

CITY OF MADISON
INTER-DEPARTMENTAL
CORRESPONDENCE

September 8, 2025

To: City of Madison Common Council Alders

From: John Patterson, Chief of Police

Subject: Quarterly Report (2nd, 2025)

This document provides an update on selected MPD topics for the second quarter (April, May, and June) of 2025.

Please consider the data included in this update as preliminary and subject to modification.

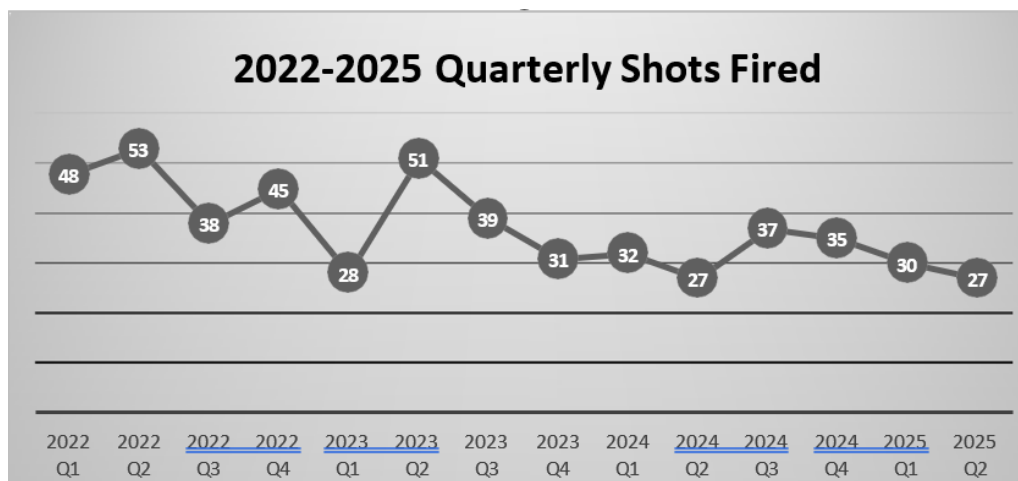
Emergency and Priority Calls

During the 2nd quarter, MPD patrol response was limited to emergency and priority calls 8.6% of the time. This is down slightly from the 1st quarter of 2025 when our response time was limited 9.9% of the time. Given the volume of 9-1-1 calls or the severity of calls requiring multiple resources, there were 89 instances where MPD's patrol response was limited. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the city. The 89 instances occurred on 58 dates (some days required limited call response multiple times); this means that at some point on 63.7% of the days during the 2nd quarter MPD patrol response was limited. The 89 instances spanned about 188.1 total hours of limited call response, an average of 2.1 hours per instance.

Significant Incidents

Events involving firearms are considered a significant incident within our stratified policing crime reduction framework. All calls involving a firearm and shots fired are investigated.

There were twenty-seven (27) shots fired incidents in the City from April 1st through June 30th (2025). This represents a **10% decrease** from the 1st quarter of 2025 (30). Q2 of 2025 and Q2 of 2024 had the same amount of shots fired incidents.



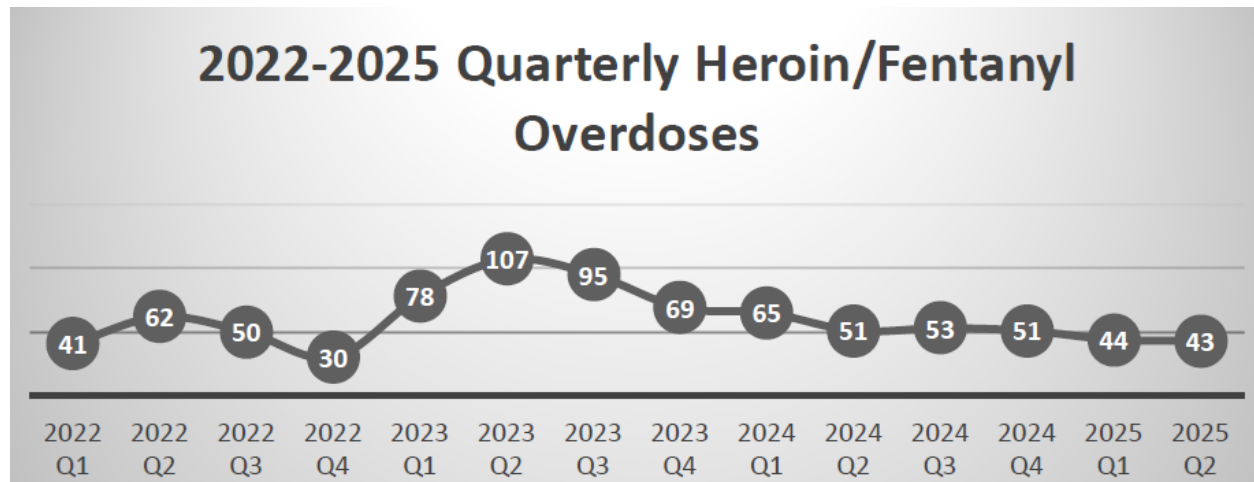
Shots fired are broken into the following categories:

	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Total
Property Damage	17	6			23
Subjects Struck by Gunfire*	5	2			7
Accidental Discharge	4	6			10
Self-Inflicted (intentional)	6	4			10

*Excludes accidental discharge & self-inflicted

The total number of casings recovered in the 2nd quarter were: fifty-eight (58).

Heroin Overdoses – MPD responded to forty-three (43) known heroin overdoses during the second quarter of 2025. This represents a **2.3% decrease** from the 1st quarter of 2025 (44). Q2 of 2025 there was a **15.7% decrease** in heroin/fentanyl overdose incidents reported when compared to Q2 of 2024 (51). [Note that these figures refer to known overdoses. It is likely that many overdoses are occurring without any report to MPD or MFD.]



There were seven (7) suspected overdose deaths during the second quarter of 2025. This is an increase from the 1st quarter of 2025 (4). Q2 of 2025 there was a **12.5% decrease** in suspected heroin/fentanyl fatality cases reported when compared to Q2 of 2024 (8). [Note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

The Madison Police Department actively seeks opportunities to *divert* and *deflect* individuals from the justice system.

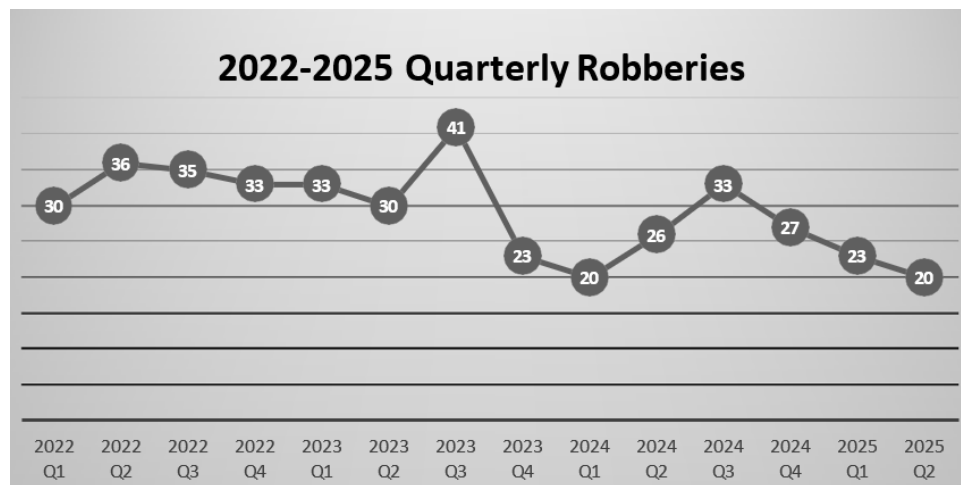
Diversion occurs when police refer individuals to a program or services in lieu of an arrest. Pre-arrest or pre-charge diversion seeks to connect individuals with community-based help, while avoiding a damaging arrest record.

Deflection is community based and entails no criminal justice system involvement beyond an individual's interaction with a police officer in the field. Police deflection programs aim to reduce crime by connecting people living with mental health struggles or substance use disorder to treatment and recovery resources.

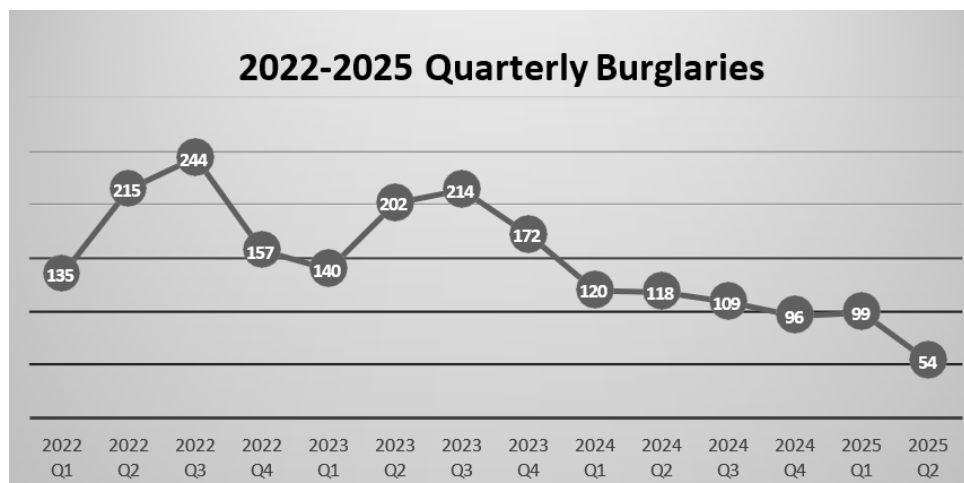
Madison Area Recovery Initiative (MARI) is a program for individuals living with substance use disorders who have committed eligible, non-violent offenses stemming from their disease of addiction. The program offers six months of individualized treatment and coaching to participants. Participants must complete the program for non-prosecution of the charges they would have faced. Eligible charges include possession of drug paraphernalia, possession of a controlled substance, retail theft, prostitution, and theft/burglary if the victim of the theft/burglary agrees to the MARI program being offered.

The **Addiction Resource Team** is multidisciplinary and utilizes a police officer and a Peer Specialist from Safe Communities. The teams follow up with people who have experienced a non-fatal overdose or other precipitating event that brought them into contact with Madison Police or Madison Fire personnel. The purpose is to connect individuals with recovery resources, meet people where they are, and provide harm reduction materials. The team distributes the opioid reversal agent Naloxone and fentanyl test strips on outreach visits.

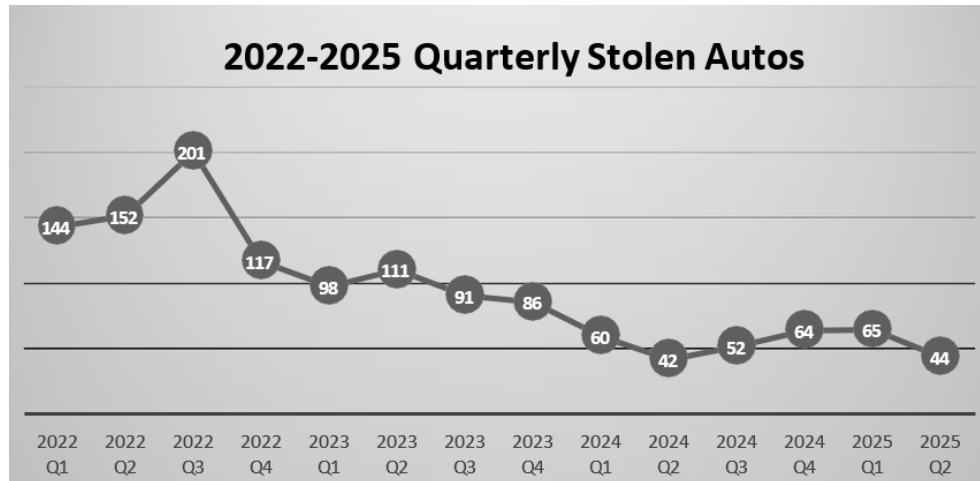
Robberies – Twenty (20) robberies occurred in the City during the second quarter of 2025. This is a **13% decrease** from the 1st quarter of 2025 (23). There was a **23.1% decrease** in robbery incidents reported in Q2 of 2025 when compared to Q2 of 2024 (26).



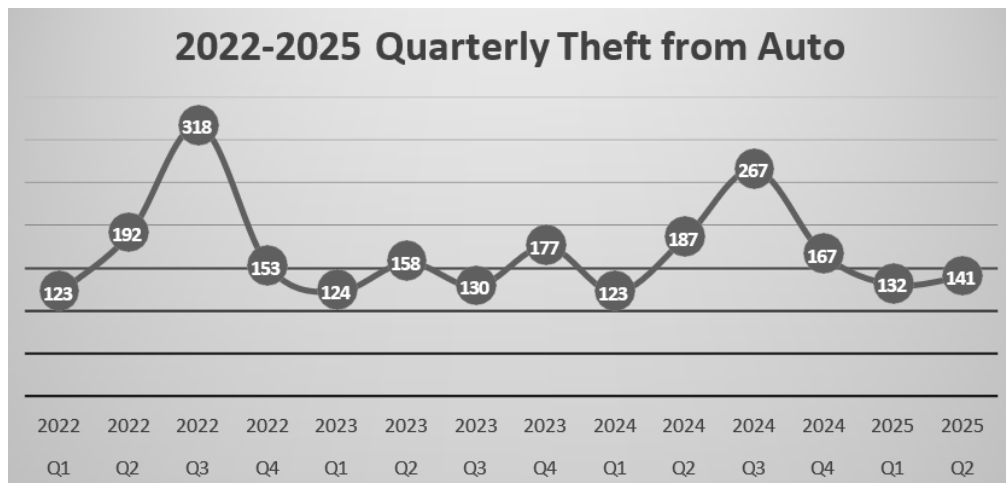
Burglaries – MPD responded to fifty-four (54) burglaries during the second quarter of 2025. This represents a **45.5% decrease** from the burglaries reported in the 1st quarter of 2025 (99). We saw a **54.2% decrease** in burglaries reported in Q2 of 2025 when compared to Q2 of 2024 (118).



Stolen Autos – MPD investigated forty-four (44) stolen autos during the second quarter of 2025. This is a **32.3% decrease** from the 1st quarter of 2025 (65). This is a slight increase (4.8%) of stolen auto incidents reported when looking at Q2 of 2024 (42).



Thefts from Autos – MPD investigated 141 thefts from autos during the second quarter of 2025. This is a slight increase from Q1 of 2025. Comparing Q2 2025 to Q2 2024 (187), we saw a **24.6% decrease** in thefts from auto.



MPD encourages everyone in our community to remove valuables from their vehicle, lock their vehicles, and when possible, park near lights.

Arrest Data

Physical Arrests: Law enforcement physically took someone into custody and transported them to jail.

Citations: This is an administrative arrest. The individual is issued a ticket and promises to appear in court.

In the 2nd quarter of 2025, MPD responded to **38,359 calls for service**. Of this total, there were 2,788 physical arrests and 709 citations issued (Group A and Group B offenses).

Second quarter **physical arrest** data:

Sex	Q2 Adults	%	Q2 Youth	%
Male	1,064	76.66%	45	71.43%
Female	324	23.4%	18	28.57%
Unknown	0	0%	0	0%
Total	1,388	100%	63	100%

Race	Q2 Adults	%	Q2 Youth	%
Asian	24	1.73%	2	3.17%
African American	682	49.14%	43	68.25%
Native American	15	1.08%	0	0%
Other	14	2.2%	1	1.59%
Caucasian	653	47%	17	28.8%
Total	1,388	100%	63	100%
Hispanic*	138	9.9%	4	6.35%

“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.

1,130 distinct adult individuals accounted for the **1,388** instances of physical arrests in the 2nd quarter of 2025. **152** individuals were physically arrested more than one time in the 2nd quarter of 2025. These “repeat arrestees” accounted for **13%** of all adult arrests during this timeframe.

51 distinct youth accounted for the **63** instances of physical arrests in the 2nd quarter of 2025. **8** youth were physically arrested more than one time in the 2nd quarter of 2025. These “repeat youth arrestees” accounted for **16%** of all youth arrests during this timeframe.

Second quarter **citation** data:

Sex	Q2 Adults	%	Q2 Youth	%
Male	386	64.56%	11	64.71%
Female	241	38.44%	6	35.29%
Unknown	0	0%	0	0%
Total	627	100%	17	100%
Race	Q2 Adults		Q2 Youth	%
Asian	15	2.39%	0	0%
African American	244	38.92%	12	70.59%
Native American	7	1.12%	0	0%
Other	9	2.3%	1	5.88%
Caucasian	352	56.14%	4	23.53%
Total	627	100%	17	100%
Hispanic*	50	7.97%	1	5.88%

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The National Incident Based Reporting System (NIBRS) is used by MPD and follows the standards set by the FBI and Wisconsin Department of Justice. MPD is required to submit incidents and arrests for two different categories. Group A Offenses are reported violations and arrests of state statutes and city ordinances that are grouped into persons crime, property crime, and societal crime categories. Group B Offenses are arrest-only data. Arrests include citations and physical. Group A offenses are more serious crimes such as Murder, Rape, Robbery, etc. Group B offenses tend to be minor in nature, such as Curfew/Loitering/Vagrancy Violations, Disorderly Conduct, Driving Under the Influence, etc. (2023 NIBRS User Manual).

Resources:

<https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/home>

<https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/nibrs>

Group A Offenses	Q1	Q2	Q3	Q4	Total	%
Animal Cruelty	6	0			6	0.1%
Arson	2	3			5	0.1%
Assault Offenses	309	348			657	12%
Bribery	1	0			1	0%
Burglary	23	35			58	1.1%
Counterfeiting/Forgery	2	2			4	0.1%
Damage to Property	90	105			195	3.6%
Drug/Narcotic Offenses	163	192			355	6.5%
Embezzlement	0	1			1	0%
Extortion	1	1			2	0%
Fraud Offenses	19	13			32	0.6%
Gambling Offenses	0	0			0	0%
Homicide Offenses	0	1			1	0%
Human Trafficking Offenses	0	0			0	0%
Kidnapping/Abduction	22	24			46	0.8%
Larceny/Theft Offenses	114	131			245	4.5%
Motor Vehicle Theft	18	14			32	0.6%
Pornography/Obscene Material	3	1			4	0.1%
Prostitution Offenses	0	0			0	0%
Robbery	18	16			34	0.6%
Sex Offenses, Forcible	17	10			27	0.5%
Sex Offenses, Non-Forcible	1	1			2	0.0%
Stolen Property Offenses	7	7			14	0.3%
Weapon Law Violations	38	37			75	1.4%
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	0	0			0	0%
Curfew/Loitering/Vagrancy Violations	0	0			0	0%
Disorderly Conduct	598	614			1,212	22.1%
Driving Under the Influence	76	63			139	2.5%
Drunkenness	0	0			0	0%
Family Offenses, Nonviolent	10	14			24	0.4%
Liquor Law Violations	3	12			15	0.3%
Peeping Tom	0	0			0	0%
Runaway	0	0			0	0%
Trespass of Real Property	132	91			223	4.1%
All Other Offenses	1,021	1,052			2,073	37.8%
Total	2,694	2,788			5,482	100%

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

Use of Force Overview

During the second quarter of 2025, MPD officers responded to **38,359** calls for service. In that time, there were eighty-six (86) contacts in our community in which officers used recordable force during the encounter. This means that in the second quarter, MPD officers used recordable force **0.22%** (less than one quarter of 1%) 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	35,167	38,359			73,526
Contacts Where Force Was Used	86	86			172
% of CFS Where Force Was Used	0.24%	0.22%			0.23%
Force					
Decentralization/Takedown (e.g. officer pushing or pulling a subject to the ground)	68	65			133/56.8%
Active Counter Measures (e.g. officer striking a subject with hand, forearm, foot or knee)	10	12			22/9.4%
Taser Deployment	11	11			22/9.4%
Hobble Restraints (a belt system that restricts a subject's ability to kick at officers, squad windows, etc.)	7	17			24/10.3%
OC (i.e. Pepper) Spray Deployment	13	13			26/11.1%
Baton Strike	0	0			0%
K9 Bite	1	0			1/0.4%
Firearm Discharged Toward Suspect	0	0			0%
Impact Munition (firearm delivered projectile launched at a lower-than-normal velocity)	3	3			6/2.6%
Specialty (SWAT/SET)	0	0			0%
Total	113	121			234/100%
Firearm Discharged to Put Down a Sick or Suffering Animal	48	51			99

*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>

The 86 incidents of recordable force in Q2 are broken down by call type as follows:

Call type (as indicated in CAD)	Amount
Adult Arrested Person	11
Assist EMS/Fire	2
Assist Police	1
ATL Person	1
Battery	4
Check Person	4
Community Outreach	1
Damage to Property	2
Disturbance	26
Disturbance/Unwanted Person	2
Domestic Disturbance	8
Fight Call	4
Fraud	1
Intoxicated Person	1
OMVWI Arrest/Intoxicated Driver	5
Robbery – Strong Armed	2
Special Event	2
Suspicious Person	1
Theft	1

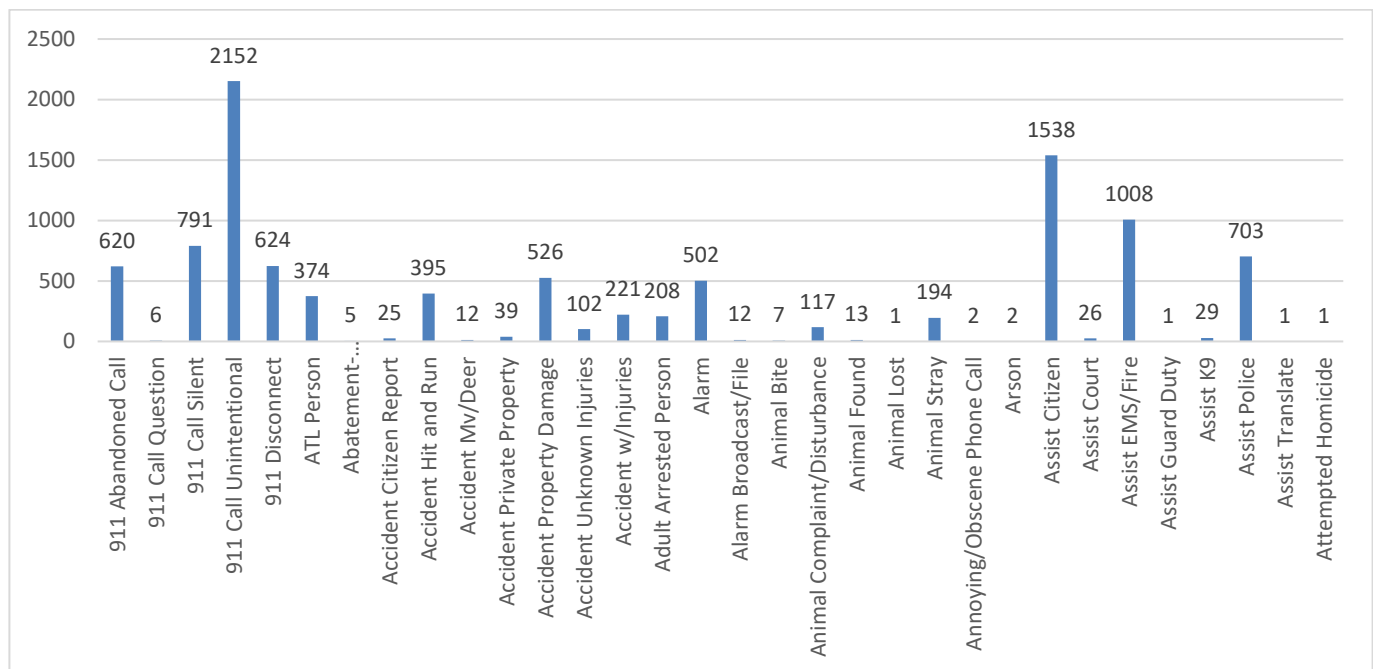
Threats Complaint	2
Traffic Stop	1
Trespass	1
Weapons Offense	3

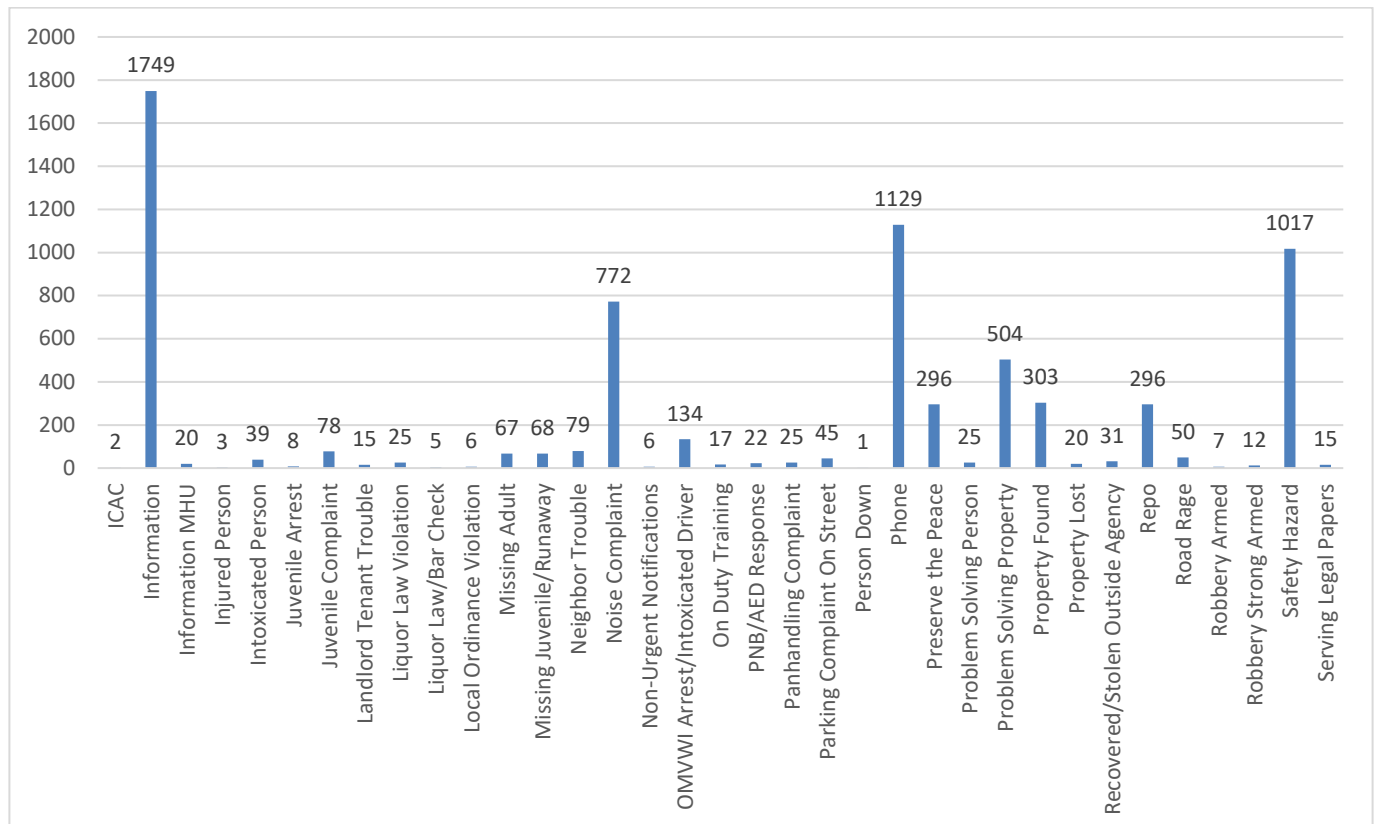
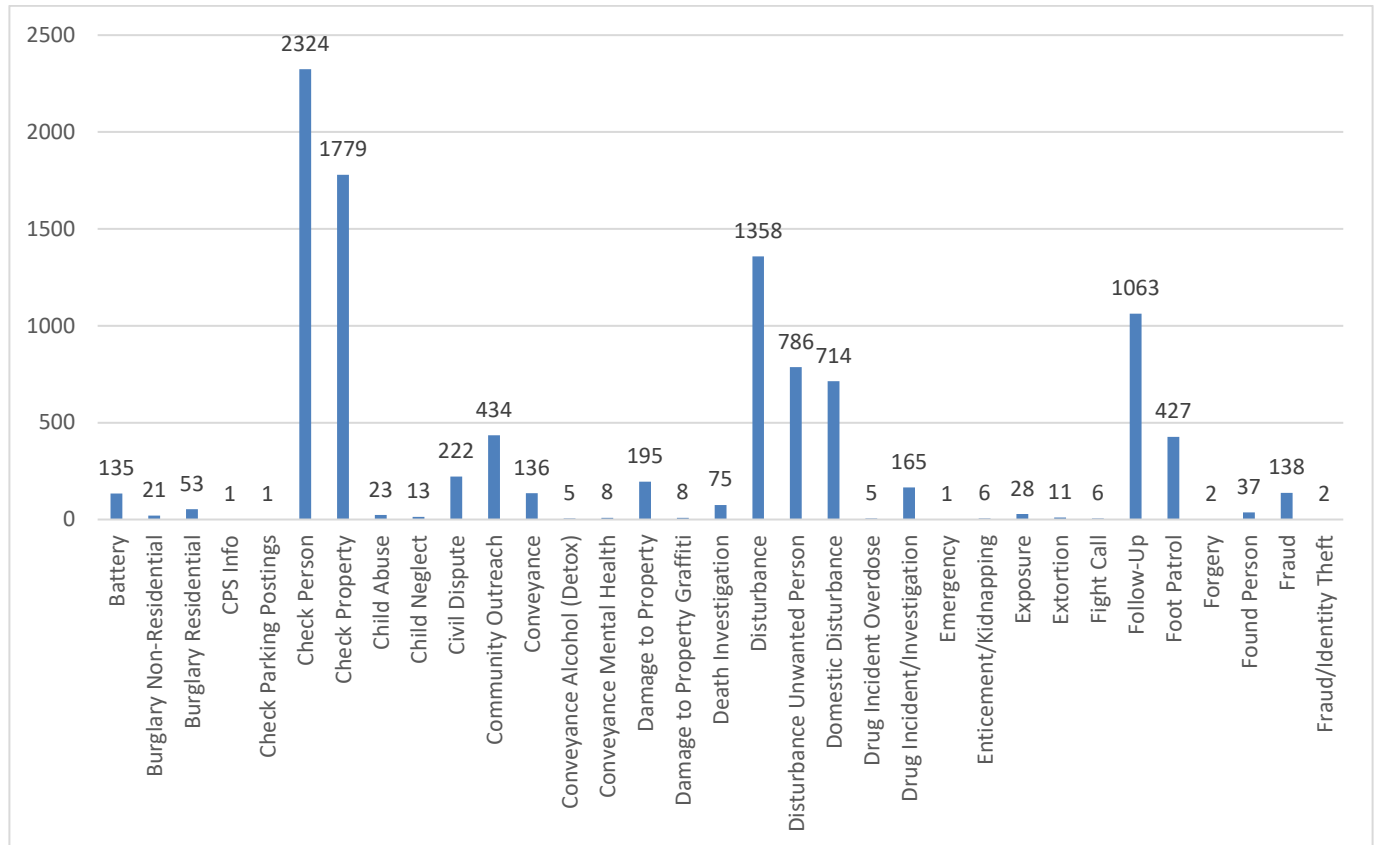
Second quarter use of force data by district and time of day:

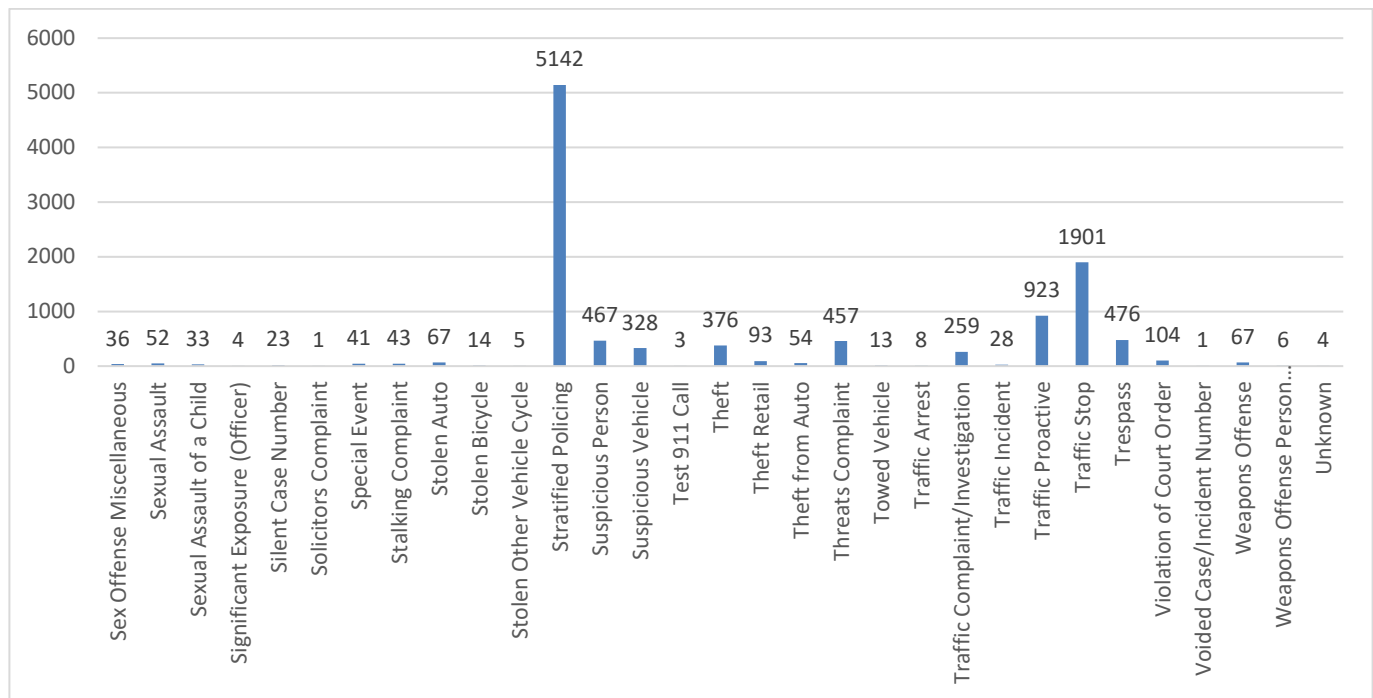
District	Q1	Q2	Q3	Q4	Total	%
West	8	4			12	7%
Midtown	15	12			27	15.7%
South	4	2			6	3.5%
Central	24	39			63	36.6%
North	11	13			24	14%
East	21	14			35	20.3%
Out of County	0	0			0	0%
Within County - Assist	3	2			5	2.9%
Total	86	86			172	100%
Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
1 st Detail (7am – 3pm)	20	9			29	16.9%
3 rd Detail (3pm – 11pm)	36	47			83	48.3%
5 th Detail (11pm – 7am)	30	30			60	34.9%
Total	86	86			172	100%

Calls for Services (2nd Quarter, 2025)

There were 38,359 total calls for service in the second quarter of 2025. Here is a breakdown of the incident types:







Restorative Justice Data (2nd Quarter, 2025)

The Madison Police Department actively seeks opportunities to *divert* individuals from the justice system.

Diversion occurs when police refer individuals to a program or services in lieu of an arrest. Pre-arrest or pre-charge diversion seeks to connect individuals with community-based help, while avoiding a damaging arrest record.

Restorative Justice is an approach that focuses on the needs of the victims, respondents, and the affected community. Victims can actively participate in the process, while respondents acknowledge responsibility for their actions.

The goals of restorative justice are to repair harm, reduce the risk of re-offense and rebuild community.

Community Restorative Court (CRC) is a diversion program for 17–25-year-olds who are cited for disorderly conduct, simple battery, obstructing an officer, damage to property, or theft (including retail theft).

In lieu of any municipal citation, youth aged 12-16 are referred to our **Restorative Justice** program run by the **YWCA**. Any time an MPD police officer in the field investigates and has probable cause to write a municipal (forfeiture) ticket, that officer must instead issue a Restorative Justice Referral to the youth.

12–16-Year-Old Youth Data from YWCA	17–25-Year-Old Data from CRC
Total referrals issued: 37 Opted-in: 34 Opted-out: 1 Pending: 2 Offenses: - Disorderly Conduct: 16 - Trespass: 4 - Battery: 4 - Retail Theft: 8 - Theft: 1 - Depositing Human Waste: 1 - Resist/Obstruct: 3	Referrals from April 1 st through June 30 th , 2025 Total MPD Referrals = 35 Offenses: - Disorderly Conduct: 17 - Resist/Obstruct: 2 - Retail Theft: 7 - Theft: 3 - Trespass: 6

Traffic

Traffic Complaints –

Community members may submit a traffic complaint or concern to the Madison Police Department by utilizing [online submissions](#) or calling the Speeder’s Hotline (608-266-4822). In the 2nd quarter of 2025, MPD received 219 traffic complaints.

Serious/Fatal Crashes

In the 2nd quarter of 2025, MPD responded to 921 crashes. 134 of these crashes required additional investigations. Those investigations resulted in 2 fatalities, 36 serious injuries, and 147 minor injuries.

Traffic Citations and Warnings

Second quarter **all traffic stops** data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	3,538	3,839			7,377	61.9%
Female	2,173	2,342			4,515	37.9%
Unknown	14	13			27	0.2%
Total	5,725	6,194			11,919	100%

Race	Q1	Q2	Q3	Q4	Total	%
Asian	236	265			501	4.2%
African American	1,647	1,649			3,296	27.7%
Native American	18	26			44	18.1%
Other	338	417			755	6.3%
Caucasian	2,452	2,716			5,168	43.4%
Total	5,725	6,194			11,919	100%
Hispanic*	1,034	1,121			2,155	18.1%

“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.

Second quarter **citations issued & warnings issued** data:

Sex	Q2 Citations	Q2 Warnings	Total
Male	1,949	1,890	3,839
Female	1,130	1,212	2,342
Unknown	0	13	13
Total	3,079	3,115	6,194

Race	Q2 Citations	Q2 Warnings	Total
Asian	120	145	265
African American	779	870	1,649
Native American	16	10	26
Other	196	221	417
Caucasian	1,384	1,332	2,716
Total	3,079	3,115	6,194
Hispanic*	584	537	1,121

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Training

MPD is currently in the planning and preparation stage for Fall Professional Development and Fall Sergeant Check-In. Training topics for Professional Development include Constitutional Law, De-Escalation, ASIM, First Aid and Less-Lethal Tools. Topics for Sergeant Check-In include Mental Health Systems and Processes, Peer Support, Building a Training Culture and Emergency Management.

Mental Health Update

Update from Sergeant Jared Prado, Mental Health Unit

MPD's Mental Health Unit (MHU) is one of only fifteen Police-Mental Health Collaboration (PMHC) learning sites selected by the Council of State Governments Justice Center. As a learning site, our unit fields inquiries and hosts visitors from law enforcement agencies around the county who seek support to begin or advance behavioral health units of their own. MPD’s MHU has a role in educating internally (within MPD) and also externally.

Internal Engagement

Every year, MHOs and LECWs lead 20 hours of Crisis Management training within the MPD Pre-Service Academy. MHU will present to that group in Q3 of 2025.

In Q2 of 2025,

- MHOs led 6 hours of instruction to our three Accelerated Academy students; and
- MHU Sergeant led 3 hours of instruction for our newest Sergeant candidates, as part of their Leadership Academy curriculum.

External Engagement

In **Q2 of 2025**, our **MHU logged 11 instances of community-facing presentations**. These presentations were for Community Organizations or for other Law Enforcement or Government agencies. With those presentations, we provided education to 43 distinct organizations/agencies and reached approximately 315 community members.

Most notably in Q2, MHU did a joint presentation titled “Madison-Dane County MH Diversion-from-Jail Practices”, alongside the Dane County District Attorney’s Office. The presentation took place at NAMI Wisconsin’s annual Co-responder Summit, which is an event that is held for law enforcement and partnering organizations that do some form of behavioral health co-response. Nineteen different law enforcement agencies from around Wisconsin were represented, and we fielded many questions about our processes and priorities in complex MH-involved cases.

Thus far in 2025, our MHU has logged 17 instances of community-facing presentations. These presentations were for Community Organizations or for other Law Enforcement or Government agencies. With these presentations, we provided education to 54 distinct organizations/agencies and reached approximately 427 community members.

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 second quarter of 2025.

2025 – Second Quarter Promotions

Sergeant Ryan Gibson to Lieutenant
Officer Jack Graziano to Sergeant
Officer Brittney Lathrop to Sergeant
Officer Tanner Sandmire to Investigator

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

<https://www.cityofmadison.com/police/documents/psiaSummary2025AprJun.pdf>

<https://www.cityofmadison.com/police/documents/psiaRecognition2025AprJun.pdf>

Updated/New SOPs for MPD: April-June 2025

Arrest, Incarceration, and Bail – Adults: 06/09/2025

Intoxicated and Incapacitated Persons: 04/22/2025

Mental Health Incidents and Crises: 06/09/2025

Notification of Commanding Officers: 06/23/2025

Personnel File Contents and the Process for Accessing These Records: 05/19/2025 & 05/29/2025

Pre-Employment Candidate Files: 05/19/2025

System Audits: 06/09/2025

TIME and CJIS Systems Use and Dissemination of Records: 05/19/2025

Uniform Standards: 04/07/2025

Video and Audio Surveillance: 06/09/2025



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Arrest, Incarceration, and Bail - Adults

Eff. Date ~~1/29/2024~~ 06/09/2025

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 found¹ in the city engaged in any disturbance of the peace or violating any law of the state or ordinance of such city.

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

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

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 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

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

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

³ "Crime" is conduct 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 police 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 (i.e. Sergeant or Commanding Officer) review each custodial 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 a felony charge or felony charges will, with reasonable diligence, be taken before the court where only a judge or court commissioner may establish bail.

An officer may issue an order-in form to individuals if they have probable cause for one or more non-domestic enhanced felony charges and the officer is unable to book the individual in jail due to medical reasons, and if the same listed criteria for issuance of a State Statute Misdemeanor Citation apply (see section below).

Drug-Related Felonies

With the approval of a supervisor, the order-in form can be issued to individuals being referred to the Madison Area Recovery Initiative (MARI). See the Alternatives to Arrest – Diversion & Deflection section.

State Statute Misdemeanor Citations & Felony Order-In Forms

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 **Tracs-generated** 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). **See MPD's Domestic Abuse SOP for additional guidance.**
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 (5)(e).

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 all of 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. Misdemeanor citations shall not be sent via mail (email or otherwise).

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 may release the person after the citation has been issued. Officers shall not email the citation to the person(s). A police report must be completed when the citation resulted from a community member'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 one or more of the following criteria exists:

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; or
5. When approved by the OIC or designee

Alternatives to Arrest – **Diversion & Deflection** ~~or Citation Issuance~~

COMMUNITY RESTORATIVE COURT (CRC):

The Madison Police Department can send referrals to Community Restorative Court (CRC), a criminal diversion program for adults aged 17-25 who have committed an eligible offense. Eligible offenses are

- disorderly conduct
- battery
- damage to property
- obstructing
- theft, including retail theft

Commissioned personnel can refer individuals to Community Restorative Court by issuing a municipal citation for any one or a combination of eligible offenses; personnel in the Community Outreach and Resource Education (CORE) unit cross-check all cited persons for CRC eligibility weekly.

Commissioned personnel can also make a direct referral, in which no citation is generated or custodial arrest occurs and the person is referred from the field to Community Restorative Court. All of the following must occur for a direct referral to take place:

- a. The officer verifies the individual is not on probation or parole
- b. The officer verifies the individual has no open criminal cases in CCAP
- c. The officer verifies that the individual has no violent criminal convictions in the past 3 years
- d. The officer determines that the charge(s) are eligible; both municipal and misdemeanor iterations of the five eligible charges can be direct referred
- e. The officer asks the individual about willingness to participate in a diversion program in lieu of being cited or arrested
- f. The officer collects the individual's full identifying information and contact information, and emails the Community Outreach Sergeant about the direct referral by end of shift
- g. The officer completes a basket 4 (priority report)

MADISON AREA RECOVERY INITIATIVE (MARI):

The Madison Police Department can refer individuals to MARI if all of the following conditions apply:

1. The individual is an adult that is at least 17 years of age,
2. The individual has residential ties to Dane County,
3. The incident and circumstances investigated do not involve domestic abuse, sex offenses, or acts or threats of violence towards others,
4. Officers believe that the individual is actively using illicit drugs (not alcohol), misusing prescription medications, or the underlying behavior has to do with substance use, and
5. Officers develop probable cause to cite or arrest the individual for one or more of the following eligible offenses:
 - Possession of a controlled substance, Wis. Stat. 961.41(3g) subsections are eligible
 - Possession of drug paraphernalia, Wis. Stat. 961.573
 - Prostitution, Wis. Stat. 944.30
 - Non-traffic City Ordinance Violation(s)

A referring officer should do the following while still in contact with the referred individual:

1. Issue the appropriate citation or order-in form corresponding to the eligible offense(s), and
2. Provide information about the MARI pre-arrest diversion program, namely the contact information for the clinical assessor. This can be done by providing the Information for Referred Individual page of the MARI packet.

When making a MARI referral, the investigating officer shall communicate to the MPD MARI Team that the individual has been referred to MARI pre-arrest diversion. This can be accomplished by completing the online MARI Referral form. The primary referral form is on SharePoint, and the backup referral form is on EmployeeNet.

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; or
5. The person involved refuses to cease behavior which is in violation of ordinance or state statute; or
6. When approved by the OIC or designee.

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 (i.e. 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.

Mailing of Citations (City Ordinance Violations and Traffic Violations)

The preferred method of service at all times for both city ordinance citations and traffic citations is in person. Officers in most circumstances should serve the citation on scene. If that is not possible, reasonable attempts should be made to follow up and serve the citation in person. Officers should not mail citations simply because it is more efficient than in person service. An exception exists for officers working an enforcement project as part of a special team such as Central CPT.

If after following the above guidance, if it is not possible to serve a city ordinance or traffic citation in person, these citations may be mailed by **USPS First Class mail**. This must be documented in a report.

The same guidance is true for most traffic citations. For certain traffic violations involving owner liability, the law is very specific and requires mail service be made by **USPS Certified Mail**. Before mailing these owner liability traffic citations, the statutes require due diligence be made to serve the citation in person. Efforts to serve these owner liability citations in person should be documented in a police report. State statutes also require the mailing to occur within a certain timeframe and failure to do so may result in dismissal of the citation.

Below is the list of owner liability citations that require service either in person or by USPS Certified Mail:

1. 346.175; Eluding Officer
2. 346.195; Failure to Yield to Emergency Vehicle
3. 346.205; Failure to Yield to Funeral Procession
4. 346.452; Failure to Yield at Rail Road Crossing
5. 346.457; Illegally Passing a Firetruck
6. 346.465; Not Stopping for Crossing Guard
7. 346.485; Not Stopping for School Bus
8. 346.675; Not Stopping for an Accident
9. 346.945; Radio too Loud

In the event a certified mailing has been returned to the officer, the officer should then mail the citation through standard (regular) mail and document that in a police report. When this occurs, the officer must ensure the returned service is included in the case file and provided to court services.

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 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 obtain the medical clearance form(s) provided by medical staff. 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, 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 police 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.

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 take intervention or enforcement action when:
 - a. The officer is on duty and on official business outside of the City of Madison, but within the State of Wisconsin; and
 - b. The officer would be authorized to take action if the incident occurred in the City of Madison; and
 - c. The officer is acting in response to:
 - i. An emergency situation that poses a significant threat to life or of bodily harm; or
 - ii. An act the officer reasonably believes is a felony.
2. 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 police 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.

Original SOP: 12/14/2015

(Reviewed Only: 12/26/2017, 01/30/2019, 02/09/2025)

(Revised: 04/02/2018, 01/15/2020, 12/21/2020, 01/14/2022, 02/07/2023, 08/04/2023, 1/29/2024, 06/09/2025)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Intoxicated and Incapacitated Persons

Eff. Date ~~01/15/2020~~ 04/22/2025

Purpose

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

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

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

Procedure

INTOXICATED PERSON – DEFINED & ROLE OF LAW ENFORCEMENT

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

Procedures - Intoxicated Person

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

INCAPACITATED BY ALCOHOL – DEFINED & ROLE OF LAW ENFORCEMENT

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

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

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

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

Procedure - Protective Custody

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

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

shelter, transportation, or protective custody." Hence an officer's protective custody status does not transfer to the emergency room or hospital (in contrast to where it does at Detox) and the person cannot be involuntarily held against his or her will at a hospital emergency room.

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

Procedure - Warrant Checks

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

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

Disorderly Conduct/Other Charges

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

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

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

OWI Charges

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

Amnesty Through Responsible Action – Underage Consumption of Alcohol and/or Drugs

Amnesty through responsible action promotes community safety by removing potential concerns of legal consequences that could prevent callers from requesting medical assistance for underage persons incapacitated by alcohol and/or other drugs. WI SS 961.443 provides criminal prosecution immunity for persons aiding drug overdose victims. This policy expands on the philosophy of that statute by providing immunity for select Madison ordinance violations for both callers and victims. Citations for Madison ordinance 38.031 (underage alcohol violations) shall not be issued to a caller who requests medical assistance or to the subject in need of assistance under any of the following conditions:

- The caller remains with the impaired individual until assistance arrives and fully cooperates with emergency responders.
- The impaired individual is a victim of crime, such as sexual assault or violent crime.

This policy applies only to the caller and/or impaired individual's personal consumption of alcohol and/or drugs. This program **does not** apply to companion charges or in the following circumstances:

- When contact is initiated by police, EMS, or other emergency responders.
- To ordinance violations involving the supplying of alcohol or other drugs.
- To other crimes/violations not addressed in Madison City Ordinance 38.031

When a youth aged 17 or younger is taken into protective custody under this policy their parent, guardian, or legal custodian will be notified as soon as possible. The responsibility for notification rests with the officer taking the youth into protective custody. The person notified, as well as the date and time of the notification, is to be recorded in the narrative of the Incapacitated Person Report.

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CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Mental Health Incidents/Crises

Eff. Date ~~02/03/2025~~ 06/09/2025

Purpose

The Madison Police Department (MPD) trains officers to recognize behavior that may be attributable to mental illness and to respond to incidents in such a manner as to de-escalate crisis situations whenever possible. The goal in all contacts stemming from mental health crisis is to utilize the least restrictive measures to secure the welfare of all those concerned, connect individuals to needed services, and divert them from the criminal justice system whenever possible.

MPD is committed to partnering with service providers and those in the justice system to develop more compassionate and effective approaches that emphasize providing community-based treatment instead of arrest and incarceration of individuals experiencing a mental health crisis.

Mental Health Unit

MPD's Mental Health Unit serves to further supplement our department's responses to mental health crises providing added support to community members and first-responding officers before, during, and after a mental health crisis occurs.

The Mental Health Unit is comprised of the following members:

- Mental Health Officers (MHOs) serve in a specialized role and are assigned to MPD district stations. MHOs provide individual response plans and follow-up, address system issues/concerns, share information internally and externally as appropriate, and if possible, respond to mental health calls for service when they arise. Additionally, MHOs lead department-wide training on mental health-related topics and attend specialized training opportunities.
- Law Enforcement Crisis Workers (LECWs) are mental health clinicians employed by Journey Mental Health. Beyond the crisis intervention and stabilization services that Journey provides to the community, LECWs are contracted to work in an embedded capacity at MPD. LECWs partner with MHOs to conduct outreach, address system issues, and if possible, respond to mental health calls for service when they arise.
- Mental Health Liaison Officers (MHLOs) are officers assigned to Patrol who voluntarily participate in additional training throughout the year and promote the Mental Health Unit's mission by working collaboratively with mental health providers, advocates, and consumers. Additionally, MHLOs attend additional training each year on mental health-related topics.

MADISON AREA RECOVERY INITIATIVE

Additionally, the Madison Area Recovery Initiative (MARI) exists within the Mental Health Unit command structure. The MARI Team consists of a supervisor, an officer, and a program assistant. MARI partners with community organizations to support the following substance use recovery efforts: a pre-arrest diversion program, a field outreach program, and a self-referral line. Additionally, the MARI Team provides harm reduction supplies, education and outreach to the community.

PATROL RESPONSE GUIDELINES

Initial Response Considerations

When officers respond to a subject who is exhibiting or who has exhibited unusual, disruptive, or dangerous behavior, the officers should assess the risk posed by the subject and consult with Journey Mental Health as they investigate the following:

- The level of immediate risk or dangerousness, if any, that the subject poses to themselves or to others. See also MPD's Response to Persons with Altered State of Mind SOP.
- The need for emergency medical care or medical evaluation.
- Statements from direct witnesses to the subject's concerning behavior.
- Whether the subject's behavior constitutes a crime, and whether that crime would result in a discretionary or mandatory arrest situation.
- Factors that are possibly contributing to the subject's behavior, to include mental illness, alcohol or drug use, developmental or intellectual disabilities, dementia or other medical concerns.
- The subject's known diagnoses, medical history, medications, and current community supports.
- The need for further police intervention and the appropriateness of other resources, community support systems, and care providers that could assist the subject (e.g., assigned caseworkers, guardians, personal therapists, Community Alternative Response Emergency Services (CARES) response, etc.).

Dangerous Behavior, Defined

Behavior that is dangerous to the degree that it may support an Emergency Detention, is defined by Wis. Stat. 51.15(1)(ar), as that behavior which "*evidences any of the following*:"

1. *A substantial probability of physical harm to himself or herself as manifested by evidence of recent threats of or attempts at suicide or serious bodily harm.*
2. *A substantial probability of physical harm to other persons as manifested by evidence of recent homicidal or other violent behavior on his or her part, or by evidence that others are placed in reasonable fear of violent behavior and serious physical harm to them, as evidenced by a recent overt act, attempt, or threat to do serious physical harm on his or her part.*
3. *A substantial probability of physical impairment or injury to himself or herself or other individuals due to impaired judgment, as manifested by evidence of a recent act or omission. The probability of physical impairment or injury is not substantial under this subdivision if reasonable provision for the individual's protection is available in the community and there is a reasonable probability that the individual will avail himself or herself of these services or, in the case of a minor, if the individual is appropriate for services or placement under s. 48.13 (4) or (11) or 938.13 (4). Food, shelter, or other care provided to an individual who is substantially incapable of obtaining the care for himself or herself, by any person other than a treatment facility, does not constitute reasonable provision for the individual's protection available in the community under this subdivision.*
4. *Behavior manifested by a recent act or omission that, due to mental illness, he or she is unable to satisfy basic needs for nourishment, medical care, shelter, or safety without prompt and adequate treatment so that a substantial probability exists that death, serious physical injury, serious physical debilitation, or serious physical disease will imminently ensue unless the individual receives prompt and adequate treatment for this mental illness. No substantial probability of harm under this subdivision exists if reasonable provision for the individual's*

treatment and protection is available in the community and there is a reasonable probability that the individual will avail himself or herself of these services, if the individual may be provided protective placement or protective services under ch. 55, or, in the case of a minor, if the individual is appropriate for services or placement under s. 48.13 (4) or (11) or 938.13 (4). The individual's status as a minor does not automatically establish a substantial probability of death, serious physical injury, serious physical debilitation, or serious disease under this subdivision. Food, shelter, or other care provided to an individual who is substantially incapable of providing the care for himself or herself, by any person other than a treatment facility, does not constitute reasonable provision for the individual's treatment or protection available in the community under this subdivision." (language quoted directly from statute 51.15(1)(ar)1.-4.)

Physical Harm or Injury to Self or Threats Thereof

An overdose, whether intentional or accidental, is a medical emergency and MPD's primary role is to ensure a safe environment for Emergency Medical Service (EMS) and other responders. Similarly, when MPD responds to incidents of attempted suicide or bodily harm to self, officers should recognize that, depending upon the circumstances, the subject's behavior could be life-threatening.

Secondarily, MPD's role in most overdose cases, incidents of attempted suicide, or bodily harm to self, is to conduct a preliminary investigation to determine whether or not a crime has been committed and whether or not the subject's behavior could later result in an Emergency Detention.

Reports are required in intentional overdose cases, incidents of attempted suicide, or incidents of bodily harm to self, when the investigating officer has credibly identified the harmed subject and/or any witnesses to the self-harming behavior. Information received at the scene may be needed later by other officers to establish grounds for an Emergency Detention so these reports should be completed as a Basket 3 priority before the end of the officer's tour of duty. The investigating officer should also, during the active course of the investigation, provide pertinent information to Journey Mental Health.

If EMS transports the subject to a hospital under circumstances of suspected intentional overdose, attempted suicide, or bodily harm to self, an officer shall respond to the hospital if any of the following factors are present:

- Death appears imminent.
- EMS requests assistance in the ambulance with a combative subject.
- The call precipitates a criminal investigation that cannot be completed at the scene.

If an officer is dispatched to the hospital for a subject who previously was suspected to have intentionally overdosed, attempted suicide, or caused bodily harm to self, an officer should:

- Determine where the dangerous behavior occurred or began, and consult with a supervisor if another jurisdiction may be more appropriate to investigate the incident.
- Make initial contact with hospital staff and Journey Mental Health to determine if the subject is voluntarily seeking treatment, if the treatment sought includes psychiatric treatment, and if it is appropriate to now facilitate a crisis assessment of the subject.
- If appropriate, investigate the incident as a potential Emergency Detention. This may include checking for past reports and Speculative Emergency Detention forms, if the underlying dangerous behavior generated a call for service.
- Consult with hospital staff regarding the possibility of the subject being admitted for medical purposes.
 - If the subject is admitted for medical treatment, officers may disengage from the hospital and get the treating physician's name for their report.

- If Emergency Detention criteria are met, an officer should complete a Speculative Statement of Emergency Detention form, save it in the appropriate shared MPD folder, and send an email notifying oncoming officers of the presence of this form in the shared MPD folder.

Physical Harm or Injury to Others or Threats Thereof

Officers are trained to recognize that some dangerous behavior may also be criminal in nature. If the subject's behavior constitutes a criminal violation but criteria for an Emergency Detention is also present, officers should:

- Consult with Journey Mental Health to determine the best short-term disposition and placement.
- Consult with a supervisor on disposition if the crime at issue is a violent felony.
- If the subject is placed under Emergency Detention and if the investigating officer deems it appropriate to make a criminal referral to the district attorney's office, the officer shall complete a probable cause affidavit for the appropriate criminal violations prior to the end of their tour of duty.
- If the underlying offense for which probable cause exists is a mandatory arrest under Wis. Stat. 968.075, the only possible dispositions for the subject are the following: an Emergency Detention, protective custody placement at Detox, or arrest. Voluntary psychiatric admissions in lieu of booking a domestic abuse suspect is not an option.
 - If the subject is placed under Emergency Detention in this circumstance, the investigating officer shall complete a probable cause affidavit and domestic paperwork prior to the end of their tour of duty. The officer shall also communicate this fact to the Officer-In-Charge (OIC). See also MPD's Domestic Abuse SOP.
 - If the subject is placed at Detox due to incapacitation, the investigating officer shall complete a probable cause affidavit and domestic paperwork prior to the end of their tour of duty, and shall communicate this fact to Detox staff, while keeping this paperwork on file at Detox. See also MPD's Intoxicated and Incapacitated Persons SOP.
- Consult with a supervisor prior to conveying the subject to jail.

Emergency Detention Criteria

Pursuant to Wis. Stat. 51.15(1), a law enforcement officer is authorized to take a subject into custody, as the least restrictive alternative appropriate to a subject's needs, if all of the following criteria are met:

- the officer has probable cause that the subject is mentally ill, or drug dependent, or developmentally disabled;
- the subject is unable or unwilling to cooperate with voluntary treatment; and
- the subject presents with at least one of the enumerated criteria (#1-4) under the Dangerous Behavior section above.

Wis. Stat. 51.15(1)(b) further states that the officer's belief that an Emergency Detention is appropriate shall be based on either of the following:

1. *"A specific recent overt act or attempt or threat to act or omission by the individual, which is observed by the officer or person; or*
2. *A specific recent overt act or attempt or threat to act or omission by the individual which is reliably reported to the officer or person by any other person, including any probation, extended supervision, and parole agent authorized by the department of corrections to exercise control and supervision over a probationer, parolee, or person on extended supervision."*

Least Restrictive, Defined

Least restrictive means or alternatives are commonly used terms within the healthcare and public health realms. The principle of “least restrictive” holds that interventions, even those done in the interest of individual or public safety, should interfere with the individual freedoms to the least possible, or necessary, extent.

Custody, Defined

Pursuant to Wis. Stat. 51.15(3), “an individual is in custody when the individual is under the physical control of the law enforcement officer.” Officers are also trained to understand that custody can be interpreted in situations where an officer communicates to an individual that they are in police custody, for purposes of an emergency detention. Generally in emergency detention cases, the individual remains in law enforcement custody until custody can be transferred to the receiving facility.

Recent Overt Act, Defined

Although there is no statutory definition for “recent overt act”, an officer can consider a subject’s behavior to be recent if it is part of an uninterrupted crisis. An Emergency Detention is not to be initiated based upon an act, attempt, or threat to act, or omission, if there has already been some intervention (e.g., hospitalization, initiated and dismissed ED) to address the specified behavior.

Voluntary Hospital Admissions of Subjects

Voluntary admission is generally the preferred option for subjects who are cooperative and need further treatment or stabilization. In situations where the subject’s behaviors are not imminently threatening to their welfare or that of other people, officers conveying the subject to an area hospital may disengage from the call once the subject is in the care of hospital staff, with the below considerations in mind.

If Emergency Detention Criteria is Present

In situations where an officer reasonably believes that Emergency Detention criteria is present, i.e., all criteria except the “unable or unwilling to cooperate with voluntary treatment” criterion, officers should stay with the subject until they are assured that the subject will follow through with a psychiatric admission, or with the approval of a supervisor.

A supervisor’s decision for officers to disengage from the hospital in the aforementioned circumstance will be guided by the following factors:

- The subject’s demonstrated level of compliance and willingness to seek treatment;
- The level and recency of dangerousness that the subject exhibited;
- The subject’s known history of in-patient psychiatric admission and compliance therewith;
- The presence of criminal charges, or lack thereof;
- The presence of family, friends, or other supports at the hospital; and
- Whether or not the investigating officer has briefed the hospital social worker or charge nurse on the situation.

If a supervisor grants approval for officers to disengage prior to the subject’s psychiatric admission, officers are responsible for doing the following:

- Communicate their intent to disengage from the hospital to the charge nurse and the hospital social worker.

- Make the request of hospital staff that they re-contact Journey Mental Health and MPD if the subject attempts to leave prior to being fully admitted so that an Emergency Detention can be completed.
- Brief Journey Mental Health on the fact that officers disengaged, and that hospital staff will call if the subject becomes involuntary.
- Complete a Basket 3 priority report and a Speculative Statement of Emergency Detention form before the end of their tour of duty.
- Save the drafted Speculative Statement of Emergency Detention in the appropriate shared MPD folder, and send an email notifying oncoming officers of the presence of this form in the shared MPD folder.

Assessing Subjects for Emergency Detention

Officers should investigate the totality of the circumstances to determine if criteria for an Emergency Detention are met. Officers should consult with Journey Mental Health as soon as an officer has established possible grounds for an Emergency Detention.

In Dane County, Journey Mental Health is the named representative of “the county department.” Pursuant to Wis. Stat. 51.15(2)(c), Journey Mental Health may only approve an emergency detention:

“if a physician who has completed a residency in psychiatry, a psychologist, or a mental health professional, as determined by the department, has performed a crisis assessment on the individual and agrees with the need for detention and the county department reasonably believes the individual will not voluntarily consent to evaluation, diagnosis, and treatment necessary to stabilize the individual and remove the substantial probability of physical harm, impairment, or injury to himself, herself, or others.”

Pursuant to Wis. Stat. 51.15(2)(c), a crisis assessment can occur in any of the following ways:

- In-person, with a crisis worker responding to the location of the officer.
- In-person, with an officer transporting a subject to the location of the crisis worker. This may be a custodial transport if the officer has established grounds to take the subject into protective custody.
- By telephone, or by telemedicine or video conferencing technology.

Completing Chapter 51-Related Paperwork

When an MPD officer and Journey Mental Health support an Emergency Detention and after an officer has taken custody of the subject, the officer should do the following:

- Complete the Statement of Emergency Detention form. It is the responsibility of the officer who investigates the circumstances of the emergency detention to complete the Statement of Emergency Detention form to the best of their abilities. The form shall comply with the following:
 - articulate dangerousness behavior (acts, threats, omissions),
 - list names and contact information of one or more witnesses,
 - list the full name of the Crisis worker who approved the Emergency Detention,
 - list the detention date and time,
 - list the receiving facility, and
 - include the witnessing officer’s electronic signature
- If applicable, complete paperwork related to the arrest of the same subject. In a domestic abuse-related incident, officers shall complete and submit all paperwork listed in the Domestic Abuse SOP, regarding the subject as an “at large suspect.”

- If an officer relieves the investigating officer and ultimately transports the subject to the receiving facility, the transporting officer is responsible for ensuring that the form is complete and accurate.
- After the receiving facility has accepted the subject and prior to the time when the officer transfers custody of the subject to the receiving facility, an officer shall upload the completed form to the password protected CCAP website and shall send the form via email to the appropriate parties. These procedures are found in MPD's E-filing guide.
- Any investigating and transporting officers shall complete their reports as a Basket 3 priority and route it to the PD Mental Health email group.

Officers may also be tasked with completing Chapter 51 returns for subjects. In these cases, it is the responsibility of the officer who completes the transport to ensure that the Affidavit of Service is completed and emailed to appropriate parties. These procedures are found in MPD's E-filing guide.

Transport Considerations

Consistent with MPD's Use of Force SOP, officers shall place handcuffs on any subject in custody when the officer reasonably believes the subject may become violent, attempt to escape, or pose a danger to self or others. When MPD officers complete a transport of a subject to Winnebago Mental Health Institute or to other receiving facilities located outside of the City of Madison, officers should consider transporting the subject in front "belly-chain" restraints, if possible.

If transport within a police vehicle would be uncomfortable or unfeasible, officers may communicate to hospital staff their request for an ambulance transport. In these situations, officers will still maintain custody of the subject during the transport.

If inclement weather or other road conditions do not permit a safe transport to the receiving facility, officers will stay with and maintain custody of the subject at the hospital. Officers should communicate with the OIC in making this determination.

Transports as a Planned Overtime Assignment

The Officer-in-Charge may determine that it is appropriate to staff an emergency detention transport as an overtime assignment. If appropriate, the overtime assignment will be consistent with relevant contractual provisions; it will be open to all commissioned personnel and awarded to whomever had the least amount of overtime accrued for the year, with priority assignment as follows:

- To all non-command commissioned personnel;
- To command personnel (if insufficient non-command personnel express interest).

If no one expresses interest in an overtime guarding assignment, patrol resources may be ordered to fill the assignment, consistent with existing order-over procedures. See also MPD's Guarding of Persons in Police Custody at Hospitals SOP.

Third-Party Transports

Wis. Stat. 51.15(2)(a) permits law enforcement agencies to contract with other law enforcement agencies, ambulance service providers, or a third-party vendor to transport subjects for detention. If a transport is arranged with an MPD contracted third-party, MPD officers will turn over custody to the transporting party when the subject is boarded into the transporting party's vehicle, or if prior to that time, the transporting party communicates that they are responsible for the subject.

Requests for Transport from Emergency Detention Facilities to Dane County Jail

Officers In Charge may field a request to transport individuals previously detained on an Emergency Detention from a receiving facility to the Dane Co. Jail. Generally, Officers in Charge should work with the Journey Mental Health Discharge Planner to field and fulfill these requests. When the individual has warrants or a DOC hold, MPD will not be responsible for transporting the individual from the receiving facility to Jail.

In situations where MPD has active Probable Cause for a criminal charge that is either domestic enhanced or a felony or both, MPD is responsible for transporting the individual from the receiving facility to Jail. If the District Attorney's office has completed an expedited review process and has declined to charge the domestic-enhanced crime or felony, MPD is no longer responsible for the transport.

Release as a Possible Disposition

Based upon the officer's and Journey Mental Health's assessment of a subject's behavior and condition, it may be appropriate to resolve the call in one of the following ways:

- Release the subject to their own care, with an articulated plan for safety.
- Release the subject to their own care, with a referral made to a mental health agency.
- Release the subject into the care of family or friends.

REQUESTS TO CONDUCT AN EMERGENCY DETENTION FROM THE JAIL

Occasionally, MPD is requested by Journey Mental Health to complete an Emergency Detention of subject who has already been booked into the Dane County Jail (DCJ) by MPD. The mental health concerns of acutely ill subjects are generally not addressed in jail, unless the subject voluntarily accepts treatment, or the subject exhibits new dangerousness while at the jail. Nevertheless, removing a subject from a secure facility poses some risk to officers and to the community. This section outlines the process and conditions for an Emergency Detention from jail.

Applicability

This section covers the Emergency Detention of subjects after MPD officers have transferred custody of the subject to jail personnel and after the subject has been admitted into the jail. Situations in which jail personnel refuse to accept an arrestee and insist instead that an Emergency Detention be conducted should be handled on a case-by-case basis between the MPD Officer in Charge and the appropriate point of contact at the jail.

Post-Booking Emergency Detentions

Prior to removing a subject from jail to conduct an Emergency Detention, an investigating officer or supervisor should do all of the following:

- If feasible, consult with a supervisor within the Mental Health Unit.
- Determine jurisdiction. MPD has the responsibility in the Emergency Detention if the subject's predominant pattern of dangerous behavior occurred within the City of Madison.
- Determine necessity. MPD will collaborate with a Journey Mental Health crisis worker to determine if an Emergency Detention is appropriate.
- If the criminal case underlying the subject's custody at DCJ is (or is likely to be) assigned to a specialized unit and/or detective, consult with the assigned detective or special unit supervisor.

If the above conditions are met, the officer or supervisor should brief the Officer in Charge.

Officer In Charge Responsibilities and Approval Process

Prior to taking any action to remove the subject from the jail, the Officer in Charge shall contact the Community Outreach Captain (or their designee) to obtain approval for the Emergency Detention out of the jail.

Once the Community Outreach Captain has granted approval for removal of a subject from jail, the investigating officer should:

- ~~Ensure that a Crisis Worker has ruled out the option of direct hospital admission.~~
- Coordinate with the Jail Operations Sergeant, Jail Mental Health Workers, and an MPD supervisor to plan for safe transfer of custody and transport.
- Consider requesting jail personnel's assistance in restraining the subject in their custody and transporting the subject to a hospital using special equipment and vehicles.
- Communicate with Journey to determine the appropriate local hospital for medical clearance purposes, and to begin coordination of patient acceptance to receiving facility.

Dane County Sheriff's Office-Initiated Emergency Detentions

When a subject's predominant pattern of dangerous behavior occurred while the subject is in custody at the Dane County Jail, the Dane County Sheriff's Office should generally perform the Emergency Detention.

RESPONDING TO SUBJECTS WITH INTELLECTUAL/DEVELOPMENTAL DISABILITIES

The Madison Police Department (MPD) recognizes that police may have contact with subjects who live with intellectual/developmental disabilities (IDD). MPD's primary role when responding to incidents involving subjects with IDD is to ensure their safety and the safety of those around them. It may be appropriate for others, such as caregivers, family members, or others service providers to attempt to support the subject prior to and during police intervention. MPD will assist with stabilizing a dangerous scene if a subject is combative and unable to be calmed.

Some subjects with IDD may reside at an assisted living facility or adult family home. In some cases, a subject who is placed in a Dane County adult family home may have a different county of residence and that county of residence is responsible for the coordination of their care. In adult family homes, staff are responsible for managing resident needs and for working with MPD to keep everyone safe. Managed care organizations, the Dane County Behavioral Health Resource Center, and the Waisman Center can all be resources for families and caregivers.

When responding to subjects with IDD, officers should consider the following:

- If caregivers or other service providers are present, inquire about the care plan in place for the subject, particularly when the subject is physically combative. Questions that may be helpful to ask include:
 - Does the subject give any signs prior to becoming combative?
 - What calms the subject down?
 - What is the subject's legal status? (e.g., do they have a legal guardian, are they protectively placed, do they have a Chapter 51 order?)
 - Is the subject prescribed medication(s) and has the subject's doctor been consulted?
- Consult with Journey Mental Health and with caregivers on investigations.
- Criminal charges or citations are generally not appropriate for subjects who live with IDD. In some circumstances however, they may be appropriate.

- If a subject with IDD at an assisted living facility requires no emergency medical treatment or evaluation and if caregivers believe the subject needs to be evaluated at a hospital, facility staff should arrange transport.
- If a subject with IDD requires emergency medical treatment, officers should consider requesting EMS to transport them to the hospital. If the subject cannot be safely transported by EMS or a caregiver, MPD will assist in transporting the subject to a local hospital.
- If officers have concerns for the care and wellbeing of the subject, they should contact Child Protective Services or Adult Protective Services to report their concerns.

RESPONDING TO SUBJECTS WITH DEMENTIA

The Madison Police Department (MPD) recognizes that dementia is a progressive illness in which subject's symptoms and behaviors can change, requiring increased levels of care over time. Subjects with dementia may exhibit unsafe behavior, to include combativeness or wandering and becoming lost. MPD's primary role in these calls is to ensure their safety and the safety of those around them. It may be appropriate for others, such as caregivers, family members, or other service providers to attempt to support the subject prior to and during police intervention. MPD will assist with stabilizing a dangerous scene if a subject is combative and unable to be calmed.

Some subjects with dementia may reside at assisted living facilities. Assisted living facility staff are responsible for managing resident needs and for working with MPD to keep everyone safe. Adult Protective Services, the Aging and Disability Resource Center, and Wisconsin Alzheimer's and Dementia Alliance can all be resources for assisted living facilities and for families.

When responding to subjects with dementia, officers should consider the following:

- If caregivers or other service providers are present, inquire about the care plan in place for the subject, particularly when the subject is physically combative. Questions that may be helpful to ask include:
 - Does the subject give any signs prior to becoming combative?
 - What calms the subject down?
 - What is the subject's legal status? (e.g., do they have a legal guardian, are they protectively placed, do they have a Chapter 51 order?)
 - Is the subject prescribed medication(s) and has the subject's doctor been consulted?
- Wisconsin case law directs that subjects with permanent disabilities that are likely not capable of rehabilitation (i.e., dementia and no other treatable condition) are not to be committed under Chapter 51 procedures, which includes emergency detention. Dementia can co-occur with other disorders and disabilities, so it is best to consult with Journey Mental Health and with caregivers on investigations.
- Criminal charges or citations are generally not appropriate for subjects diagnosed with dementia.
- If a subject with dementia at an assisted living facility requires no emergency medical treatment or evaluation and if caregivers believe the subject needs to be evaluated at a hospital, facility staff should arrange transport.
- If a subject with dementia requires emergency medical treatment or evaluation, officers should consider requesting EMS to transport them to the hospital. If the subject cannot be safely transported by EMS or a caregiver, MPD will assist in transporting the subject to a local hospital.
- If officers have concerns for the care and wellbeing of the subject, they should contact Adult Protective Services to report their concerns.

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(Revised: 12/22/2016, 07/19/2017, 12/13/2017, 01/25/2018, 06/08/2018, 01/27/2020, 05/13/2022, 06/12/2023, 02/03/2025, 06/09/2025)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Notification of Commanding Officers

Eff. Date ~~02/03/2025~~ 06/23/2025

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 appropriate 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. **If the reason for the notification is a homicide or attempted homicide (reason number one below or the arrest of a high-profile suspect (reason number three below) or a fatal traffic crash (reason number six below), please notify the Assistant Chief of Investigative & Specialized Services. For all other Assistant Chief notifications, please notify the Assistant Chief of Field Operations.**

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 building/structure 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 a 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 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.
14. Any incident or attempted incident involving a serious crime where the victim and offender are not known to one another (stranger sexual assault, stranger carjacking, stranger armed street robbery).

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 determine that additional investigative resources are needed. In cases where contact is required or additional resources are being requested, the OIC should contact the appropriate person from the following table:

INCIDENT TYPE	CONTACT REQUIRED	MONDAY-FRIDAY	AFTER HOURS, WEEKENDS, HOLIDAYS
- Homicide/Attempted Homicide where death appears probable - Kidnapping - Weapons offense with occupied building or vehicle struck - Victim with a gunshot wound	Yes	Violent Crime Unit (VCU) Detective	Investigative Services Lieutenant of VCU <i>Back-up: Either of the VCU Detective-Sergeants</i>
Self-inflicted gunshot wound	If additional resources are needed	Persons Crime Detective Lieutenant	On-Call Detective Lieutenant
- Infant/Child death investigation or significant head or brain trauma - Child abduction or attempted abduction (not intended for child custody disputes)	Yes	Special Victims Unit (SVU) Detective Sergeant	Lieutenant of SVU <i>Back-up: SVU Detective Sergeant</i>
- Sexual assault of a child **(an after-hours delayed report with no evidence readily available to collect, victim is safe, and suspect is known, can be written up and routed to the Detective Lieutenant of SVU - Physical abuse of a child - Child neglect	If additional resources are needed	Special Victims Unit (SVU) Detective Sergeant	Lieutenant of SVU <i>Back-up: SVU Detective Sergeant</i>
Serious or fatal auto crash (serious injuries are those injuries that appear life threatening. Crashes with injuries of questionable severity will be investigated as if they were serious injury/fatal crashes. An MPD Field Supervisor will be responsible for assessing the crash scene and any associated injuries....."Traffic and Crash Investigation" page #3).	Yes	Lieutenant of Traffic & Specialized Services	Lieutenant of Traffic & Specialized Services <i>Back-up: Captain of Traffic & Specialized Services or Sergeant of Forensic Services</i>
First or second-degree sexual assault. ** An after-hours delayed report with no evidence readily available to collect, victim is safe, and suspect is known, can be written up and routed to either the East FJ/SC District Detective Lieutenant or the West FJ/SC Detective Lieutenant	If additional resources are needed	Sensitive Crimes Detective Lieutenant (East or West)	On-Call Detective Lieutenant
First degree reckless endangering safety	Yes	Persons Crime Detective Lieutenant	On-Call Detective Lieutenant
Arson to occupied building	Yes	Property/Burglary Detective Lieutenant	On-Call Detective Lieutenant
Home invasion without shots fired	If additional resources are needed	Persons Crime Detective Lieutenant	On-Call Detective Lieutenant

An investigation that requires additional resources or expertise not available on an on-duty status	If additional resources are needed	Appropriate Specialty Detective Lieutenant	On-Call Detective Lieutenant
Imminent threat, targeted, or mass casualty violence	Yes	Persons Crime Detective Lieutenant	On-Call Detective Lieutenant
MPD pursuit (if terminates with crash causing injury, follow command notification protocols)	Yes	Email involved officer's District/work unit Lieutenant with date and case #	N/A

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

The Forensic Services Unit (FSU) Sergeant should be contacted whenever additional investigator resources are needed for an investigation, or for consultation on investigative steps/resources. If the FSU Sergeant is unavailable, the Traffic & Specialized Services Lieutenant should be contacted. Voice/Text messages should be left, but it is important to have direct contact with an FSU supervisor/commander.

The following situations **require** notification of the FSU Sergeant (Back-Up: Traffic & Specialized Services 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 (Back-Up: FSU Command).

CALL-IN PROCEDURE FOR DETECTIVES, SWAT, SET

When the On-Call Detective Lieutenant has determined that detectives are to be called in, 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 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; in unknown, do we have a description or other pertinent information; relation to victim(s); location/custody status, if known;
6. Witness(s) information – are there any; if so, how many; location; MPD in contact
7. Other considerations – language/culture barrier; handicap for any involved parties (physical, mental illness, cognitive delays, etc.); juvenile (Safe Harbor situation, contact 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, 08/18/2023, 02/03/2025, 06/23/2025)

(Reviewed Only: 02/04/2022, 02/05/2024)



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



Eff. Date ~~01/22/2024~~ 05/19/2025

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 (SOP) is to identify and clarify specific categories of personnel information and to establish criteria to **ensure 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. 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~~
- **Final Job Offer Correspondence**
- Letters of Recommendation (if turned in after employment began)
- ~~Standards of Conduct Pledge~~
- **Deputization Form**
- Employee Status Information (rank, address, education, assignment)
- Commendations and Awards (Employee Recognition Form(s), Community Member 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 (excludes Promotional Process File contents, **which is stored electronically by the Captain of Training**)
- 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:

- Doctor's Documents Note
- 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
- Fitness to Use a Respirator
- Drug Test Results (Post-Employment Offer)
- Medical Test Results Letter (pre-hire)

PROMOTIONAL FILE

All documents related to promotions are stored electronically by the Captain of Training.

TRAINING

(Maintained by the Training Team)

These files are stored electronically by the Administrative Clerk 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)¹

(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 PSIA 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 the Wisconsin Crime Information Bureau (CIB). 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 (after an employee has passed probation)
- Historic Disciplinary Records
- Pursuit Reviews

¹ These files have restricted access. Access to portions of these files may be denied due to exceptions noted in Wisconsin State Statutes §§19.31-19.39 and §103.13.

- Squad Crash Reviews, Arbitrator, Mobile Data Computer (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. The transfer to the Master File Room should be made prior to the following Academy and should include all documents created during the Academy. Prior to 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. 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 in LEFTA are only stored electronically and can be accessed by the Lieutenant assigned as FT&E Coordinator, the HR Coordinator, and the Police Executive Office Supervisor.

Documents related to performance measures of probationary commissioned personnel while participating in MPD's Field Training and Experience program are housed in different manners. The records for employees hired prior to 2015, are stored on microfilm and located in the master file room. The records for employees who were hired between 2015 and 2020 are stored electronically in SharePoint or in paper form. The records for employees hired between 2021 to present day are only stored electronically in LEFTA. As of 2024, no field training files should be printed. Instead, they should continue to be stored electronically in LEFTA, electronically (2015-2021) or on microfilm (prior to 2015) and maintained by Training until the employee is deployed to a field assignment. All field training files should be printed and filed in the Master File Room located at the CCB within six months of deployment. 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)

Rules and Guidelines

CRITERIA

- A current or former employee may review their personnel records **twice 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 PSIA.
- 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 File Room located at the CCB Headquarters. However, some Pre-Service Field Training Files are stored electronically. In addition, certain PSIA 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

(Maintained by the Police Executive Office Supervisor)

- 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 either for 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.

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, 01/22/2024, 05/19/2025)



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- **Deputization Form**
- Exams, Quizzes, and Assessments (Law, Operating Motor Vehicle While Intoxicated (OMVWI), Laser, Radar (if prior to 2022), and Defensive and Arrest Tactics (DAAT))
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FIELD TRAINING & EXPERIENCE (FT&E) FILE (ORANGE)

(Maintained by the Lieutenant assigned as FT&E Coordinator)

Documents in LEFTA are only stored electronically and can be accessed by the Lieutenant assigned as FT&E Coordinator, the HR Coordinator, and the Police Executive Office Supervisor.

Documents related to performance measures of probationary commissioned personnel while participating in MPD's Field Training and Experience program are housed in different manners. The records for employees hired prior to 2015, are stored on microfilm and located in the master file room. The records for employees who were hired between 2015 and 2020 are stored electronically in SharePoint or in paper form. The records for employees hired between 2021 to present day are only stored electronically in LEFTA. As of 2024, no field training files should be printed. Instead, they should continue to be stored electronically in LEFTA. 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)

Rules and Guidelines

CRITERIA

- A current or former employee may review their personnel records twice 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 PSIA.
- 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 File Room located at the CCB. However, some Pre-Service Field Training Files are stored electronically. In addition, certain PSIA 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

(Maintained by the Police Executive Office Supervisor)

- 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 either for 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.

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, 01/22/2024, 05/19/2025, 05/29/2025)



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Pre-Employment Candidate Files

Eff. Date ~~1/22/2024~~ 05/19/2025

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.

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. MPD may allow for the in-person review of pre-employment files when requested by another law enforcement entity (with the appropriate signed consent), but only for those candidates who were not hired by MPD. These in-person file reviews shall be logged with the MPD Records Section as a release of records.

File/Definition

The following files are stored in the Master file room located at the City County Building (CCB) 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. 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 and the Police Executive Office Supervisor, ONLY if the applicant is hired)

- Preliminary Application (includes responses to essay questions on the application, education diplomas, education transcripts, a certified 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)

(Maintained by the Human Resources Coordinator and the Police Executive Office Supervisor, ONLY if the applicant is hired)

- Written Test Score Sheet
- Written Essay
- Physical Agility Test Score and Waiver

- Oral Board Questions/Response Evaluations

PRE-EMPLOYMENT BACKGROUND FILE (RED)

(Maintained by the Human Resources Coordinator and the Police Executive Office Supervisor, ONLY if the applicant is hired)

- ~~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

These documents are part of the pre-employment background file and are electronic only through the ESOPH program:

- 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

INTERN FILE

(Maintained by the assigned Training Sergeant)

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.
- 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 designee are responsible for maintaining and purging these records.

For candidates in a civilian position process, the respective Civilian Managers and/or their designees are responsible for maintaining and purging these records.

The assigned Training Sergeant 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 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, 1/22/2024, 05/19/2025)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



System Audits

Eff. Date ~~11/20/2020~~ 06/09/2025

Purpose

Routine audits of Madison Police Department (MPD) systems and process will be conducted to verify compliance with the Code of Conduct and Standard Operating Procedures.

Procedure

Oversight of departmental audits rests with Professional Standards & Internal Affairs (PSIA). Systems/processes/inventories that will be regularly audited include:

- City email
- Mobile Data Computer (MDC) communications
- Arbitrator squad video/audio
- Property/evidence
- Juvenile arrest custody data
- K9 training aids
- Dane County Narcotics Task Force (DCNTF) training aids
- Federally regulated materials
- Recordable force database entries
- City Genetec enterprise camera system

Other systems/processes may be audited or reviewed with the approval of the Chief or designee. PSIA personnel may conduct individual audits or designate other MPD command/supervisory personnel to do so.

Results of each audit will be reviewed by the Assistant Chief of Investigative and Specialized Services. Documentation of each audit will be maintained by PSIA.

Violations of MPD's Code of Conduct or Standard Operating Procedures discovered during an audit will be assigned for further investigation or other follow-up through PSIA as appropriate.

Original SOP: 04/28/2017
(Reviewed Only: 12/26/2017, 02/04/2022, 02/05/2024)
(Revised: 04/02/2018, 11/20/2020, 06/09/2025)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



TIME and CJIS Systems Use and Dissemination of Records

Eff. Date 05/19/2025

Purpose

The Madison Police Department (MPD) uses the Transaction Information for the Management of Enforcement (TIME) System/eTIME (online version of TIME) and additional CJIS systems to access privileged information. TIME/eTIME grants access to the following data service agencies:

- Wisconsin Department of Justice Crime Information Bureau (CIB)
- Federal Bureau of Investigations (FBI) Criminal Justice Information Services (CJIS) Division
- FBI National Crime Information Center (NCIC)
- National Law Enforcement Telecommunication System (NLETS)
- Canadian Police Information Centre (CPIC)
- Wisconsin Department of Transportation (DOT)
- Wisconsin Department of Natural Resources (DNR)
- Wisconsin Department of Corrections (DOC)
- Additional CJIS Information Systems
- National Data Exchange (N-Dex)
- Law Enforcement Information Exchange (LInX)
- Law Enforcement Enterprise Portal (LEEP)

Procedure

SYSTEM USAGE

ONLY authorized users shall access TIME and CJIS systems for valid law enforcement/criminal justice purposes. At no time will any user use TIME and CJIS systems to run the user's personal information (and respective license plates), a family member's information, or information for anyone with whom the user is closely associated. Should a situation arise wherein the subject who needs to be run through TIME and CJIS systems is closely affiliated with the user, the user will request another officer, staff member, or a supervisor to run the subject. If a test record needs to be run, only approved test transactions should be used.

PENALTY FOR MISUSE

The Department of Justice Crime Information Bureau, as well as the MPD, may investigate any alleged misuse of TIME and CJIS Systems. Potential misuse of these systems includes running family members or other subjects with whom the user is closely associated for criminal justice purposes during the normal course of work, running information for personal use, and running information that is in direct conflict with the regulations set forth by the FBI and CIB for the use of the TIME system. Individuals determined to have misused the TIME system may be subject to internal discipline and/or criminal and/or civil penalties under state and federal law. TIME and CJIS system logs are routinely audited for compliance with these policies.

SECURITY

TIME Agency Coordinator

The MPD shall designate an individual to serve as a TIME Agency Coordinator (TAC). The TAC may designate authorized contacts to fulfill various roles and responsibilities in the administration of the TIME system. Responsibilities of the TAC include ensuring that authorized users are trained and in compliance with CJIS, FBI, and MPD policies and regulations. The TAC also serves as the administrator of TIME interfaces to departmental applications/systems, terminal designations, and applicable communications/connectivity. Additionally, the TAC is responsible for the completion of audits performed by CIB and the FBI. In order to

maintain our agency's access to the TIME system, it is essential that all staff comply with all requests from the TAC or designee(s). Additionally, the TAC will disseminate TIME System Newsletters to departmental staff.

General Security

Access to TIME and CJIS terminals shall be limited so that only authorized users will be able to view and access information from the system. In order to qualify for authorization, a TIME and CJIS user must pass an initial background check, complete initial certification within six months of hire, and maintain applicable TIME and CJIS certifications bi-annually. User access to TIME and CJIS systems shall be reviewed at least once per year. Users granted access to TIME and CJIS systems, shall be provided with the minimum level of permissions to meet respective job duties. Upon termination of employment, a user's account shall be disabled, access removed, and CIB contacted to update departmental records. Staff with agencies holding a current Management Control Agreement with MPD will be required to complete and maintain TIME System Security Awareness training. Vendors remotely accessing CJIS related applications/systems shall be virtually escorted by certified and authorized MPD Technology staff. In the event of a security incident, the occurrence shall be documented and reported to CIB in accordance with applicable policies and procedures.

CRIMINAL HISTORY RECORD INFORMATION (CHRI/III/CJIS)

Information from Criminal History Record Information (CHRI), the FBI Interstate Identification Index (III), and CJIS systems shall only be obtained for designated purposes outlined below. This information is not to be disseminated to non-criminal justice agencies or persons. Dissemination to another criminal justice agency requires a secondary dissemination log that will be maintained for one year. The original authorized user must ensure that the recipient is properly authorized, and for valid purposes, to receive the information. CHRI/III/CJIS records received cannot be disseminated via radio broadcast or cellular phones unless there is a situation affecting officer safety or the general public.

Authorized Purpose Codes

- **Code C:** Code C is used for Criminal Justice/Law Enforcement purposes and is accepted by CIB and by the FBI. Adult and juvenile records will be supplied. This code is used for official duties in conjunction with the administration of justice (such as detection, apprehension, detention, prosecution, etc.).
- **Code J:** Code J is used for Criminal Justice/Law Enforcement employment applicants and is accepted by CIB and by the FBI. Adult and juvenile records will be supplied.
- **Code D:** Code D is used Domestic Violence/Stalking and is accepted by CIB (only adult records will be returned) and by the FBI (only returns information not sealed by state). This code is used by agencies providing a record to a court hearing for Domestic Violence and is for court use only. Actual Domestic Violence incidents will use Code C.
- **Code H:** Code H is used for checking suitability of Public Housing Applicants and is accepted by CIB (for adult records only) and by the FBI (for identification only).
- **Code F:** Code F is used for the return of Firearms to Lawful Owner and is accepted by CIB and by the FBI. Both adult and juvenile records are supplied. This code is used for the return of firearms to owners after theft, improper seizure, etc.
- **Code E:** Code E covers other Authorized Employment Purposes and is accepted by CIB ONLY (which ONLY supplies adult records). The FBI will not accept this code. This code is used for when criminal history is required by state statute, local ordinance, or federal regulation.

Storage and Disposal of CHRI Information

CHRI/III/CJIS records shall not unnecessarily be maintained in case files to avoid disclosure of out-of-date/inaccurate records under Wisconsin open records law. Cases that are e-Referred may contain CHRI/III/CJIS information; however, this information is not considered part of the case documentation and is not subject to open records. When no longer needed, data from TIME and CJIS Systems shall be disposed of by the user in a secure manner via shredding.

Probable Cause/Hit Confirmation

A hit on TIME is not sufficient for probable cause and only comprises part of the probable cause analysis and must be viewed in conjunction with other available information. As the time period increases since the receipt of the hit, the significance of the hit decreases. When a hit confirmation request is received via dispatch or directly to the Officer in Charge (OIC), the 911 data operator, on behalf of MPD, will provide timely confirmation back to the requesting agency.

CHRI/III INFORMATION

On the CHRI/III/CJIS request screens, the attention field shall contain the user's IBM number/badge number and the additional information field shall contain the case number. If no case number exists, a brief explanation of why the request was run is required.

TIME and NCIC Management of Records

Only staff with Advanced TIME Certifications shall be allowed to enter, modify, and remove records from TIME/NCIC. Once a record has been entered or modified, a secondary check will be completed by a staff member who did not enter or modify the original record. Validation of all entries into TIME/NCIC shall be completed as designated by CIB.

Original SOP: 02/25/2015

(Reviewed Only: 02/04/2016, 02/05/2024)

(Revised: 01/06/2017, 12/11/2017, 11/18/2019, 11/29/2021, 03/04/2022, 07/12/2022, 05/19/2025)



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Uniform Standards

Eff. Date ~~01/03/2024~~ 04/07/2025

Purpose

All officers shall possess a serviceable military style uniform and the necessary equipment to perform uniformed field duty. If an officer's regular job duties do not require the wearing of the military style uniform, it is necessary for them to have the uniform immediately available.

Procedure

MILITARY STYLE UNIFORM GUIDELINES

1. No uniforms or equipment may be worn or carried on-duty unless it has been approved by the Chief of Police. Lists shall be maintained of approved uniform and equipment items. These lists will include items for specialized units and assignments.
2. Officers shall wear the military style uniform while on duty unless their assignment allows otherwise.
3. The uniform shall be kept clean and pressed and be worn complete with silver or gold (rank appropriate) buttons, insignias, badge, and nametag in place. It should not be torn, faded, or frayed, although it is understood that this situation can occur during regular job duties. The nametag will be worn by all uniformed personnel and will **only** have the first name **or** initial and last name of the officers **in all capital letters** (no nicknames **or other markings**). The nametag will be worn above the right pocket, centered and even with the pocket (see Addendum A for correct placement of insignia). **The nametag will be worn unobstructed and clearly visible. A Streicher's Velcro nametag ordered through MPD may be worn on an outer carrier instead of a metal nametag.**
4. The full military style uniform consists of a uniform shirt with Madison Police Department (MPD) patches on both shoulders and uniform trousers. An employee shall wear the uniform shirt and trousers that are approved for their particular assignment.
5. Long-sleeve uniform shirts may be worn with a uniform tie or open at the collar without a tie. Short-sleeve uniform shirts will be worn open at the collar without a tie. When the uniform shirt is worn open at the collar, all but the top button will be buttoned.
6. When any uniform shirt is worn open at the collar, officers may wear only t-shirts that are white, navy blue, or black in color. When wearing a long-sleeve uniform shirt, a mock or turtleneck, navy blue or black in color, may be worn with the collar folded once. No visible insignia of a commercial nature is allowed.
7. Uniform shirt sleeves will not be worn rolled up when in public view. Special Event Team (SET) and Special Weapons and Tactics (SWAT) officers are exempted from this rule while wearing their specialized BDU shirts, unless their Commander rules otherwise.
8. Uniform sweaters authorized for use as an outer garment may be worn over the military style uniform.
9. No pins, flags, tie tacks, tie bars (other than the approved silver or gold tie bar), or other such paraphernalia will be worn with the military style uniform unless approved by the Chief of Police. The Purchasing Clerk shall keep the list of authorized pins.
10. Members of the Field Training Cadre may wear the field training pin with the military style uniform. The pin will be worn centered and directly above the nametag.

11. Members of the SET, SWAT, and Honor Guard teams may wear their respective team pins with the military style uniform. The pin will be worn centered and directly above the nametag, or centered directly above the field training pin, if worn. The Chief may authorize the wearing of any other pins at his discretion. Officers who have received certain awards (Valor, Meritorious Conduct, Meritorious Lifesaving, Blue Star, and Lifesaving) may wear the approved award pin with the military uniform. If only one award pin is worn, the pin will be worn centered above the highest other pin (name tag, Field Training, SET, SWAT, or Honor Guard). If two award pins are worn, the pins will be worn side-by-side, above the nametag or Field Training pin (if worn), but below the SET, SWAT, or Honor Guard pin (if worn).
12. Service bars may be worn on long-sleeve uniform shirts, jackets and coats. One bar is authorized at the completion of each four years of service (see Addendum A for correct placement).
13. Approved footwear worn with the military style uniform will be black and must be kept clean and polished.
14. When long uniform pants are worn, socks should also be worn that cover the ankle, specifically at least a mid-calf or crew sock. Shorter socks such as anklets, no-show, or low cut are only authorized to be worn with uniform shorts. Socks shall be black or navy in color, except when a medical waiver is granted and approved by the Chief of Police.
15. Wearing of the uniform hat is optional, unless a commanding or supervisory officer requires that a hat be worn for a particular assignment. An approved MPD baseball cap, trooper hat, or stocking cap may also be worn.
16. Officers may wear an authorized outer jacket with the military style uniform. Chevrons and bars will be worn on the epaulets, not the collar.
17. When a uniformed officer directs traffic, the safety vest or reflective side of the spring/fall jacket shall be worn, whether in an on-duty or special employment status. The department-issued raincoat, with the reflective side out, may be worn instead of the traffic vest.
18. The following supplemental equipment is required while wearing the military style uniform:
 - a. A plain black belt with gold or silver closure.
 - b. Authorized weaponry as per the Police Weaponry Policy.
 - c. Authorized leather or nylon goods.
 - d. Any equipment as may be required by the officer's commander.
19. The full military style uniform will be classified as follows:

Dress Class A	Class A	Class B	Class C
Commander Overcoat (if purchased)	Approved Outer Garment	Approved Outer Garment	Approved Outer Garment
8 point hat (outdoors, optional)	Approved Head Gear (outdoors)	Approved Head Gear (optional)	Approved Head Gear (optional)
Dress Blouse			
White Long-Sleeve Uniform Shirt, Navy tie	Approved Class A Uniform Shirt, long-sleeve (tie required) or short-sleeve	Approved Class A Uniform Shirt, long-sleeve (tie optional) or short-sleeve	Approved Tactical Uniform Shirt
Body armor (if worn) will be concealed under the uniform shirt	Body armor (if worn) will be concealed under the uniform shirt	Approved external body armor carrier or body armor (if worn) concealed under the uniform shirt	Approved external body armor carrier or body armor (if worn) concealed under the uniform shirt
Approved Class A Uniform Trousers (4 pocket)	Approved Class A Uniform Trousers (no cargo or TDU style)	Approved Uniform Trousers	Approved Tactical Trousers
Black Shoes (non-athletic)	Black approved (non-athletic) Footwear	Approved Black Footwear	Approved Black Footwear
No Name Tag on Outside of Commander Overcoat	Duty Belt	Duty Belt	Duty Belt

20. Officers with the rank of Police Captain and above shall maintain a Class "A" Dress uniform. Officers with the rank of Police Lieutenant shall have the option of maintaining a Class "A" Dress uniform. Dress Class A uniforms shall be worn at official ceremonies of the MPD (e.g., funerals, memorial services, graduations), or as directed by the Chief of Police.
21. Officers should wear a Class A uniform to all court appearances (including probation and parole revocation hearings), to special assignments, or any other time as directed by a supervisor. It is expected that officers who have court scheduled during their regular work hours will wear a Class A uniform to the court appearance, though it is understood that in limited circumstances it may not be possible to change into a Class A uniform prior to the court appearance. The Class A uniform is required for uniformed personnel testifying at a jury trial unless it is impractical to do so or upon specific request from the prosecuting attorney.
22. Officers shall have the option of wearing Class A or Class B uniforms for their daily assignments unless otherwise directed by MPD policy or a MPD Supervisor.
23. Rank Insignia
 - a. Rank insignia shall be worn on the epaulets of the outer most garment (including Dress Blouse), except rainwear and raid jackets.
 - b. All insignias shall be worn on the shirt collar.
24. The approved Honor Guard uniform may only be worn by Honor Guard members or auxiliary team members, as approved by Honor Guard Command.
25. Bike Uniform

Officers may wear the approved bike uniform only when assigned to ride MPD bicycles for the duration of their shift. The bike uniform will consist of:

 - a. Approved MPD bicycle shirt.
 - b. Approved athletic shorts, pants, shoes, and black or navy blue socks.
 - c. Protective helmet.
 - d. Full duty belt, including weaponry as required in the Police Weaponry Policy.
 - e. Approved MPD bicycle jacket.
 - f. Officers may also wear the military style uniform while using the bicycle, but in that situation must wear a protective helmet and yellow reflective vest over their uniform for greater visibility. With supervisor's approval for tactical reasons, an officer may refrain from wearing the yellow reflective vest.
26. Mounted Patrol Uniform

Mounted Patrol officers may wear the Mounted Patrol uniform while assigned to Mounted Patrol activities. The Mounted Patrol uniform will consist of:

 - a. Approved MPD Mounted Patrol shirt. The approved Class A MPD uniform shirt may be worn for ceremonial activities.
 - b. Approved MPD riding pants.
 - c. Approved MPD riding boots.
 - d. Approved MPD Mounted Patrol jacket.
 - e. Protective helmet.
 - f. Full duty belt.
27. Canine Officer Duty Uniform

Canine officers may wear the approved Canine BDU/Class C uniform only when engaged/assigned to Canine duties. The Canine BDU uniform will not be worn for any other assignment/purpose.
28. Alternative Uniform Attire

Alternative uniform attire may be approved for certain activities/assignments where a uniform would not be appropriate. These include MPD polo shirts, t-shirts, etc. These alternative items are

not a substitute for the standard uniform, and may only be worn for specific assignments/activities with the approval of the Chief.

29. External Body Armor Carrier

An approved external body armor carrier may be worn over the uniform shirt with the Class B or Class C uniform. All other uniform requirements (visible badge, name tag, collar brass, etc.) apply when the external body armor carrier is worn.

An approved medical/load-bearing external body armor carrier may be worn over the uniform shirt with the Class B or Class C uniform. Officers electing to wear the medical/load-bearing external body armor carrier will have their equipment carrying configuration approved by the Training Section prior to field deployment.

The medical/load-bearing external body armor carrier should appear as similar to the standard uniform shirt as possible, though a single "Police" patch may be worn on the rear of the carrier. All other uniform requirements (visible badge, approved nametag, collar brass, etc.) apply when the medical/load-bearing external body armor carrier is worn.

IN-SERVICE DRESS/EMPLOYEE DEVELOPMENT

Officers shall dress in clothing and gear consistent with their regular assignment unless notified otherwise by a member of the Training staff.

SPECIAL DUTY JOB

Officers working "special duty" jobs in uniform shall adhere to the military style uniform guidelines in this policy. If the assignment requires a non-military style uniform dress, officers shall dress in clothing consistent with the non-uniform clothing standards in this policy.

BODY ARMOR

It is the policy of the MPD to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

If the officer's assignment is uniform field work in an enforcement capacity rather than administrative or support capacities, body armor shall be worn. Officers are responsible to ensure that body armor is functional and does not interfere with the performance of their duties. Exceptions will be at the discretion of the commanding officer.

HEAVY BODY ARMOR

Officers may utilize personally owned, MPD approved supplemental heavy body armor while on duty in accordance with these provisions:

1. Only approved heavy body armor and accessories will be utilized. Heavy body armor carriers will indicate "POLICE" on the front and back and may not be modified without approval of the Captain of the Personnel and Training Team.
2. Officers will ensure that their individually owned heavy body armor is properly maintained and regularly inspected.
3. Officer must complete training and firearms qualification (as established by the Captain of the Personnel and Training Team) while wearing heavy body armor prior to using it in the field. All use of supplemental heavy body armor will be in accordance with departmental training.

4. Supplemental heavy body armor is not authorized for full-time wear. It may be utilized anytime an officer reasonably believes the potential for a deadly force threat from a firearm exists.
5. Officers will not utilize heavy body armor not assigned to them unless exigent circumstances are present.

BALLISTIC HELMETS

Officers may utilize MPD approved and issued ballistic helmets while on duty in accordance with these provisions:

1. Only MPD approved and issued ballistics helmets are to be worn. MPD ballistic helmets will have a Velcro badge number affixed on the rear of the helmet and may not be modified or removed without approval of the Captain of Personnel and Training Team.
2. Officers will ensure that their individually issued ballistic helmet is properly maintained and stored. Ballistic helmets should be kept in a location where officers can easily access them for deployment.
3. Ballistic helmets are not authorized for full-time wear. Ballistic helmets may be utilized anytime an officer reasonably believes that there is a potential for a deadly force threat from a firearm.
4. Officers will not utilize a ballistic helmet that is not assigned to them unless exigent circumstances are present.
5. Officer shall not affix or attach additional equipment or decals to their issued ballistic helmet unless approved by the Captain of Personnel and Training Team.

BADGES

Officers on duty must carry their assigned badge and departmental identification card on their person. Officers wearing the military style uniform will have their badge displayed on the outermost garment worn. Officers not wearing the military style uniform who have their primary handgun visible must have their badge displayed either on the front of their waistband or on their chest area.

UNIFORM ACCOUNT

1. Existing agreements between the City of Madison and the labor unions which represent uniformed personnel of the MPD spell out current provisions for use and administration of uniform accounts.
2. Under no circumstances are employees permitted to exceed the amount available in their account. It is the employee's responsibility to track their account balance, and employees are responsible for any applicable tax.
3. All uniform and equipment purchases for use on-duty by personnel on the monthly clothing allowance must be approved items consistent with this policy.

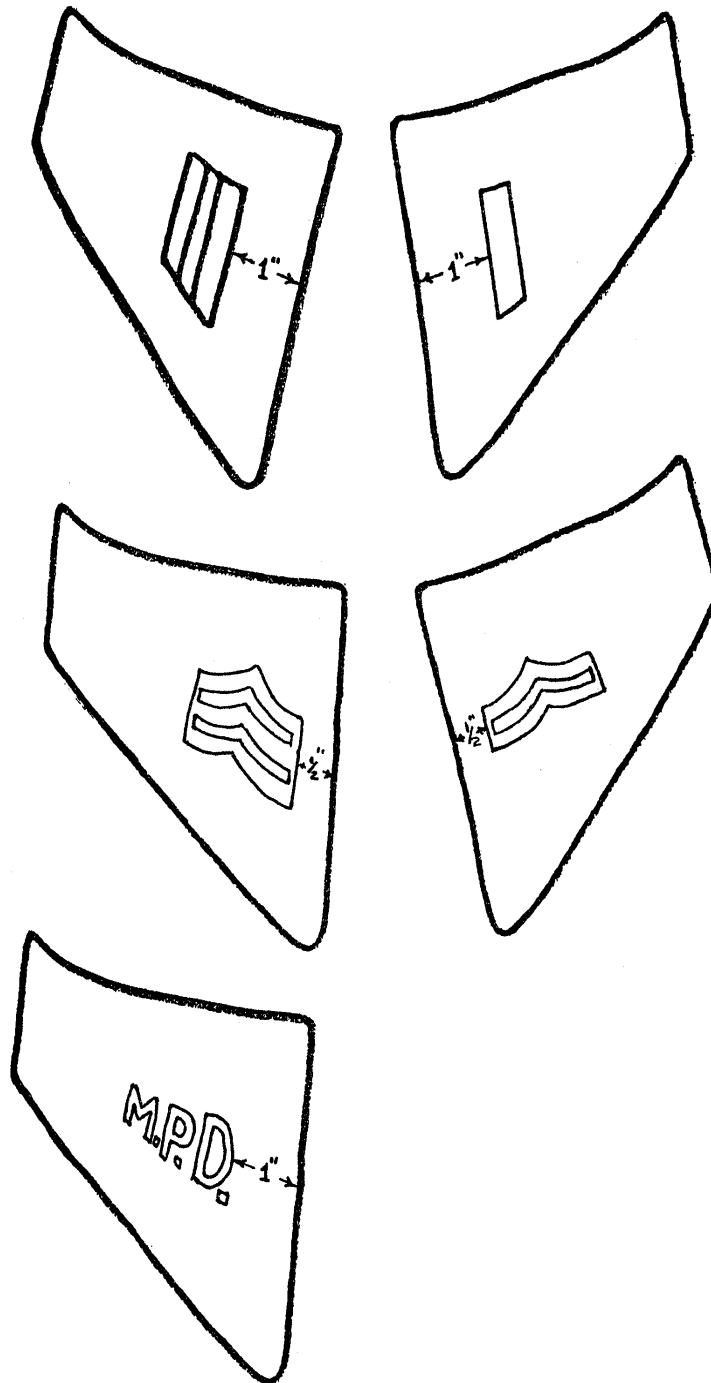
Original SOP: 02/25/2015

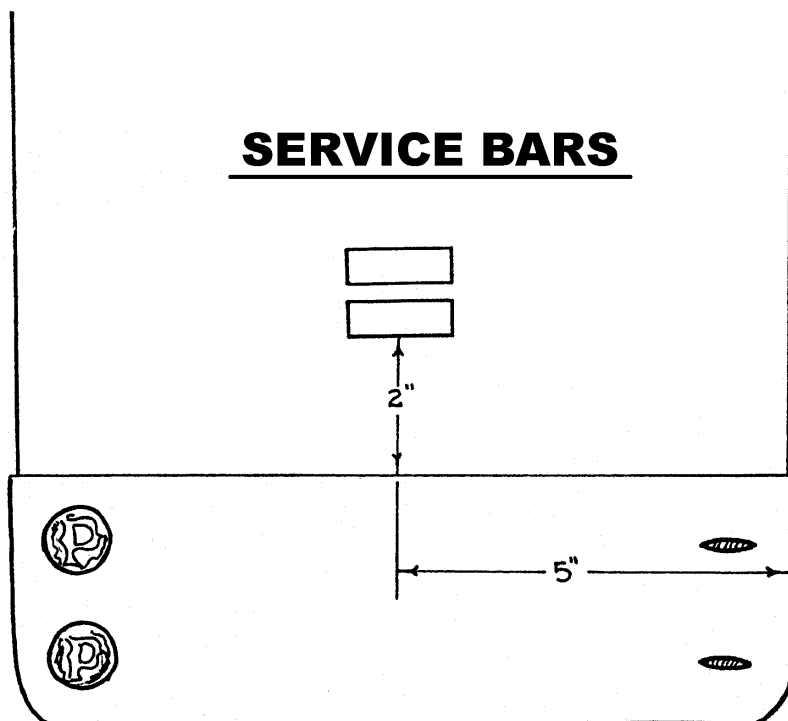
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(Revised: 09/13/2016, 02/18/2018, 04/16/2018, 4/30/2019, 10/08/2019, 10/19/2020, 05/19/2023, 06/12/2023, 01/03/2024, 04/07/2025)

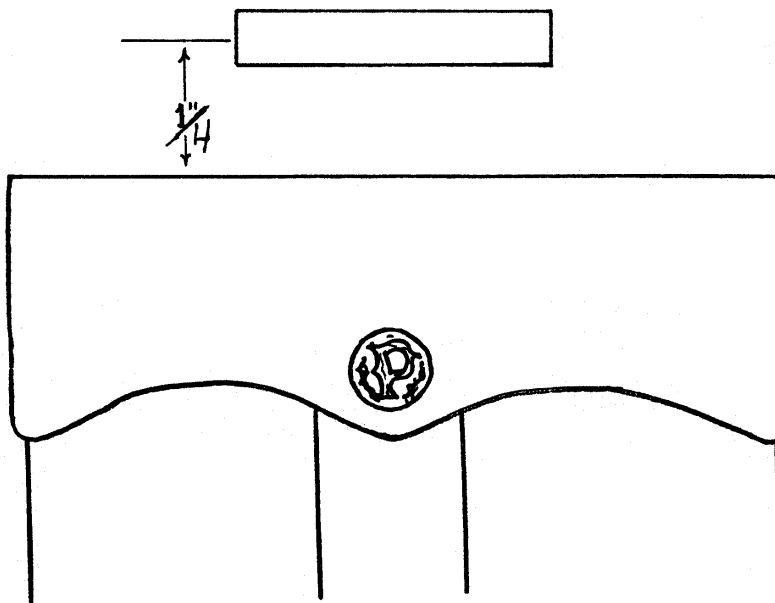
ADDENDUM A**COLLAR INSIGNIAS**

All insignias are to be centered between top and bottom of collar.



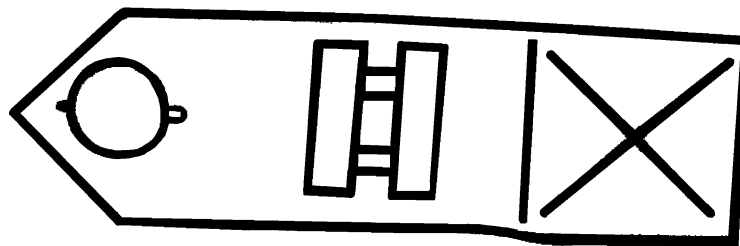
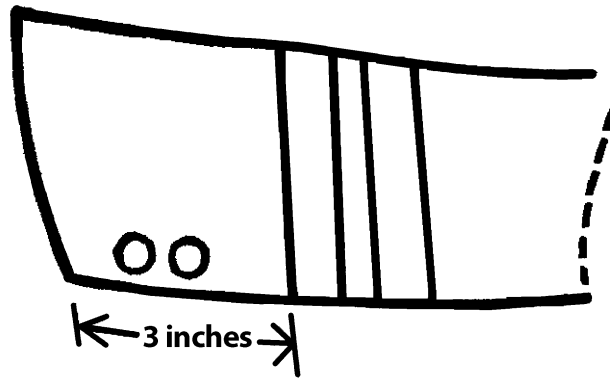


NAME TAG POSITION



COMMANDER'S OVERCOAT

Sleeve Bars: 4 bars: Chief of Police
 3 bars: Assistant Chief of Police
 2 bars: Captain
 1 bar: Lieutenant





CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Video and Audio Surveillance

Eff. Date ~~12/28/2021~~ 06/09/2025

Purpose

The Madison Police Department (MPD) recognizes the use of video and audio surveillance technology can significantly aid MPD investigative efforts and promote greater public safety in our community. Yet the use of surveillance technology must also be balanced with the need to protect the privacy rights of the public and MPD employees when and where applicable. MPD use of surveillance technology will be consistent with any applicable City of Madison Administrative Procedural Memos (APMs) and ordinances.

MPD personnel routinely utilize the City Enterprise Camera System. MPD personnel will also deploy and utilize other, stand alone, covert video or audio surveillance technology when appropriate. These deployments are generally limited in duration and are part of an on-going investigation of specific criminal activity for purposes of collecting evidence necessary for criminal or municipal prosecution.

Use of City of Madison Enterprise Camera System

All commissioned MPD employees are authorized to use the City Enterprise Camera System as outlined in this standard operating procedure (SOP). Civilian MPD employees may be authorized by the Chief of Police to access the system where there is a job-related need. No MPD employee will access or utilize the system prior to receiving training in its use.

MPD Information Management and Technology (IMAT) is responsible for administration and maintenance of appropriate user/access lists. Any complaints about use of the system will be routed through Professional Standards and Internal Affairs (PS&IA), consistent with department SOP.

Signage will be posted at appropriate MPD locations alerting the public to the use and deployment of video recording.

Authorized Use

MPD employees are only permitted to access the City Enterprise Camera System for official law enforcement business, under any of the following conditions:

- To assist with the investigation of criminal or otherwise unlawful activity.
- To assist with internal investigations as appropriate by the Chief or designee.
- To protect and secure MPD/City of Madison facilities.
- To maintain order during planned and unplanned events.
- As part of a proactive review of a tactical incident, or for internal training opportunities with prior supervisory approval.
- To remotely monitor environmental conditions or other non-investigative circumstances necessary to perform an employee's duties (i.e., weather or traffic conditions, safety hazards, management of resources, etc.).
- To preserve previously-discovered items or view/retrieve preserved evidence.

Prohibited Uses

MPD use of the City Enterprise Camera System is intended to monitor publicly available spaces. Employees will not use the system to view any area where a reasonable expectation of privacy exists (i.e., through a window into a private residence) without a warrant or other lawful justification (i.e., exigent circumstances).

Employees will not utilize the system to track or surveil any individual or vehicle without a specific and articulable law enforcement purpose. Cameras will not be accessed for any personal use.

MPD use of the City Enterprise Camera System is subject to audit, consistent with the System Audits SOP.

Retention/Evidence

City of Madison Information Technology (IT) is responsible for maintenance of the City Enterprise Camera System and for storage of video captured by the system. Depending on camera settings and available storage space, video is generally retained for ten to fourteen days. Video is generally retained for fourteen (14) days, unless a recording is requested under the Wisconsin Public Records law, it contains evidence, or it is determined to have other value in being preserved. Cameras on the City Enterprise Camera System deployed to sensitive areas within MPD facilities are retained for a one-year period.

Requests to preserve video on the City Enterprise Camera System server should be directed to the MPD Forensic Services Unit (FSU). The request shall be completed in a timely manner and shall include case number(s), camera name(s), date(s), and time frame(s) to be preserved for evidentiary purposes. This information shall also be documented within an official police report.

If a record is created through the preservation of video from the City Enterprise Camera System, that record will be maintained in accordance with MPD's records retention schedule. If the video contains evidence of unlawful activity, it will be maintained in accordance with MPD's digital evidence policies and procedures.

The capture and preservation of video stills ("screen shots") is permissible in instances where the full video is not necessary or required for evidentiary purposes or to supplement retention of the video. Video stills are not an equivalent substitution for proper video evidence identification and retention.

Pursuant to the State of Wisconsin's "Recording Custodial Interrogations" statutes (Wis. State Statutes 938.195 and 968.073), MPD has installed in all district stations video and audio recording equipment for purposes of recording custodial interrogations of individuals under 17 years of age and of adults involved in felonious incidents. MPD in-car audio/video systems may also be used to record custodial interrogations when necessary. All video and audio records associated with custodial interviews are maintained in accordance with applicable MPD departmental procedure.

Any requests to add or to move cameras on the City Enterprise Camera System will be forwarded to the Chief's office.

MPD Video/Audio Systems

MPD personnel deploy additional video/audio systems on a regular basis (in-car video, body worn cameras, unmanned aircraft systems, etc.). MPD personnel will only utilize or access those systems for official law enforcement purposes. Video/audio collected through those systems will be retained for 180 days unless a recording is requested under the Wisconsin Public Records law, it contains evidence, or it is determined to have other value in being preserved.

Use of Other Video/Audio Surveillance Systems

MPD personnel may deploy additional surveillance technology (i.e., covert cameras) as part of an active investigation. Such deployment will be of a limited duration and will only be done with approval as outlined below. MPD will not reveal the deployment or location of covert surveillance technology used in conjunction with criminal investigations unless the harm to the integrity and success of the investigation is outweighed by other public interests (i.e., the identification and apprehension of a fugitive). Access to covert video/audio surveillance deployed as part of an active investigation is limited to personnel authorized by the MPD commander in charge of the investigation.

MPD personnel may be provided with access to third-party video systems. MPD personnel will only utilize third-party systems for official police business.

The procedures outlined below serve to clarify and establish guidelines for further deployment of video and audio surveillance technology by MPD personnel. As noted earlier, MPD personnel use overt and covert

surveillance strategies depending upon the situation. Overt surveillance for purposes of this SOP shall be defined as video or audio surveillance where the subject(s) being recorded is(are) aware of the recording. Covert surveillance is defined as video or audio surveillance where the subject(s) is(are) not aware of the recording.

Prior to the use and deployment of video and audio surveillance technology, MPD employees shall adhere to the following:

1. All requests for the new use and deployment of video or audio surveillance will be directed to an MPD Command Officer. The Command Officer shall review the request and ensure the request is compliant with this SOP and that the anticipated installation/use of the video or audio surveillance is compliant with all applicable legal requirements.
2. The reviewing Command Officer will then review the request in light of the below matrix seeking higher level approval for the request if necessary:

Type of Surveillance	To be Authorized by
Covert video (only) surveillance related to criminal investigations	Chief of Police with Commander recommendation
Covert audio (only) surveillance related to criminal investigations (e.g., suspect telephone recording, etc.)	Chief of Police with Commander recommendation
Covert video or audio surveillance related to any internal, PS&IA employee investigation	Chief of Police Only
Access to third-party video systems	Command approval; notice to Chief of Police

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