appropriate response.

If a warrant is deemed to be high risk and if reasonable suspicion exists that knocking and announcing prior to entry would be dangerous, futile, or would inhibit the effective investigation of the crime (by allowing for the destruction of evidence, for example), a no-knock warrant should generally be requested.

Even when serving a high-risk warrant for which a no-knock entry has been approved, when circumstances allow, officers will identify themselves and announce their presence prior to or contemporaneous with



~~breaching an exterior door or entering a dwelling (unless officers reasonably believe that immediate entry without announcement is required to address an imminent safety risk to officers or others). This requirement can be fulfilled by knocking and announcing at the exterior door or by making an amplified announcement using a public address device.~~

~~The reasonableness of a no-knock entry depends on the circumstances that exist at the time of entry. If specific factors that support a no-knock warrant are no longer present at the time of entry, knocking and announcing is legally required.~~

#### ~~Unknown-Risk Warrant Service~~

~~If the warrant to be served does not include a no-knock provision, officers must knock and announce prior to entering the dwelling. The team leader is responsible for performing the knock and announce function and for notifying dispatch or the Command Post of such, or designating another officer to do so.~~

~~When knocking and announcing, officers must knock on the door to the dwelling and announce their purpose. The knock and announcement must be reasonably audible to persons inside the dwelling. It is only necessary to knock and announce once per dwelling.~~

~~After knocking and announcing, officers must wait a reasonable amount of time for the occupants to allow entry. If a reasonable time passes and officers are not allowed in, entry may be forced. What constitutes a reasonable time is primarily dependent on the time of day the warrant is served and the size of the residence.~~

~~If occupants refuse to allow officers to enter, entry may be forced without waiting. If unanticipated circumstances arise that justify a no-knock entry (such as the examples listed above), entry may be forced without waiting.~~

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(Reviewed Only: 02/17/2016, 11/08/2017, 01/31/2020)

(Revised: 01/19/2017, 11/27/2018, 12/01/2020, 01/03/2022, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Sexual Assault Investigations

Eff. Date ~~01/14/2022~~ 01/31/2023

**Purpose**

To provide guidelines and expectations for the Madison Police Department (MPD) response to Sexual Assault Investigations involving adult and child victims. Consistent with our MPD Core Values and Mission Statement, we strive to deliver the highest service possible while following a victim-centered, trauma-informed approach to the investigation of these crimes.

Sexual Assault allegations will be investigated in an unbiased manner, free of assumptions and stereotypes about victims. Personnel investigating sexual assault allegations will keep in mind that victims of these crimes may present with a wide range of potential reactions to sexual assault, some of which may not be in line with an officer's investigative objectives.

When investigating sexual assault allegations, officers should work to build rapport with the victim, use trauma-informed and victim-centered practices, treat the victim with respect and dignity, and document the victim's statement as provided by the victim, using exact quotes when possible.

**Definitions**

**Victim-Centered:** Placing the crime victim's priorities, needs, and interests at the center of the investigation. Ensuring that restoring victims' feelings of safety and security are a priority and safeguarding against practices that may inadvertently re-traumatize victims.

**Trauma-Informed:** Investigations are conducted with an understanding of the effects of trauma on survivors, including the many and varied emotional *and* physical responses victims may *or may not* have to a traumatic experience. Priority is placed on restoring the survivor's feelings of safety, choice, and control.

**Procedure**

**INVESTIGATING CASES INVOLVING ADULT VICTIMS OF SEXUAL ASSAULT**

1. Adult victims should be offered trauma-informed and culturally competent services and supports when possible.
  - a. The initial responding officer shall advise the victim they may request to be interviewed by an officer of the gender of their choice. Should the victim request an officer of the gender **opposite** **different from** the **gender of the** initial **responding** officer, the officer shall immediately notify a supervisor and a reasonable attempt will be made to honor the victim's request.
    - i. Once follow up has been assigned to a detective, the case will remain with the detective regardless of gender.
  - b. If the victim has Limited English Proficiency (LEP), the initial responding officer shall take reasonable steps to provide free language assistance services to that victim in accordance with MPD's Language Access Services **Standard Operating Procedure (SOP)**.
    - i. Interviews of victims, particularly of sensitive crimes, should be done in the victim's primary language.
    - ii. Children or other family members or friends of the victim should not be used to interpret the victim's statement.
    - iii. Victim Advocates and Dane County Social Workers should not be used to interpret the victim's statement, as that may run contrary to their professional mission and ethos.

- c. The initial responding officer shall, as soon as is practicable, offer to contact an advocate from the Rape Crisis Center to respond to support the victim throughout the reporting and evidence collection process.
- d. In the event of a fresh occurrence, where a public danger exists, the initial responding officer shall make a reasonable attempt to obtain suspect, officer safety, and other relevant information to relay to other officers as soon as possible.
- e. The officer conducting the victim interview shall:
  - i. Spend time building rapport with the victim, assuring their physical safety and getting them medical care as soon as practicable. Interview the victim using open-ended, narrative inviting questions.
  - ii. Allow the victim to provide their statement with as little interruption as possible. The officer should utilize natural breaks in the victim's statement to ask follow-up questions, recognizing that victims may not provide statements in chronological order due to the effects of trauma.
  - iii. Notify the Officer-in-Charge (OIC) of the circumstances of the incident. The OIC will determine if the incident is a 1st or 2nd degree sexual assault or if additional investigative resources or advice is needed; and, if so, will ensure that the On-Call Detective Lieutenant (if after normal business day) or District Detective Lieutenant is notified of the circumstances. The exception to notification is an incident involving consensual sex between teenagers within 3 years of age.
  - iv. Collect any available evidence from the victim and scene(s), (e.g., photos, clothing, biological items, etc.), and also offer and recommend a medical forensic hospital exam if the assault occurred no more than 120 hours prior to the time it is reported. Meriter Hospital's Forensic Nurse Examiner (FNE) program should be used for collection of biological evidence from the victim.
    1. Any time an officer is dispatched for a sexual assault and the victim is reporting; the officer should stand by outside the room while the exam is being done, in case the nurse needs to communicate with the officer, and to then take the evidence for processing.
    2. Please see the SOP on Searches, specifically the Strip Search section, for further details on the collection of evidence from the suspect.
    3. An Investigator, at the request of the interviewing officer or a supervisor, shall process the scene(s) of a sexual assault for evidence, including photos.
    4. All sexual assault FNE kits shall be physically or electronically submitted to the Wisconsin State Crime Lab (WSCL) by the assigned case detective. The submission form can found on the WSCL website, which is titled "DFS Transmittal":  
<https://www.doj.state.wi.us/dfs/evidence-submission-information>.

Electronic submissions to the WSCL Forensic Case Manager are permissible when the complexities and/or facts of the case may require WSCL input prior to the physical transport of the FNE kit. If submitted electronically and the WSCL will accept the FNE kit for analysis, the kit will then be physically submitted to the WSCL by the assigned case detective.

If WSCL denies the FNE kit, whether physically or electronically submitted, WSCL will provide the submitter a letter of refusal stating why the FNE kit is not being accepted. This letter shall be scanned as an attachment into the case file and a report shall be completed by the submitter.

This SOP does not pertain to FNE kits collected in any other type of criminal investigation (e.g. strangulation).

For questions regarding the submission of evidence, refer to the [contact information](#) for the lab in our service area (Madison Crime Lab – 608-266-

2031). For questions about Evidence Submission Guidelines, please contact the WSCL Forensic Case Manager (currently: Kathy Mahnke, via email at [mahnkeka@doj.state.wi.us](mailto:mahnkeka@doj.state.wi.us) or 608-609-6125) [most current contact information accessible online] – <https://www.doj.state.wi.us/dfs/evidence-submission-guidelines>

5. Even if the assault occurred more than 120 hours prior to the time of the report, victims should be told of the existence of the Meriter FNE program, specifically that the victim can be tested for sexually transmitted infections and/or treated for other injuries.

## INVESTIGATING CASES INVOLVING CHILD VICTIMS (SEXUAL AND PHYSICAL ABUSE AND NEGLECT)

1. Child victims should be offered trauma-informed and culturally competent services and supports when possible.
  - a. As with adult victims, if the child victim has Limited English Proficiency (LEP), the initial responding officer shall take reasonable steps to provide free language assistance services to that victim in accordance with MPD's Language Access Services SOP.
  - b. Family members, friends, Victim Advocates and Social Workers should not be used to interpret the child victim's statement.
2. The primary officer shall notify Dane County Human Services (DCHS) within 12 hours of the report of a sexual assault of a juvenile per state statute 48.981(1)(2)&(3).
3. The primary officer shall notify the parents or guardians, if appropriate, of the juvenile victim within 24 hours.
4. When investigating a sexual assault of a child under the age of 16, the investigating officer shall collect as much information as possible without interviewing the victim. However, in some cases, given the unique circumstances of an investigation, an officer may determine that it is necessary to obtain a limited statement from the child in order to identify and address immediate investigative needs (e.g. probable cause elements, location/venue, safety concerns, evidence collection, etc.). Further investigative and interview considerations are outlined in more detail later in this SOP. The officer shall notify the OIC of the unique investigative circumstances.
  - a. The OIC shall contact the Special Victims Unit (SVU) Lieutenant (if after normal business day) or Special Victims Unit Detective Sergeant prior to conducting a detailed interview or physical exam.
  - b. The subsequent investigation will be at the direction of the SVU Lieutenant or SVU Detective Sergeant assigned to the case.
5. When the investigating officer or detective for cases involving child victims determines that probable cause exists that the suspect has committed crimes in violation of the statutes listed below, the cases will routinely be referred to the district attorney for criminal prosecution:
  - a. Sexual intercourse or sexual contact under s. 940.225, 948.02, 948.025 or 948.085
  - b. Sexual exploitation of a child under s. 948.05
  - c. Permitting, allowing, or encouraging a child to violate s. 944.30 (Prostitution)
  - d. Causing a child to view or listen to sexual activity s. 948.055
  - e. Causing a child to expose genitals or pubic area s. 948.10

## INVESTIGATIONS INITIATED BY HUMAN SERVICES

### Officer-in-Charge Information

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Child Protective Services (CPS) workers have been asked to make Dispatch the first point of contact for Madison Police Department (MPD) collaboration for the initial field investigation when responding to reports of child abuse and neglect. It is MPD's established procedure to respond to these initial reports with on-duty patrol officers in the initial response.

## Responding Officer/Field Supervisor Considerations

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1. Determine who will lead the interview (Officer or DCHS worker).
2. If CPS leads the interview, officer should take *detailed* notes of interview.
  - a. Officer should document the child victim's own words, in quotation marks, whenever possible.
  - b. Officer should document, in quotation marks, questions asked of the child by the DCHS worker.
3. Officer *can and should* ask questions pertaining to their investigation if those questions are not asked by CPS.
4. Officer must ensure they have explored the elements of alleged crime.
5. CPS is ultimately responsible for conducting a safety assessment for the child (making sure the child is safe).
6. Regardless of who leads the interview, officers shall complete a detailed report.
7. Note: If Children are alleged victims of abuse by a caregiver or unknown person, the children can be interviewed without parental consent at any location police are legally authorized to be present (see Wisconsin statute 48.981(3)(c)1.b.).

## INVESTIGATIONS CONDUCTED WITHOUT CPS PRESENT

- A CPS worker will not respond out to the field to make contact with a child victim in every case. In order to assist CPS in determining whether or not a worker will respond to the field, the responding officer should attempt to obtain as much collateral information as possible from parties other than the child to inform CPS's decision to respond or not. Gathering this collateral information from other sources will also allow the officer to make an educated decision as to whether or not an interview of the child victim in the field is necessary should CPS not respond.
  - The responding officer should collect collateral information from the reporting party, the non-offending parent (if possible), any third parties that may have pertinent information (teachers, counselors, friends, etc.), and any witnesses to the alleged abuse.
  - After collecting this collateral information from sources other than the child, the officer should make phone contact with the on-call CPS worker and provide all collateral information gained from these sources. The responding officer should ask the CPS worker to share any other pertinent information CPS may have regarding the child victim or other involved parties. The responding officer should inquire with CPS if there are current open cases involving this child victim and/or the alleged offender, or if there were prior cases and/or screen-outs involving this child victim and/or the alleged offender. The responding officer should obtain any pertinent identification and contact information for the alleged offender and others involved in the present investigation.
  - If, after this information sharing with the on-call CPS worker, the CPS worker indicates they will respond to the field, the responding officer shall wait to continue their investigation with the CPS worker. If the CPS worker responds, follow the considerations listed above. If the CPS worker advises they will not respond to the field, the responding officer must consider whether or not to interview the child.
- To assess the need to interview the child in the field, the responding officer must evaluate whether or not they have corroborated information of abuse, neglect, or that the child witnessed a serious crime (domestic violence, weapons offense, homicide) from their collateral information sources and their contact with CPS.
  - If the responding officer has corroboration that the child is a victim of abuse or neglect, the officer must ensure the preservation and collection of pertinent evidence. The responding officer, in consultation with the OIC or the SVU Lieutenant/Detective Sergeant, should offer, explain, and provide an opportunity for a FNE exam if circumstances warrant it. The responding officer must also offer, explain, and provide an opportunity for photographs to be

taken that capture any visible injuries, whether they appear fresh or to have healed. The responding officer should ensure that any weapons or implements alleged to have been used to injure the child are seized as evidence.

- The responding officer should determine if the child is in need of immediate medical treatment and work with the non-offending parent or caregiver to obtain that treatment for the child. The officer should also make an assessment if the child is safe in its present placement situation.
- If the officer believes, based on their investigation, that the child victim is at risk of manipulation, threats, or pressure to recant their initial disclosure, or the officer can articulate that future access to the child victim may be limited by others, the officer may decide to interview the child in the field. If the officer determines an interview of the child in the field is necessary, the officer shall contact the OIC and provide them with the basis for this decision. The OIC shall contact the SVU Lieutenant for consultation and consideration of detective resources being called in.
  - Should the responding officer interview the child in the field, the officer should not do a “truth/lie” assessment, nor should they use any body diagrams/drawings. The “truth/lie” assessment is only necessary for a recorded forensic interview, which a field interview is not. Body diagrams/drawings should only be used post-disclosure by a trained interviewer.
  - The officer must use open-ended questions that allow the child to answer in narrative form, in their own words. An officer should spend some time building rapport with the child prior to transitioning to the topic of concern. The officer can ask the child questions like the following: “Tell me all about it.” and “Do you know why I’m here to talk to you today.” The use of “tell me” questions will allow the officer to obtain the elements of the crime, identify potential evidence, determine jurisdiction, and identify any witnesses. If the “tell me” questions, coupled with collateral information have not given the timeframe of the incident, the responding officer should attempt to ascertain “when” from the child. The responding officer should attempt to determine timeframe using developmentally appropriate words and open-ended questions.
  - Officers should understand that a child’s ability to sequence events and to provide timelines varies based on their developmental abilities, their chronological age, and whether or not they encoded that detail of the abuse. Officers should not ask a child to guess as to timelines of events. If the child provides information that the incident was not recent enough to raise evidentiary concerns (i.e. the need for a FNE, visible injuries, scene preservation), an estimate by the child is sufficient.
- Responding officers can refer to the purple First Responder Contact Without CPS reference card for guidance when out in the field. The above information is summarized in the below outline, which is located on that reference card.

## REFERENCE CARD OUTLINE – FIRST RESPONDER CONTACT WITHOUT CPS

1. Collateral Information Collection from Others.
  - a. Reporting Party.
  - b. Non-offending parent (if possible).
  - c. 3rd Parties with information (teachers, counselors, friends, etc.).
  - d. Witnesses.
2. CPS Contact.
  - a. Provide CPS information obtained from #1.
  - b. Determine other collaborative information from CPS.
    - i. Other open/prior cases with subjects.
    - ii. Identification/contact information for offender and others.

- c. Will CPS come out?
    - i. Yes - wait to continue investigation with CPS.
    - ii. No - proceed to #3.
  - d. If CPS responds, determine who will lead the interview (Officer or DCHS worker).
    - i. If CPS leads the interview, officer should take *detailed* notes of interview.
    - ii. Officer *can and should* ask questions pertaining to their investigation if those questions are not asked by CPS.
      - 1) Officer must ensure they have explored the elements of alleged crime.
    - iii. CPS is ultimately responsible for conducting a safety assessment for the child (making sure the child is safe).
3. Factors to Determine if Officer Should Conduct Child Interview.
- a. Do we have corroborated information of abuse, neglect, or that child witnessed (CRIME) obtained by #1 and #2? No need for officer to interview child.
    - i. Preserve/collect pertinent evidence.
      - 1) **SANE FNE** exam/photos/weapons/implements/etc.
      - 2) Determine if child is in need of immediate medical treatment.
      - 3) Determine if the child is safe in its present placement.
  - b. Even if 3.a. is present, officer articulates need for immediate child interview (manipulation of child's testimony, family dynamics/pressure, etc.).
4. Contact Sergeant/OIC.
- a. Provide information obtained from #1, #2, and #3.
  - b. Determine if on-call **Detective Lieutenant Det. Lt.** will be contacted (and presumably, a detective called in).
5. Officer Interview of the Child.
- a. General guidelines.
    - i. Do NOT do truth/lie.
    - ii. Do NOT use body diagrams.
    - iii. Must use open-ended questions (i.e., "tell me all about it").
      - 1) "Tell me *what* happened.?" (elements of crime).
      - 2) "Tell me *how* it happened.?" (evidence - weapons, DNA).
      - 3) "Tell me *where* it happened.?" (jurisdiction).
      - 4) "Tell me who else was there.?" (witnesses).
      - 5) If the "tell me" questions, coupled with collateral information, have not given the "*when*," attempt to ascertain "*when*" from the child.
        - a) Developmentally appropriate words.
        - b) If not recent enough to raise evidentiary concerns, close is good enough.
6. See "Searches" SOP for guidance on suspect FNE exams.

Original SOP: 11/18/2015

(Revised: 04/05/2016, 12/06/2017, 05/02/2018, 10/05/2020, 01/14/2022, **01/31/2023**)

(Name change only: 05/03/2016)

(Reviewed Only: 01/09/2017, 01/30/2019)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Special Events Team Specialty Teams

Eff. Date: ~~09/20/2022~~ 01/31/2023

## PURPOSE

The purpose of this standard operating procedure (SOP) is to establish guidelines for the Madison Police Department (MPD) Special Events Team (SET) Specialty Teams' functions and responsibilities outside of crowd event activations. SET Specialty Team crowd event activation details are available in the MPD Demonstrations and Assemblies SOP. The SET Specialty Teams include the following specialty teams: Bike Team, **Community Dialogue Team (CDT)**, Field Extrication Team (FXT), Grenadiers, Logistics, and Medics.

## DEFINITIONS

**SET Bike Team:** The SET Bike Team, under the direct command of the MPD SET, provides a more nimble transportation and response option for SET personnel beyond the range and capabilities of on-foot SET personnel. SET Bike Team members have specialized training and skills to use police bikes to perform crowd engagement and management duties.

**SET Community Dialogue Team (CDT):** The SET Community Dialogue Team (CDT), under the direct command of the MPD SET, exists to provide informational and educational opportunities about event and demonstration activities. SET CDT members work closely with Community Dialogue Representatives and are often tapped to serve as Demonstration/Event Liaisons when feasible.

**SET Field Extrication Team (FXT):** The SET Field Extrication Team (FXT), under the direct command of the MPD SET, exists to better respond to protest events with an internal resource. SET FXT members have specialized training and skills to extricate persons from protest devices when demonstrators' actions and/or practices unreasonably impede traffic, restrict the public's freedom of movement, and/or jeopardize public safety.

**SET Grenadiers:** The SET Grenadier position, under the direct command of the MPD SET, exists to enhance the capabilities of SET. The SET Grenadier team members have specialized training, equipment, and skills in the use of chemical (CS) and oleoresin capsicum (OC or Pepper Spray) munitions, sprays, or aerosols, and in the deployment of impact munitions.

**SET Logistics:** The SET Logistics Team, under the direct command of the MPD SET, is responsible for the organization, standard guidelines, and maintenance of SET's physical assets. SET Logistics Team members ensure that needed SET assets are deployed and available for any given SET activation, and that the assets are properly stored at the conclusion of any activation.

**SET Medics:** The SET Medic position, under the direct command of the MPD SET, exists to better respond to protest and crowd events with an internal resource. The SET Medics have specialized training and skills to provide immediate emergency medical care to officers and to community members within an austere environment.

## SET SPECIALTY TEAM PERSONNEL

SET Commanders will designate a primary SET command structure (sergeant(s), lieutenant, and captain) to supervise the overall operation of each SET Specialty Team.

When any SET Specialty Team needs to add new members, that team's primary commanders will select new members from eligible SET members through a process determined by SET commanders. The SET Medics and SET Grenadiers should maintain a number of team members sufficient to staff each SET platoon with at least two (2) SET Medics and two (2) SET Grenadiers. SET members can serve on more than one SET

Specialty Team; however, given the equipment needs of SET Medics and SET Grenadiers, SET members will not be allowed to maintain simultaneous assignment to the SET Medics team and to the SET Grenadiers team.

## TRAINING/STANDARDS

All members of any SET Specialty Team shall attend all full-team and specialty team trainings scheduled throughout the year unless excused by a SET commander or designee. Membership on any SET Specialty Team is a privilege and specialty team members shall remain dedicated to serving in their specialty role(s), shall remain committed to maintaining the core competencies of their specialty team assignment(s), and shall be physically able to perform the necessary tasks associated with their specialty team assignment(s). SET Specialty Team members shall also demonstrate the proper use and handling of all equipment and must be able to use their team's assigned equipment safely. Records of all trainings and activities shall be maintained in the participating officers' personnel file and SET commanders shall designate a SET supervisor or senior member of each SET Specialty Team to forward to MPD Training the records related to any training. Each SET Specialty Team further employs the following training and standards guidelines for each team:

- **SET BIKE TEAM:** The SET Bike Team trains biannually. SET Bike Team members must also take an International Police Mountain Bike Association (IPMBA) certification training, MPD Bike Training, or equivalent as soon as practicable after selection to the SET Bike Team if not already certified before selection.
- **SET COMMUNITY DIALOGUE TEAM:** The SET CDT convenes quarterly, with at least one of these four sessions open to community attendance and participation. SET CDT members must also take the Wisconsin Unified Tactics Professional Communications Skills instructor course as soon as practicable after selection to the SET CDT if not already a certified PCS instructor before selection.
- **SET FXT:** The SET FXT trains quarterly. New SET FXT members will be sent to Field Force Extrication Tactics training as soon as practicable after selection to the SET FXT.
- **SET GRENADIERS:** The SET Grenadiers train biannually.
- **SET LOGISTICS:** The SET Logistics team convenes as a group when needed to coordinate details related to any new equipment acquisitions, storage location adjustments, or other logistical considerations.
- **SET MEDICS:** The SET Medics train quarterly. SET Medics shall maintain any required certifications or licenses as determined by the SET commander(s). SET Medics shall follow appropriate protocol for treatment as established by the following authorities: the State of Wisconsin Department of Justice Law Enforcement Standards Board for Tactical Emergency Casualty Care and the directions, trainings, and protocol as ordered by the Medical Director of the Madison Police Department.

## SET SPECIALTY TEAM DEPLOYMENT

SET Specialty Team(s) will be deployed to crowd events pursuant to the provisions of the MPD Demonstrations and Assemblies SOP.

MPD members shall use the following guidance when evaluating any request to employ the use of the following SET Specialty Teams within the City of Madison jurisdiction:

- **SET Bike Team:** At the request and/or with approval of a supervisor, SET Bike Team members may utilize MPD police bikes to respond to calls for service and as a mode of transportation during their work shift. Officers should have a City of Madison Police vehicle equipped with a bike

rack accessible (i.e., available at a district station, parked near a deployment) when utilizing bikes as an alternate mode of transportation during their shift. SET Bike Team members should deploy in numbers no fewer than at least two (2) Bike Team members for any deployment on bikes.

- **SET CDT:** SET CDT members should be selected to serve as Demonstration/Event Liaisons whenever available and requested by SET Command for known/planned events. In the case of a spontaneous crowd event, an MPD supervisor or the Officer in Charge (OIC), should notify a SET commander to determine if there are any available on-duty SET CDT members who could assist with communication attempts with the event organizers/person(s)-in-charge.
- **SET FXT:** SET FXT members should not carry FXT equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee. In the event that patrol personnel respond to an incident where a protest device is being used, officers on scene should notify a street supervisor and/or the Officer in Charge (OIC) that a protest device is being used. The OIC should then notify a SET commander to determine if the SET FXT should be activated. The SET FXT may be utilized for situations outside of a SET deployment under specific requests with the approval of a SET commander or designee and with the authorization of the Chief of Police or the Chief's designee.
- **SET Grenadiers:** SET Grenadiers should not carry Grenadier equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee. In exigent circumstances, SET Grenadiers may deploy specialized grenadier equipment without the permission of a supervisor, but shall inform a SET commander as soon as practicable. Upon deployment of chemical, OC, or impact munitions by SET Grenadiers, available SET members should assist with decontamination and medical treatment of those affected, unless circumstances specifically prohibit rendering such assistance.
- **SET Logistics:** SET Logistics Team members may deploy SET vehicle assets (minivans, Utility Terrain Vehicles (UTVs)) outside of a SET deployment under specific requests with the approval of a SET commander.
- **SET Medics:** At the request of a supervisor, or at their own discretion, SET Medics may deploy to a call for service involving mass casualties or to a clear need for emergency medical care coverage. SET Medics may also respond to an emergent tactical call where there is a potential for injury to officers or others, but to which Madison Fire Department Tactical Emergency Medical Services (MFD TEMS) personnel have not yet arrived. In the event of such a deployment, the SET Medic shall notify SET command and/or the Officer in Charge (OIC) as soon as practicable. SET Medics may keep their SET-issued specialized medical equipment with their regular work equipment for this purpose.
  - Deployment of SET Medics on SET Bike Team:
    - SET Medics who deploy with the SET Bike Team for any assignment shall carry their medical gear with them on bike.
  - Deployment of SET Medics to SET Field Extrication Team extrications:
    - At least one SET Medic should be present during any extrication. A SET Medic, the FXT supervisor, or designee shall request a Madison Fire Department ambulance to be on standby in a reasonable staging location to the extrication.

## MUTUAL AID

SET Specialty Teams may be deployed pursuant to a mutual aid request from another agency for the particular team's specialty with the approval of a SET commander and with the authorization of the Chief of Police or Chief's designee. In any mutual aid deployment, SET Specialty Team members shall always abide by the MPD Code of Conduct, MPD SOPs generally, and the SET Specialty Team's training and standards.

## EQUIPMENT

Each SET Specialty Team shall maintain an inventory of all equipment and supplies assigned to that team and each team's equipment and supplies shall be used for official use only. Any equipment not functioning properly, damaged, or dysfunctional shall be taken out of service and shall not be used until repaired or replaced. Any SET Specialty Team munitions or supplies with identifiable expiration dates shall be used only in a training environment beyond the expiration date.

The Lieutenant of each SET Specialty Team shall submit an annual report documenting any use, maintenance, warranties, and repairs of the equipment assigned to that lieutenant's specialty team. These annual reports shall be submitted to the SET Lead Commander or designee.

SET Bike Team members shall conduct an inspection of their assigned bicycles and equipment prior to use to ensure proper working order of equipment. SET Bike Team members are responsible for the routine care and maintenance (i.e., tire pressure, chain lubrication, overall cleaning) of their assigned bike. If a needed repair is beyond the ability of the SET Bike Team member, an email should be sent to the PD SET Bike email group and the email should include a description of the issue and the location of the bicycle in need of repair. Each department-owned police bicycle will have an annual maintenance tune-up performed by members of the SET Bike Team/MPD Bike Mechanics. Police bicycles requiring maintenance and/or repairs beyond the capabilities of the SET Bike Team members may be taken to a private bicycle repair shop with authorization from the SET Lead Commander.

SET CDT members shall perform an annual review of any printed—physical documents/brochures and online—informational/educational materials. SET CDT supervisors will also maintain a log of informational/educational sessions held throughout the course of the year.

SET FXT members shall perform a function check of all FXT equipment on a regular basis and the department shall provide Personal Protective Equipment (PPE) for SET FXT members. SET FXT shall wear all appropriate PPE during deployments and trainings. During any extrication, SET FXT members shall provide any necessary PPE and take any reasonable precautions to ensure the safety of the arrested person, the public, and other officers.

Original SOP: 09/20/2022

(Special Events Team Field Extrication Team SOP, Special Events Team Grenadiers SOP and Special Events Team Medic Platoon SOP combined into this one SOP 09/20/2022)

(Revised: 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Threats of Targeted or Mass Casualty Violence

Eff. Date ~~04/26/2019~~ 01/16/2023

**Purpose**

To provide a consistent and comprehensive response to threats of targeted or mass casualty violence, including in our schools, businesses, and public places. Typically, these threats or warning behaviors require immediate action and investigative steps by first responding officers and investigators.

This procedure establishes the expectations for the initial response to a threat or report of concerning behavior in order to facilitate behavior-based threat assessment in an effort to best prevent incidences of targeted or mass casualty violence. This procedure governs communications received in person, telephonically, and electronically to include communications via any social media platform.

**Glossary**

**Imminence:** Officers should examine the threat itself and ask the complainant and other available sources about the following factors to structure a professional judgment as to the impending nature of the threat they are investigating.

**Inhibitors:** In threat assessment, this is anything that serves to decrease the likelihood that a subject's behavior will escalate to an act of targeted violence (e.g., familial bonds, strong friendships, or employment).

**Interception:** If a threat is imminent, all efforts should focus on locating, containing and arresting the suspect. Post-arrest investigative steps should be pursued in accordance with normal department practices.

**Risk Factors:** Existing realities about the person of concern that may increase the risk of violence they pose in a given situation.

**Risk Levels:** To determine a risk level, research has shown certain elements to be present in communications and persons of concern. Not all elements need to be present for the risk level to be achieved. There are four identified risk levels: low risk, moderate risk, elevated risk, and high risk or imminent. See risk level addendum for full descriptions.

**Pathway to Violence:** A series of sequential steps – from its beginning with a felt grievance, to violent ideation, research, and planning, specific preparations for violence, critical breaches of security or other boundaries, to a concluding attack – which indicate that an individual is progressing towards an act of targeted violence.

**Person of Concern:** An individual who may become the subject of the investigation due to suspicious or threatening activity to include indicators of potentially dangerous behavior.

**Threat:** A declaration of an intention or determination to inflict punishment, injury, etc., in retaliation for, or conditionally upon, some action or course.

**Threat Assessment:** A fact-based method of assessment/investigation that focuses on an individual's patterns of thinking and behavior to determine whether, and to what extent, they are moving toward an attack on an identifiable target.

**Warning Behaviors:** Changes in patterns of behavior that may be evidence of increasing or accelerating risk.

## Procedure

Each incident reporting threats of targeted or mass casualty violence should be taken seriously and be investigated fully and promptly. Responding officers shall notify a supervisor at the beginning of the investigation and should consider consultation with appropriate **Madison Police Department (MPD)** resources (Mental Health Unit (**MHU**), Criminal Intelligence Section (**CIS**), etc.) as needed.

Although formal enforcement action is often indicated, investigating officers should consult with MHU if possible prior to taking enforcement action such as an arrest or citation. State charges should strongly be considered in most cases, to include physical arrests (jail, **Juvenile Reception Center (JRC)**), fingerprint/photo-release of juveniles to parent, or citations appropriate to the circumstances.

~~Responding officers shall identify the threat or concern with specificity and detail. Officers shall preserve all evidence, both physical and digital. This includes noting social media or other digital account names and passwords if available. Responding officers shall make all reasonable efforts to positively identify the source of the threat.~~

~~Officers should also identify the victims or targeted persons. This may be the complainant, another individual or group (such as a school class or work team), or a population affiliated with an institution or organization. All persons mentioned explicitly or reasonably believed to be the subject of a direct threat should be positively identified and contacted by law enforcement. Officers should assist potential victims or targeted persons in the creation of a safety plan where feasible/appropriate.~~

Once sufficient information has been obtained, investigating personnel will evaluate the imminence of the threat. In high imminence cases, responding officers should then transition their efforts from investigation to locating and apprehending the suspect (interception). In circumstances where information supports a lower imminence evaluation, officers should conduct an initial investigation into the suspect and behavior.

~~**Imminence:** Officers should examine the threat itself and ask the complainant and other available sources about the following factors to structure a professional judgment as to the imminence of the threat they are investigating.~~

~~In the threat itself, officers should examine if:~~

~~The communication suggests all inhibitors to violence are gone; the person's life is rapidly changing in a manner that compels violence.~~

~~The communication presents a time or violent action imperative.~~

~~The communication suggests the author perceives that outside factors are closing the window of opportunity for an attack.~~

~~A communication indicates that a breach or attack has already begun; claims credit for or rationalizes an attack; or establishes the author's legacy.~~

~~A communication is written in such a way to imply the author is already dead.~~

~~Regarding a person of concern's behavior, officers should ask about evidence of the following behaviors:~~

~~Acquisition of equipment or weapons, rehearsal or training.~~

~~Circumventing security measures at a target location, probing security, approaching or stalking the target.~~

~~Exhibiting an increased pace or rate of activities related to a potential target.~~

~~A person exhibiting demonstrating increased distress, diminishing alternatives to violence, or a decompensation in self-care or hygiene.~~

~~A person has taken concrete steps to prepare for the end of their life.~~

~~A person who has recently withdrawn from normal life patterns and/or physically withdrawn to somewhere with increased privacy.~~

~~A person who has suddenly ceased the use of regular medication or substance use.~~

Generally, the more of these imminence factors present, the more imminent the threat. An imminent threat may present with just one of these factors. An officer who determines a threat is imminent shall immediately notify the responding supervisor.

**Interception:** If a threat is imminent, all efforts should focus on locating, containing and arresting the suspect. Post-arrest investigative steps should be pursued in accordance with normal department practices.

**Investigation:** If the responding officer concludes a threat is not imminent, or, after the arrest of a suspect, they shall:

Complete a thorough investigation to document the threatening behavior, identify the suspect(s) and potential victim(s), collect relevant physical evidence, etc.

Notify a Mental Health Officer and Journey Mental Health while in contact with the suspect or prior to contacting the suspect (if possible).

Consult with a supervisor.

Complete a report documenting the investigation before the end of shift.

A field supervisor should respond to every reported threat of targeted or mass casualty violence. The supervisor will assist the investigating officer in evaluating the threat. If the responding officer and supervisor determine the threat is imminent, the supervisor shall direct resources to intercept the threat and to take the suspect into custody. In this situation, supervisors will direct the investigation with the goal of referring charges for any criminal violations present. The supervisor will also ensure that the OIC and district command staff are notified, and that any needed additional notifications occur (MHU, CIS, MMSD, private employer, etc.).

## Investigative Responsibilities

### Patrol Officer

1. Responding officers should notify a supervisor at the beginning of the investigation (or as soon as practical) and should consider consultation with appropriate MPD resources (Mental Health Unit, Criminal Intelligence Section, etc.) as needed. Notification of a Mental Health Officer and Journey Mental Health should be done while in contact with the suspect or prior to contacting the suspect (if possible).
2. Responding officers should identify the threat or concern with specificity and detail. Officers should consider the following in the assessment:
  - a. The communication suggests all inhibitors to violence are gone; the person's life is rapidly changing in a manner that compels violence.
  - b. The communication presents a time or violent action imperative.
  - c. The communication suggests the author perceives that outside factors are closing the window of opportunity for an attack.
  - d. A communication indicates that a breach or attack has already begun; claims credit for or rationalizes an attack; or establishes the author's legacy.
  - e. A communication is written in such a way to imply the author is already dead.
3. Officers should ask about evidence of the following behaviors regarding the person of concern:
  - a. Acquisition of equipment or weapons, rehearsal, or training.
  - b. Circumventing security measures at a target location, probing security, approaching or stalking the target.
  - c. Exhibiting an increased pace or rate of activities related to a potential target.
  - d. Exhibiting increased distress, diminishing alternatives to violence, or a decompensation in self-care or hygiene.
  - e. Taking concrete steps to prepare for the end of their life.



- f. Recent withdrawal from normal life patterns and/or physical withdrawal to somewhere with increased privacy.
- g. Suddenly ceasing the use of regular medication or substance use.
4. Officers should preserve all evidence, both physical and digital. This includes noting social media or other digital account names and passwords if available.
5. Responding officers should make all reasonable efforts to positively identify the source of the threat.
6. Officers should also identify the victims or targeted persons. This may be the complainant, another individual or group (such as a school class or work team), or a population affiliated with an institution or organization. All persons mentioned explicitly or reasonably believed to be the subject of a direct threat should be positively identified and contacted by law enforcement.
7. Officers should assist potential victims or targeted persons in the creation of a safety plan where feasible/appropriate.
8. A priority report shall be completed prior to the end of the officer's shift.

Generally, the more of these imminence factors present, the more imminent the threat. An imminent threat may present with just one of these factors.

### **Patrol Sergeant**

1. Monitor or respond in the beginning of the investigation and should consult with appropriate MPD resources (Mental Health Unit, Criminal Intelligence Section, etc.) as needed.
2. A field supervisor should respond to every reported threat of targeted or mass casualty violence.
3. The supervisor should assist the investigating officer in evaluating the threat.
4. If an imminent threat is present, the supervisor shall direct resources to intercept the threat and to take the suspect into custody.
5. Supervisors should direct the investigation with the goal of referring charges for any criminal violations present.
6. The supervisor shall ensure that the Officer In Charge (OIC) is notified in a timely manner.

### **Officer-In-Charge (OIC)**

1. During imminent threats, the OIC shall notify district command staff per Notification of Commanding Officer Standard Operating Procedure (SOP).
2. Additionally, in imminent threats, the Captain of Community Outreach and/or the Lieutenant of Community Outreach & Emergency Management shall be contacted.

### **Follow-up investigators**

Threats of targeted or mass casualty violence should generally be assigned for follow up by the appropriate district detective lieutenant. The assigned detective/officer should consult with CIS and MHU to determine appropriate investigative goals/tasks and to assess the ongoing risk posed by the suspect.

Follow up investigators should consider consent or compulsory searches of the suspect's vehicle and room, searching for weapons, plans, or statements and evidence speaking to the suspect's state of mind or veracity of the threat. Investigators should also generally interview the person of concern directly and in person.

### **Follow-up Investigations**

Threats of targeted or mass casualty violence shall be assigned to a district detective for initial follow up by the appropriate district detective lieutenant. The district detective lieutenant should also notify the Mental Health Unit about the assigned threat investigation. Follow up investigators should consider

consent or compulsory searches of the suspect's vehicle and room, searching for weapons, plans, or statements and evidence speaking to the suspect's state of mind or veracity of the threat. Investigators should also generally interview the person of concern directly and in person.

The MHU Sergeant should consult with the CIS Sergeant, embedded crisis workers, and detectives with additional threat assessment training. Through consultation, the MHU Sergeant should assign additional resources as needed.

## Case Management

After a threat assessment has been completed and a risk level has been identified, a management strategy should be implemented. To the extent possible, efforts should be made to connect individuals with resources in order to positively engage persons of concern and to interrupt the pathway to violence. All outreach efforts shall be documented in a report.

## Risk Level Addendum

(Source: *Making Prevention a Reality: Identifying, Assessing, and Managing the Threat of Targeted Attacks*, FBI 2015)

### Risk Levels

To determine a risk level, research has shown these elements to be present in communications and persons of concern. All elements do not need to be present for the risk level to be achieved.

#### ***Imminent:***

##### Concerning Communication

- The communication suggests all inhibitors to violence are gone; the person's life is rapidly changing in a manner that compels violence.
- The communication presents a time or violent action imperative.
- The communication suggests the author perceives that outside factors are closing the window of opportunity for an attack.
- A communication indicates that a breach or attack has already begun; claims credit for or rationalizes an attack; or establishes the author's legacy.
- A communication is written in such a way to imply the author is already dead.

##### Persons of Concern

- Acquisition of equipment or weapons, rehearsal or training.
- Circumventing security measures at a target location, probing security, approaching or stalking the target.
- Exhibiting an increased pace or rate of activities related to a potential target.
- A person exhibiting demonstrating increased distress, diminishing alternatives to violence, or a decompensation in self-care or hygiene.
- A person has taken concrete steps to prepare for the end of their life.
- A person who has recently withdrawn from normal life patterns and/or physically withdrawn to somewhere with increased privacy.
- A person who has suddenly ceased the use of regular medication or substance use.

## High Risk

##### Concerning Communication

- Language is more action oriented
- Message is phrased as though the relationship with the person will be coming to an end
- Statements conveying action will be taken to resolve the grievance

- Message contains the means and ability for the person to carry of the threat
- Expressions of accepting responsibility for the violence and that violence is the only option to achieve a sense of justice

#### Persons of Concern

- Virtually or actually rehearsing the attack to ensure their ability to commit violence
- Finalized planning and preparing for an attack
- Attempting to breach target's security
- A person may exhibit a combination of concerning warning behaviors and risk factors
- Has the means and ability to carry out a violent attack
- Appears willing to accept all consequences
- Violence appears to be the only option

### **Elevated Risk**

#### Concerning Communication

- Reflects an increase in intensity and/or severity
- Multiple methods of delivery may be used (e.g. in-person, phone, mail, email, text, etc.)
- Indications that research has been conducted on the target and has acquired necessary inside, personal, or background information on potential victims
- References to 'special authority' for violent action, such as divine sanction
- Directed or fixated on a cause or person
- A dramatic increase in tone in a series of communication
- Statements referencing time sensitivity

#### Persons of Concern

- Stressors in a person's life may be escalating
- Suicidal/homicidal ideations may be present
- Person may desire recognition and believes violence can help them achieve this
- Recent acquisition of weapons and training with them that are contextually inappropriate and an escalation from the person's norm
- Spending lots of time on research and/or surveillance

### **Moderate Risk**

#### Concerning Communication

- Explains a grievance and may suggest violence is being considered
- Statements indicating the person has conducted some research and has acquired some knowledge beyond what is publicly known
- Reference to engaging in warning behaviors and presence of risk factors
- No sense of urgency and may still be pursuing peaceful alternative to resolving the grievance
- Communication may suggest ambivalence indicating their mind may not be made up that violence is the only answer

#### Person of Concern

- Absence of significant inhibitors
- May have a grievance and is more likely to be considering violence as an option
- May not have made a decision to act out violently
- Others are concerned person may become violent
- Exhibiting some warning behaviors
- May be engaged in the research and planning phase by gathering more information on a target

- Increased number of risk factors that may not be appropriately managed
- Present or forthcoming stressors that may negatively impact the person

### **Low Risk**

#### Concerning Communication

- Causes some concern about potential violence, but may be confusing, unrealistic, or make no allusions to violence at all
- No clear grievance
- Communication appears to be venting instead of warning of future predatory violence
- References to the possibility for peaceful resolutions
- Referencing of inaccurate information about a target
- Non-committal language
- Threatened action may be unrealistic or improbable (i.e. "I will plant a nuclear bomb at work")
- Phrased to try to convince the reader of its seriousness rather than conveying the seriousness (e.g. "This is not a joke.")
- Method of delivery does not suggest an in person approach

#### Person of Concern

- The person's actions and language still suggest they are seeking a peaceful resolution
- If the person has a grievance, it has not reached the level where violence appears justified
- Violence may not be an acceptable means to achieve justice to the person
- No pressing time imperative
- Threat may serve as venting
- Few or no warning behaviors and risk factors
- Circumstances make it nearly impossible for the person to carry out the threat (i.e., person is incarcerated and does not have someone willing to act on their behalf)
- Inhibitors outweigh enhancers

Original SOP: 04/26/2019  
(Reviewed Only: 01/31/2020, 01/11/2021, 02/04/2022)  
(Revised: 01/16/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



USE OF TIRE DEFLATION DEVICES

Eff. Date: ~~07/20/2020~~ 02/07/2023

## Purpose

The purpose of this standard operating procedure (SOP) is to establish guidelines on the safe use of tire deflation devices.

## APPLICABILITY

This SOP governs the actions of MPD officers for MPD initiated response as well as MPD involvement in mutual aid requests for pursuit assistance coming into the City.

## DEFINITIONS

**Tire Deflation Device:** These devices are spiked strips or sticks that are put down on the roadway to deflate the tires of any vehicle running over them. The tires lose air, making continued travel difficult or impossible. Timing is critical, requiring good communication and coordination among officers. When deploying tire-deflation devices, there should be adequate warning and sufficient distance to permit the suspect to stop before reaching the device. Proper training is necessary in order for officers to use this technique. Only tire deflation devices approved by the Madison Police Department are approved for use by Madison Police Department employees.

**Stationary Vehicle:** Any vehicle with four or more tires, which has the apparent ability to be driven away from the scene of an incident.

**Moving Vehicle:** Any vehicle with four or more tires, which is being operated in such a manner as to avoid the arrest of the occupant.

## PROCEDURES

1. Only officers who have successfully completed training in the proper use and deployment techniques of the tire deflation device are authorized to deploy the system.
2. Only department issued tire deflation devices will be utilized.
3. The tire deflation device will not be deployed on two or three wheeled vehicles unless the use of deadly force is justified.
4. Prior to beginning each tour of duty, officers will determine if their squad is equipped with a tire deflation device and verify that it is in proper working order.

## AUTHORIZED USE

### Stationary Vehicle

1. A tire deflation device may be deployed when the possibility exists that a wanted or dangerous person may enter a vehicle and leave an area of containment (during an active police operation).
2. A tire deflation device may be utilized to contain a suspected impaired driver who refuses to exit a vehicle and may attempt to drive away after being stopped by an officer.

A tire deflation device may only be deployed on a stationary vehicle when a reasonable belief exists that the vehicle will be operated or occupied by an individual posing a risk to officers or to the public. Officers must maintain visual sight of a stationary vehicle after a tire deflation device has been deployed, and warn the driver of the devices prior to him/her operating the vehicle (if feasible).

### **Moving Vehicle**

1. A tire deflation device may be deployed during an active MPD vehicle pursuit.
2. MPD officers may deploy tire deflation devices to stop vehicles fleeing from another agency that have entered the City of Madison without a specific mutual aid request. Deployment in these instances will only be done with a supervisor's approval, unless it is impractical to obtain such approval. Outside agency officers involved in the pursuit will be notified prior to deployment if possible.
3. A tire deflation device may be deployed on a moving vehicle not being actively pursued with the approval of a supervisor only under these circumstances:
  - a. A reasonable belief exists that the vehicle has recently fled from officers attempting to stop it (whether an actual pursuit followed or not); or
  - b. Pursuit of the vehicle is not authorized, but the vehicle is or has recently been operating in an extremely unsafe manner that creates a risk to the public.
  - c. When an officer has probable cause to believe that a vehicle contains a dangerous suspect who is wanted or has outstanding probable cause for arrest.

If a tire deflation device is deployed in this circumstance, officers should attempt to stop the vehicle once the tire(s) are deflated. Officers shall continue to follow the authorized pursuit guidelines of the Emergency Vehicle Operations Guidelines if the vehicle does not stop.

Prior to deploying the tire deflation device, the deploying officer will advise the pursuing officers of the location of the deployment. Once the suspect vehicle has passed over the device, the deploying officer will remove the device from the roadway.

### **USE CONSIDERATIONS**

1. Motor vehicle pursuits are inherently dangerous and attempts by officers to bring a pursuit to a safe conclusion, including the deployment of tire deflation devices, carry with them additional risks and dangers. In order to reduce the risks to officers deploying a tire deflation device, the following safety issues should be considered:
  - a. Officers should deploy the device from behind cover, which will provide them protection from a motor vehicle traveling at high speed (e.g. bridge abutment, overpass pillars, guardrail, concrete barrier, or large trees).
  - b. Deploying officers should not use a vehicle as cover when deploying the tire deflation device.
  - c. Deployment location should allow the officer to safely observe the suspect vehicle and other traffic as it approaches.
  - d. Deploying officers should always have an escape route available.
  - e. Although low-light and dark conditions can provide an officer with a level of concealment, it can make judging distance and the lane position of a vehicle difficult.

- f. Deploying officers should allow for sufficient time for a proper tire deflation device deployment, as rushed deployments are often ineffective and dangerous.
- g. Deploying officers shall not enter the roadway, or lanes of travel, in order to remove the tire deflation device until such time when all vehicles involved in the pursuit have passed and it is safe to do so.

### DEPLOYING OFFICERS

Ensure that they communicate with the pursuing officers the exact location of the planned tire deflation device deployment. Monitor radio transmissions of the ongoing pursuit.

Deploying officers will re-pack the tire deflation devices and place back into squad car and prior to the end of shift the tire deflation device will be inspected and any missing spikes will be replaced at that time. The fully functional device will then be returned to the squad.

### PURSUING OFFICERS

1. Maintain communications with the deploying officer.
2. Pursuing officers will decrease vehicle speed as they approach the tire deflation device deployment location and proceed cautiously through the deployment area.
3. In the event the tire deflation device has not been removed from the roadway, officers involved in the pursuit should continue driving over the system. Do not attempt to swerve or come to an abrupt stop.

### REPORTING REQUIREMENTS

Officers deploying tire deflation devices will complete a supplemental report including all pertinent facts surrounding their use.

Original SOP: 07/20/2020  
(Reviewed Only: 02/04/2022)  
(Revised: 02/07/2023)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Tours, Visitors, and Ride-Alongs

Eff. Date ~~10/19/2021~~ 01/31/2023

**Purpose**

Tours of police facilities will be conducted for approved groups who have expressed an interest in observing the functions of the Madison Police Department (MPD).

Most MPD facilities have areas within them that are secured and not accessible to the general public. We recognize that members of the general public and other law enforcement officials will have a need to enter into these secure areas from time to time. When doing so, all visitors will be expected to comply with all security measures put in place.

Unlike many jobs in today's society, the duties of a police employee are not easily described to persons outside the profession. Therefore, the purpose of allowing citizens to ride with police employees is to add to the public's knowledge of the complexities of the law enforcement profession and of the relationship between law enforcement and the public.

**Procedure**

**TOURS OF POLICE FACILITIES**

Tour screening and coordination will be the responsibility of the Public Information Officer (PIO) and conducted by various volunteers of the MPD. All tour groups must be escorted at all times.

**VISITORS OF POLICE FACILITIES**

Visitors coming into any secure area of a police facility will need to be escorted by an employee of the MPD. Visitors must sign the MPD visitor log and must wear a visitor badge so that it is in plain view.

**RIDE-ALONG PROCEDURE**

**Ride-Along Program Responsibility of the Police Executive Office Supervisor Administrative Assistant of the Chief**

The administration of the Ride-Along Program is the responsibility of the Police Executive Office Supervisor Administrative Assistant of the Chief. Requests for permission to participate in a ride-along will be handled by this office unless the ride-along participant is a non-commissioned MPD employee, or an intern, or the ride-along was initiated by an officer. Eligibility of each applicant will be determined by the Police Executive Office Supervisor Administrative Assistant of the Chief. The Police Executive Office Supervisor Administrative Assistant of the Chief will be responsible for collecting the name, address, date of birth, and home phone number of each person requesting to ride. The Police Executive Office Supervisor Administrative Assistant of the Chief will conduct background checks on applicants. The Police Executive Office Supervisor Administrative Assistant of the Chief will disseminate viable applications to district commanders who will schedule officers to accommodate ride-along assignments.

**Ride-Along Database**

A ride-along database will be maintained electronically by the Police Executive Office Supervisor Administrative Assistant of the Chief. The data will contain a complete listing of those who have participated in the ride-along program including the date of their ride-along and the officer they were assigned to. ~~employee with whom they rode with.~~

Generally, a person taking part in the program may not ride-along more than once per year unless the ride-along participant is a non-commissioned employee, an intern, or a public safety cadet, or the ride-along was initiated by an officer.

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### **Voluntary Employee Participation**

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Employee participation in the ride-along program will be voluntary. Employees may wish to advise their commander of their willingness to participate in the program.

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### **Waiver of Liability Form**

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The Waiver of Liability form must be completed by the person requesting to ride and the employee performing the ride-along prior to the beginning of the ride-along. A supervisor must also sign the approval of the waiver prior to the start of the ride. The completed waiver form will be forwarded to the Police Executive Office Supervisor Administrative Assistant of the Chief and completed waiver forms will be kept on file. These waiver forms will be purged in accordance to the MPD records retention schedule approved by the State Records Board.

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### **Duration of Ride-Along**

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It is suggested that the length of the ride-along period will be four (4) hours. The total duration time period of the ride-along is to be recorded on the Waiver of Liability form.

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### **Juvenile Ride-Along**

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All juvenile (ages 15-17) ride-along periods will be conducted between the hours of 7:00 a.m. and 7:00 p.m. The majority of the ride-alongs will be scheduled as early in the afternoon as possible. Extensions to 10:00 p.m. for a juvenile ride-along may be granted by the Officer-in-Charge (OIC). The extension and exact time of the ride-along shall be documented on the returned Waiver of Liability form. Requests for juveniles under the age of 15 must be approved by the Chief of Police.

Public Safety Cadets, a program for youth ages 14-20, are exempt from the age and hour restrictions set in place for juveniles.

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### **Employee Initiated Ride-Alongs**

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MPD personnel will be allowed to initiate ride-alongs for relatives or friends. Employees should obtain the approval of their immediate supervisor or OIC on the waiver form for employee initiated ride-alongs.

The number of ride-alongs an employee will be allowed to take will be determined on an individual basis. Some criteria in making the determination will be the following:

1. The number of employee-initiated ride-alongs performed.
2. The effect of the ride-alongs on the employee's ability to perform assigned duties.
3. The time period covered by the ride-along involved.

The number of ride-alongs determination will be made in conjunction with the Police Executive Office Supervisor Administrative Assistant of the Chief and the officer's supervisor(s).

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### **Non-Commissioned Employee Ride-Alongs**

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Non-commissioned employees of the MPD may be authorized to ride-along (on duty time) more than once per year if their supervisor believes such action will increase the employee's understanding and performance of assigned duties.

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## Intern Ride-Alongs

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Persons working on projects involving the MPD may be granted permission to extend the ride-along period. Interns working with the MPD should complete the Internship Waiver of Liability form prior to the start of the internship, if the internship includes ride-alongs with MPD personnel. Public Safety Cadets should complete the Public Safety Cadets Wavier of Liability form at the beginning of each calendar year.

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## Employee Participation

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Employees on probation will not be allowed to participate in the ride-along program unless prior approval has been obtained from the employee's Commanding Officer.

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## One Ride-Along Limit

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There will only be one ride-along participant assigned to an employee at any given time unless approved by the OIC (e.g., camera crew for approved interview).

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## Scene Guidelines

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Officers shall adhere to the following guidelines when determining whether to allow a ride-along to enter a scene:

1. Ride-along participants may not accompany officers into private residences or into any other place not readily open to the public when the officer's legal basis for entering is not based upon consent (i.e., warrant execution, exigent circumstances, community caretaker, etc.).
2. Ride-along participants may accompany officers into private residences or into any other places not readily open to the public when:
  - a. The owner/resident or other person in control of the premises expressly consents to the ride-along participant's entry.
  - b. The ride-along participant is directly assisting the officer in the performance of the officer's duties (example: intern assisting with searching or evidence collection during search warrant execution).
3. Ride-along participants may accompany officers any place that is open to the public, subject to state and local laws (i.e., underage persons not to enter taverns).
4. Ride-along participants may not exit the squad car during a traffic stop prior to the occupants being secured, unless it is necessary to ensure their safety or when approved by a supervisor.

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## Ride-Along Personal Appearance

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All ride-along participants are visible representatives of the City of Madison and its Police Department and as such, a neat, clean, and professional appearance is required. Ride-along participants shall adhere to the following guidelines regarding their personal appearance during their ride-along experience:

1. Clothing shall not be torn, frayed, stained, excessively faded, or sheer to the skin.
2. Clothing shall not be excessively loose or tight fitting and must not pose a safety hazard when accompanying officers on calls for service.
3. Clothing, buttons, badges, or pins shall not have political or potentially offensive words, terms, logos, pictures, cartoons, or slogans.
4. Shorts may be worn as long as they are knee length or longer and are professional in appearance.
5. Undergarments shall not be visible.
6. Footwear should consist of closed toed shoes. Sandals, open toed shoes, or open back shoes could potentially be a safety hazard and shall not be worn.
7. Strapless, halter, spaghetti strap, low cut shirts, tank tops, or muscle shirts shall not be worn unless worn under another shirt.
8. Sweatpants, bib overalls, lounge pants, and athletic pants and shorts are not acceptable.

9. Headgear shall be appropriate for the assignment. Scarves and head covers that are required for religious or medical purposes shall be allowed.
10. Public Safety Cadets may not wear their Cadet uniform, Cadet t-shirt, or other Cadet or MPD apparel.

### **Restriction Applications**

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The restrictions outlined in this SOP apply to all civilian ride-along participants, including interns, students, and non-commissioned MPD employees.

Original SOP: 02/25/2015

(Revised: 02/12/2016, 11/09/2017, 08/13/2018, 09/02/2020, 10/19/2021, 01/31/2023)

(Reviewed Only: 12/20/2016)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Tuition Reimbursement and Educational Incentive (MPPOA)

Eff. Date ~~11/18/2019~~ 01/31/2023

## Purpose

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

## Procedure

### EDUCATIONAL INCENTIVE

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

- credits have been earned at a **two-year two-year** school, any additional credits will count only as points.
- If an officer transfers credits from one school to another, the credits can only count one time. (For example: if an officer takes 10 credits at one college and **they then** transfers to a second college **where and** an associate's degree is received, those 10 credits become part of the 70 points awarded for an associate's degree; **they** cannot count twice. If only **six 6** credits transfer, then **6 six credits** will be included in the 70 and **four 4** will be added to the 70 **IF** they were taken at a **four-year four-year** college. If they were taken at a **two-year two-year** college, they do not increase the credits achieved.)
  - Since the MPPOA contract awards educational incentive at a different rate for points vs. credits, **these points and credits** will be tracked separately. (For example, in the current MPPOA contract, a 15% educational incentive is either 130 points **OR** 96 college credits.)
  - As Tuition Reimbursements are paid, those additional credits will also be added to the Education Incentive file to help track the officer's progress. **Submission of transcripts with a request for reimbursement will be considered proper notification to your departmental PD Purchasing under Article VIII of the MPPOA contract, i.e., for additional incentive points – unless there is a discrepancy between the grade report and previously received transcripts.**
    - If a discrepancy is noted between the transcripts and the grade report, the officer will be notified that they should submit a current and complete transcript to ensure that the points/credits are up-to-date. There will be no update in the educational incentive until the discrepancy is resolved.
  - Accredited vocational school courses with non-transferable as well as transferable credits will receive full credit. Non-accredited vocational and military courses will count as 1/48 point. Appropriate documentation of hours attended at either vocational or military courses will be required in order to receive points.
  - Reference the current MPPOA contract (For the period **January 1, 2018–December 31, 2021 January 1, 2022–December 31, 2025**): Appendix 'A' item C7, 1/16 of a point is awarded for each class hour at approved seminars, short courses, etc., conducted by state, federal, or other training agencies, outside of the in-service or other MPD training provided by the department.
    - The documentation needed for this is proof that an officer attended and, if applicable, passed the course. This would be in the form of a diploma/certificate. Documentation must be provided by the employee to the MPD Finance Unit within six months of completion of the course. Providing documentation to MPD Training personnel will not be considered as fulfilling the requirement to provide this documentation to the Finance Unit. Documentation must include the date of the course, total number of hours attended, location of the course, and information regarding who provided the training.
    - Training completed pre-employment will not be given points.
    - Training that is provided by MPD personnel is not eligible for training points.
    - Training hosted by the MPD (usually at the Training Center) may be eligible for training points provided that the course is taught by non-MPD personnel and is not counted toward the required in-service or employee development needed to maintain state certification.
    - **Training attended on duty time will not be given points.**
  - One point is added for each full year of service in the department, to be given on each officer's anniversary date.
    - Every year, the Account Tech will update the year on each officer's sheet to increase the points by one. The Account Tech will then evaluate if a step increase is warranted.
  - If a new incentive level is reached, the Account Tech will submit the appropriate paperwork to payroll.
    - Educational Incentives start at the beginning of the next pay period **AFTER** the employee submits the documentation. **Educational Incentive is never backdated.**
  - The Account Tech will then email the employee of the change in education incentive pay with a reminder that the employee should verify the incentive level. **It is ultimately the officer's responsibility to verify all points are correct and the correct incentive level is given.**

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



## TUITION REIMBURSEMENT

Tuition Reimbursement is for members of MPPOA once they successfully complete all parts of the pre-service academy and all field training phases. Any officer that leaves the department with less than five years of service, following receipt of tuition reimbursement, will need to repay 100% of those funds received in those five years unless they are eligible for **WRF, SS, WRS, Social Security**, or other public employment fund annuities.

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

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



## Procedures for Master Level Tuition Reimbursement

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

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

Original SOP: 04/01/2014

(Revised: 02/24/2016, 02/08/2017, 05/23/2017, 09/08/2017, 11/18/2019, 01/31/2023)

(Reviewed Only: 12/26/2017)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



## Uniform Accounts

Eff. Date ~~11/15/2016~~ 01/31/2023

### Purpose

The Madison Police Department (MPD) has implemented various procedures to provide for uniform purchases as authorized in the **Madison Professional Police Officers Association (MPPOA)** and **Association of Madison Police Supervisor (AMPS)** labor contracts, and in the General Benefits Handbook for General Municipal Employees. This procedure is managed by the Purchasing Section of **MPD** Finance.

### Procedure

1. The use of uniform account funds to purchase items is specifically addressed within various labor contracts and/or employee handbooks. Only those items approved by the Chief of Police may be purchased with uniform account funds.
  - The list of approved items is maintained on the Police Intranet in the "How To" section titled Uniform Purchasing. Within this document under the header "Uniform Account Benefits and Provisions", there is a complete list of approved items.
  - To make changes and/or additions to the approved list, an employee must follow the process outlined in the memo issued by **Assistant Asst.** Chief Davenport on October 16, 2013. This memo is also maintained on the Police Intranet in the document titled Uniform Purchasing, under the header "Uniform Account Benefits and Provisions." The link to the memo is titled "Process for Requesting Additions/Changes to Approved Uniform/Equipment Lists Memo."
2. No reimbursements will be made for items purchased by an employee outside of the approved process.
3. Each labor contract or employee handbook specifically outlines the funding that can be carried over from one year to the next by each labor group. Government financial guidelines require that an item be **RECEIVED** in the year it is paid for.
  - Employees are strongly encouraged to plan ahead when making uniform purchases in order to avoid the potential loss of uniform funds due to the inability of the vendor to deliver items prior to the end of a calendar year.
  - Items listed as "backordered" are not actually charged to an employee's account until they are received. If an item is still in backordered status at the end of the calendar year, the cost is then moved to the next calendar year uniform account. If not managed correctly, this could result in the loss of carryover funds to the employee. Regardless of when an item is ordered, the employee can only carry over the maximum amount allowed by contract.
  - Due to manufacturing criteria and product inventory related to winter clothing, it is recommended that employees order any winter gear by August.
  - Employees should always track their orders to ensure that there are no issues with backorders not being received in a timely manner. If there are issues with backorders, the employee should notify PD Purchasing, in addition to following the procedures for working with the department's uniform and equipment vendor (currently Galls). It is the employee's responsibility to monitor their personal uniform account balance.
4. Notices will be issued periodically from the MPD Purchasing Clerk (currently Elise Cole), regarding various purchasing deadlines. These deadlines apply to placing an order. It will remain the employee's responsibility to ensure that if they wait until a deadline for ordering, that there is still sufficient time to receive any item ordered prior to the end of the year and the close of funding for that cycle.

5. Each employee has a personal Galls account. Galls will deliver uniform articles to each of the District Stations and to the MPD Training Center. The employee is responsible for selecting the address for their district station on their personal Galls website account. When an employee is reassigned, it is their responsibility to update the location for uniform item delivery. If there are any questions/concerns regarding receipt of items, the employee should work directly with the vendor.
6. Upon receipt of any uniform or equipment items, it is the employee's responsibility to review the packing slip and verify that all items have been received. Estimated shipping dates for items on backorder can be viewed on the employees' online uniform account. Items received should be checked immediately for defects and/or accurate sizing. If there are any questions/concerns regarding receipt of items, including concerns about size/model, the employee should work directly with the vendor by contacting [madisonhelp@galls.com](mailto:madisonhelp@galls.com) the Galls Strategic Account Manager assigned to MPD. Galls must be contacted within 30 days of the receipt of any item regarding any return requests. (Purchasing staff will not open deliveries of individual uniform items, even when those items are delivered downtown.) It is particularly important that officers receiving a new ballistic vest try the vest on immediately so that any fit issues can be brought to Galls attention for remedy.
7. The purpose of providing individual uniform accounts online is to allow each employee a process for managing their funds. Employees should review all information regarding deductions and/or credits on their account and verify that orders and adjustments are accurate. It is important that all questions, concerns, and/or errors are addressed within 30 days, via an email to either Galls (for orders relating to that vendor) or PD Purchasing (for all non-Galls items).
8. At the beginning of each year, all employees that have a uniform account should verify that the amount carried over from the prior year and the amounts added as an annual allocation are correct. All employees on a clothing allowance should verify that any changes in clothing allowance deductions are accurate. This is particularly important for those employees that have elected to change from either uniform to clothing allowance or clothing allowance to uniform account. If an employee is receiving a clothing allowance, they are not authorized to also receive additional funds in their uniform account. It is the responsibility of the employee to notify PD Purchasing if their uniform account information is incorrect.
9. All uniform and equipment items purchased for new employees by the City or through an employee's uniform account must be returned if the employee terminates employment with the City within five (5) years of the date of hire, regardless of the reason. The Captain of Personnel and Training maintains a current list of items. Items purchased on an employee's uniform account within the last working month (not in paid leave status) of their employment, or purchased but not received until the last working month of their employment, will be returned to the City.

For any additional questions, please email PD Purchasing.

Original SOP: 02/25/2015  
(Revised: 02/24/2016, 11/15/2016, 01/31/2023)  
(Reviewed Only: 12/26/2017, 01/31/2020)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Update of Payroll/Status for Promoted Employees

Eff. Date 02/01/2021-01/31/2023

**Purpose**

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

**Definitions**

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

**Procedure**

1. The Chief designates an employee for promotion.

If there is more than one employee promoted on the same date, seniority is determined by the order the Chief designates. The memo sent out by the Police Executive Office Supervisor/Chief's Administrative Assistant will list the promoted employees in seniority order.

2. Determination of Effective Start Date

The Executive Section/Operations Captain will work with the Finance Manager to determine the effective start date of each employee in their promoted assignment and notify the Police Executive Office Supervisor/Chief's Administrative Assistant and the Captain of Training of the appropriate date.

- The effective start date of the promoted assignment will not occur until an actual vacancy exists. If there is a critical need for a promotion prior to that date, the appropriate City Personnel Rules and/or labor contract will be followed in regard to obtaining approval for the "double fill" of the position.
- The effective start date does not include initial cross-training dates when the employee is not primarily responsible for the promoted assignment. For all promoted positions except for Sergeant promotions, cross-training will take place at the non-promoted rank. For Sergeant promotions, the first week of cross-training will take place at the non-promoted rank. The second and third weeks of cross-training will take place at the promoted rank.
- It is preferred that promotional start dates coincide with the start of a payroll period. Exceptions can be made if there is a critical need (the Executive Section/Operations Captain should consult with the Finance Manager to ensure that the correct date is used).
- The Police Executive Office Supervisor/Chief's Administrative Assistant will issue the appropriate memos regarding the notification of the promotion and the effective start date and will place the documents in the employee's personnel file.

### 3. Payroll Status: Acting

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

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

### 4. Payroll Status: Acting-Promotional Capacity

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

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

### 5. Police and Fire Commission Promotional Review Process

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

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

#### PFC Approval of the Preliminary Promotional Designation

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

## 6. Payroll Status Change from Acting-Promotional

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

## 7. Probationary Promotional Period

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

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

## 8. Promotional Memo to Employee

The **Police Executive Office Supervisor** ~~Chief's Administrative Assistant~~ will issue the appropriate memo indicating the final promotional designation and approval of the PFC.

Original SOP: 03/01/2014

(Revised: 03/31/2015, 04/03/2015, 02/12/2016, 01/06/2017, 02/02/2018, 02/01/2021, 01/31/2023)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Use of Force

Eff. Date ~~06/27/2022~~ 01/31/2023

### Purpose

Consistent with our Mission and Core Values, the Madison Police Department (MPD) is committed to valuing protecting and preserving human life. The protection and preservation of all human life – including the lives of individuals being taken into custody – is the MPD’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 MPD is committed to resolving conflicts through the use of communication skills, crisis intervention, and de-escalation tactics, when feasible. Officers may only use that force which is objectively reasonable, and only in furtherance of a legitimate, lawful objective. “Objective reasonableness” is a test based on the totality of the circumstances. *Graham v. Connor*, 490 U.S. 386 (1989). Officers will only apply force in a manner consistent with MPD’s Code of Conduct, SOP, and training.

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

### DE-ESCALATION

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

### DUTY TO INTERVENE

Any officer present and observing another officer using excessive force, engaged in unlawful conduct, or in violation of the Madison Police Department’s Code of Conduct has an affirmative obligation to intervene and to report without regard for chain of command or experience of the personnel involved. An officer shall intervene, only if circumstances are such to safely do so and if the force in question is clearly beyond what is objectively reasonable under the circumstances. Any officer observing the use of excessive force shall notify an uninvolved supervisor as soon as practicable. No officer may be discharged, disciplined, demoted, or otherwise discriminated against because the officer intervened to prevent what they believed was excessive force or reported or is thought believed to have reported what they believed to be excessive force.

### NON-DEADLY FORCE

#### THE USE OF OLEORESIN CAPSICUM SPRAY (OC SPRAY)

1. Officers may use OC spray when they reasonably believe they are facing active resistance, or its threat, from the subject. OC spray is not to be used against subjects who are offering only passive resistance.
2. Officers shall only direct OC spray in a manner as prescribed by the Chief of Police through MPD training.
3. OC spray shall not be used once an individual is subdued and under control.
4. High-volume OC delivery systems (larger than MK-9) will only be used as outlined below.
5. If practical, the individual on whom OC spray was used should be provided with an opportunity to eliminate the effects of the irritant by washing and flushing the affected areas with water.



## USE OF SPECIALIZED CHEMICAL IRRITANT DELIVERY SYSTEMS

Specialized chemical irritant delivery systems include the following:

1. High-volume OC delivery systems (larger than MK-9)
2. Projectile-delivered chemical irritants (OC or CS)
3. Hand-thrown chemical irritant canisters (OC or CS)

Specialized chemical irritant delivery systems will only be deployed by officers who have been trained in their use, and use will be consistent with departmental training. Only delivery systems and munitions approved by the Chief of Police or designee are authorized for use.

**Unlawful Assembly/Crowd Control** – Specialized chemical irritant delivery systems will only be used in a crowd control context under the following circumstances:

1. Dispersal of unlawful assembly
  - a. The incident commander has declared an unlawful assembly and made the decision to disperse a crowd as outlined in the MPD Demonstrations and Assemblies SOP.
  - b. Appropriate warnings have been provided as outlined in the MPD Demonstrations and Assemblies SOP.
  - c. The crowd has been provided reasonable time to disperse but has not dispersed voluntarily.
  - d. Unlawful behavior resulting in the unlawful assembly declaration is continuing.
  - e. The incident commander determines that the use of specialized chemical irritant delivery systems is reasonably necessary to do one or more of the following:
    - i. Protect officers or others from imminent physical harm;
    - ii. Respond to specific acts of violence or property damage;
    - iii. Disperse the crowd without utilizing more intrusive levels of force.
  - f. Avenues of egress for the crowd exist.
  - g. Officers involved are appropriately equipped and notified that use of specialized chemical irritant delivery systems is imminent.
  - h. The incident commander should also balance the immediate need for the use of specialized chemical irritant delivery systems (the severity and volume of unlawful activity) with the potential for adverse impact of said use (effect on uninvolved persons; visibility/traffic concerns; etc.).
  - i. The incident commander has approved use.
2. Exigent circumstances  
In all but the most extreme circumstances, specialized chemical irritant delivery systems should only be deployed to disperse an unlawful assembly with incident commander approval as outlined above. Emergency deployment without incident commander approval is only permitted under the following circumstances:
  - a. Criteria for an unlawful assembly exists.
  - b. An urgent and immediate threat of physical harm to officers or others exists.
  - c. The risk of immediate physical harm is such that approval from the incident commander for deployment cannot be sought without unreasonably risking the safety of officers or others.
  - d. Addressing the immediate threat by use of other force options is not practical or would be ineffective.
  - e. Avenues of egress for the crowd exist.
  - f. Deploying officers will notify the incident commander of the use of specialized chemical irritant delivery systems as soon as practical.

**Tactical operations/barricaded subjects** – When seeking resolution of a barricaded suspect/subject incident, specialized chemical irritant delivery systems may be utilized as follows:

1. The decision has been made that intervention/resolution is required, consistent with the Barricaded Persons Incidents SOP.
2. Attempts to resolve the incident without tactical intervention have failed.
3. Legal authority to enter the area occupied by the suspect/subject exists.
4. The subject/suspect is armed or reasonably believed to be armed, or other circumstances suggest that tactical entry creates a significant risk to officers or others.
5. The incident commander determines that the use of specialized chemical irritant delivery systems is reasonably necessary to attempt to get the suspect/subject to exit (when avenues of egress/exit are available) or to facilitate safer employment of other tactical interventions.
6. Officers involved are appropriately equipped and notified that use of specialized chemical irritant delivery systems is imminent.
7. The incident commander should balance the need for the use of specialized chemical irritant delivery systems with the potential for adverse impact of said use (effect on uninvolved persons; visibility/traffic concerns; etc.).
8. Specialized chemical irritant delivery systems deployed to the interior of a dwelling must be non-pyrotechnic, unless deadly force is justified. This excludes pyrotechnic chemical munitions designed for interior use or delivered in an approved "burn box" or other similar device.
9. Specialized chemical irritant delivery systems should only be deployed by projectile if it is unsafe or impractical to deploy manually. Projectiles should be deployed in a manner to reduce the risk of striking a person.
10. The incident commander has approved use.
11. Specialized chemical irritant delivery systems may be deployed in tactical operation/barricaded subject incident without prior command approval under the following circumstances:
  - a. All of the criteria described above for command approved deployment are present;
  - b. An urgent and immediate threat of physical harm to officers or others exists;
  - c. The risk of immediate physical harm is such that approval from the incident commander for deployment cannot be sought without unreasonably risking the safety of officers or others.

## ELECTRONIC CONTROL DEVICE USE

1. An approved electronic control device (ECD) may only be utilized by officers who 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 be armed arm him or herself with an ECD without another officer at the scene having the immediate ability to deliver deadly force, unless unique circumstances indicate 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 only display, present, or threaten to use an ECD 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 probe 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.

#### REMOTE RESTRAINT DEVICE

1. Only department-approved remote restraint devices may be used, **and only** by officers that who successfully completed training in their use. Deployment of remote restraint devices will be in accordance with MPD training.
2. Remote restraint devices may be used only 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 a subject in order to prevent them from harming themselves or others.
3. Use of remote restraint devices is prohibited under the following circumstances, 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.
4. The remote restraint devices may not be intentionally fired at the face, head, neck, or groin unless deadly force is authorized.
5. If the remote restraint devices probes have penetrated the skin in a sensitive area (head, neck, groin, or breast), the subject will be conveyed to an emergency room for probe removal. If the probes are embedded in non-sensitive areas, a trained officer may remove them in accordance with training.
6. When deployed operationally, all cartridge components will be collected and property tagged.

## BATON USE

1. A baton may be used to overcome continued resistance, or assaultive/dangerous behavior 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 who have successfully completed training in their use. Deployment of impact projectiles will be in accordance with MPD training. Only munitions approved by the Chief of Police or designee are authorized for use.
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 indicate otherwise, an officer should not go armed 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 going armed 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 of a subject's body 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, neck, or groin 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. A deadly force investigation will commence only if deployment of an impact projectile results in death or great bodily harm.
8. Absent an imminent risk of harm to officers or community members, impact projectiles will not be used in crowd control situations. Before deploying an impact projectile in a crowd environment, the officers shall consider the density of the crowd and the potential for striking a bystander. 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 an 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 who 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 a department approved spit hood is not readily available, officers may utilize other breathable items, such as surgical masks, etc.
3. Subjects must be stabilized and restrained (handcuffed) before applying the hood. The subject should be advised, when practical, that a hood is being applied.
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 the MPD Use of Force Coordinator.

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

Any officer who uses physical force, or any of the following enumerated weapons, devices, or tactics against another person, shall complete an original or supplementary report on the incident during which the force was used:

1. Firearms (including pointing a firearm at an individual)
2. Baton or Less Lethal Impact Munitions
3. Chemical Agents, OC spray, or Electronic Control Devices
4. Handcuffs or other Restraining Devices, including hobble restraints, spit hoods, remote restraint devices, 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. A copy of the report should be routed to the MPD Use of Force Coordinator.

### **AFTERCARE**

Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with their training to any individual who has visible injuries, who complains of being injured, or who requests medical attention. Individuals taken into custody should be positioned in a way so that their breathing is not obstructed.

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 the subject 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. Any time 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 Force SOP.

If necessary, as part of the District's or PSIA's internal investigation, members from the 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.

## DEADLY FORCE

The use of deadly force is only authorized when, under any of the following circumstances, an officer reasonably believes a lesser degree of force would be insufficient:

1. To protect another person or persons from what is reasonably believed to be an imminent threat of death or great bodily harm.
2. To protect the officer from what is reasonably believed to be an imminent threat of death or great bodily harm.
3. To prevent the escape of a fleeing subject when all of the following are present:
  - a. The officer has probable cause to believe that the person has committed or has attempted to commit a felony involving the use or threatened use of deadly force.
  - b. The officer reasonably believes the subject presents a continuing imminent risk of great bodily harm or death to the officer or another subject if not immediately apprehended.
4. To protect the officer or another from an animal which an officer reasonably believes may cause great bodily harm if not immediately controlled, or to end the suffering of an animal gravely injured or diseased after considering public view, safety, and other reasonable dispositions.

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

## VERBAL WARNING

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

## DEADLY FORCE IS NEVER AUTHORIZED

Deadly force is never authorized:

1. As a warning shot.
2. From a moving vehicle, unless deadly force is justified and the consequences of not acting to stop the threat outweigh the risk created by the use of deadly force.
3. At a moving vehicle unless:
  - a. A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or
  - b. the vehicle is operated in a manner that reasonably appears deliberately intended to strike an officer or another person and all other reasonable means of defense have been exhausted (or are not present or practical), which includes moving out of the

- path of the vehicle. To prevent the threat of being struck by a vehicle, officers should avoid intentionally putting themselves in the path of any moving vehicle, and when such positioning is unavoidable, move out of the vehicle's path as soon as practical.
4. When its use unreasonably risks the lives of innocent bystanders.

### PROHIBITED TECHNIQUES

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

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

### AFTERCARE

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

### INVESTIGATION OF THE USE OF DEADLY FORCE

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

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, 01/14/2022, 04/25/2022, 06/21/2022, 06/27/2022, 01/31/2023)

(Reviewed Only: 12/22/2016)

(Deadly Force, Use of and Non-Deadly Force Use of SOPs combined into Use of Force SOP: 06/21/2022)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Use of Force Data Collection and Review

Eff. Date ~~01/15/2020~~ 01/31/2023

## 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 (SOPs). 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 Use of Force 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 (any level), 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, and 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, if an officer observes an injury, or if 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 **Officer in Charge (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 **SOPs 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 **SOPs 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, 01/11/2021, 02/04/2022)

(Revised: 02/03/2017, 11/16/2018, 01/15/2020, 01/31/2023)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



U Visa Program Participation

Eff. Date ~~12/20/2019~~ 01/31/2023

**Purpose**

The purpose of this procedure is to establish guidelines and procedures for Madison Police Department (MPD) personnel who receive requests for a U Visa Certification.

The MPD is committed to prevent further victimization of victims, regardless of their immigration status. The Federal U Visa Program offers this protection and strengthens our ability to detect, investigate, and prosecute crimes. Law enforcement has a role in this process to certify that a qualifying crime was committed and that the victim was cooperative with the investigative and prosecutorial processes.

The U nonimmigrant status (U Visa) is set aside for victims of certain crimes who have suffered mental or physical abuse and who are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity. Congress created the U nonimmigrant visa with the passage of the Victims of Trafficking and Violence Protection Act (including the Battered Immigrant Women's Protection Act) in October 2000. The legislation was intended to strengthen the ability of law enforcement agencies to investigate and prosecute cases of domestic violence, sexual assault, trafficking of aliens, and other crimes, while also protecting victims of crimes who have suffered substantial mental or physical abuse due to the crime and who are willing to help law enforcement authorities in the investigation or prosecution of the criminal activity. The legislation also helps law enforcement agencies to better serve victims of crimes.

**Procedure**

**ELIGIBILITY REQUIREMENTS FOR A U VISA**

To be eligible for a U Visa, immigrant victims must meet the federal statutory requirements and they must include a certification from a certifying official or agency (law enforcement) that they have been, are being, or are likely to be helpful in the detection, investigation, or prosecution of a qualifying crime.

Law enforcement personnel only need to verify the content on the I-918 Supplement B. This is the form used to show that the nonimmigrant was the victim of a crime, suffered substantial mental or physical abuse, and was cooperative, or has shown no reason why they would not be cooperative with further investigation or prosecution of the crime.

**MPD Employee Receiving the Request**

Accept and direct the U Visa request to the District Command Staff where the crime was committed, including any information related to name of victim, date of incident, MPD case number, I-918 Supplement B, Status Certification Form if it was included.

**District Command Staff Detective Lieutenant**

The law enforcement review is to certify that the qualifying crime occurred, and, when requested, that the victim was cooperative with the process, or has not shown that they will not cooperate.

1. Review the case and make sure any attached I-918 Supplement B, Status Certification Form is accurately completed. Generally, a completed copy of the form will be included with the cover letter from the applicant or their representative. Additional blank current versions of this form are available online from the U.S. Citizenship and Immigration Service.
2. If a completed I-918 Supplement B, Status Certification Form was submitted, compare the case details against the form for accuracy. Parts 1-5 should all be checked for accuracy against the police report.

3. If needed, a blank form can be completed to summarize the case.
4. Once the form is verified as accurate, it should be forwarded to the **Police Executive Office Supervisor** ~~Executive Section/Operations Captain~~ along with any pertinent police reports.

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**Executive Section/Operations Captain** ~~Police Executive Office Supervisor~~

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The **Police Executive Office Supervisor** ~~Executive Section/Operations Captain~~ will proceed with the verification process and will ensure that the necessary form is completed properly.

1. All requests will be submitted to the Chief, or the Chief's designee, for evaluation and decision on final approval.
2. The main copy of the U Visa form will be uploaded **into the Law Enforcement Records Management System (LERMS)** along with the case file.
3. A log of the associated case numbers for the U Visa certification requests will be maintained by the **Police Executive Office Supervisor** ~~Chief's Administrative Assistant~~.

Original SOP: 02/25/2015  
(Reviewed Only: 03/01/2016, 12/26/2017)  
(Revised: 01/20/2017, 12/20/2019, **01/31/2023**)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Vehicle Escorts

Eff. Date ~~04/27/2016~~ 01/31/2023

**PURPOSE:**

The Madison Police Department (MPD) may, within the guidelines of Wisconsin Statute 346.215 and upon approval of the Chief of Police or the Chief's designee, provide a police escort to a vehicle or a procession of vehicles for purposes of expediency, safety, dignitary protection, or other special circumstances.

Escorts are provided to enhance public safety and traffic flow. Impact on the general public and traffic will be minimized to the degree that allows for the necessary mission of the escort.

**PROCEDURE:**

I. **CONSIDERATION TO PROVIDE ESCORT:**

- A. When considering the rationale or need for a police escort, the following factors should be considered:
- Dignitary escort requested by an agency providing protective service.
  - Known or potential threat to person(s) to be escorted.
  - The need to keep a large group together, thus improving overall traffic safety and traffic flow.
  - The movement of large vehicles through congested areas.
  - Funeral Escorts approved and coordinated by MPD Honor Guard.

II. **ESCORT PROCEDURE:**

- A. A Commander or Supervisor will plan and direct the escort following guidelines set forth by this procedure.
- B. The following factors should be considered in the decision making process for the potential escort:
- The number and type of vehicles to be escorted.
  - The personnel and resources needed and available.
  - The distance and duration of escort.
  - The impact on general traffic flow.
  - The time of day the escort will take place.
- C. With the above factors considered, the manner in which the escort is provided should be done safely, efficiently, and effectively as possible.
- A minimum of one police vehicle shall lead the vehicle or procession of vehicles, and a minimum of one police vehicle shall be in the rear of the vehicle or procession of vehicles as required by Wisconsin Statute 346.215.
  - The route of the police escort shall be planned, based in part, on considerations of the factors listed above. The people being escorted may request a specific route; however, that route should be evaluated by the supervisor.
  - All personnel involved in the escort will thoroughly briefed on the intended route, as well as any alternate routes, should the primary route become unavailable or unsafe.

- In the planning stages the Dane County **Public Safety** Communications Center will be notified of the escort route, personnel involved, and communication support needed.
  - The Officer in Charge will be notified of the escort logistics and provided with an event plan if available.
  - In the case of a dignitary protection escort, a hospital and a safe house will be identified in case of emergency need.
- D. For cases that will have a significant impact on the public, consideration should be given to disseminating a press release notifying the public of the escort and alternative routes the public may consider.

**Original SOP: 04/27/2016**

(Reviewed Only: 11/01/2016, 12/26/2017, 01/31/2020)

**(Revised: 01/31/2023)**





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Workforce Telestaff Requirements**

Eff. Date ~~07/12/2022~~ 01/31/2023

**Purpose**

All members of the Madison Police Department (MPD) have the responsibility of ensuring that Workforce Telestaff accurately reflects their work time.

**Procedure**

Various work codes have been established in Telestaff 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 the employee's responsibility to make certain that an entry is made in Telestaff 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, XX-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 during the employee's next work shift, 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 within 24 hours of returning to work 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 for the use of Exigent Leave Time:

- The employee will notify the shift scheduler, shift Officer in Charge (OIC), or MPD Master Scheduler of the employee's request for an exigent personal leave day with at least 48 hours of notice. The notification will include the type of leave (vacation, comp, etc.) to be used.
- The shift scheduler, shift OIC, or MPD Master Scheduler will enter the appropriate Exigent Leave Work Code on the employee's Telestaff 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 the employee's request to be charged only eight (8) hours of exigent leave.
- The shift scheduler, shift OIC, or MPD Master Scheduler will verify contract conditions have been met, will reduce the exigent leave hours used from twelve (12) hours to eight (8) hours if appropriate, and will send an email to 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.

## Sick Leave Usage

For commissioned personnel, all sick leave usage should be in accordance with Article X, B of the Madison Professional Police Officers Association (MPPOA) contract, or Article IX, A of the Association of Madison Police Supervisors (AMPS) contract. For non-commissioned personnel, all sick leave usage should be in accordance with the appropriate employee handbook. Sick leave beyond three consecutive days should be utilized in conjunction with a doctor's note. Consecutive leave includes leave that encompasses regular days off.

Once an Any employee who has submitted their intention to resign or retire from the department, sick leave cannot be used after that date (even if sick leave was pre-approved by a supervisor prior to the employee submitting their intent to depart) shall not be awarded the use of sick leave without a respective doctor's note.

Original SOP: 02/25/2015

(Revised: 02/12/2016, 11/04/2016, 12/11/2017, 01/15/2020, 07/12/2022, 01/31/2023)