

Proposed Use-of-Force Policies

Last Revised: December 8, 2016

- Add 4 hours of use-of-force de-escalation tactics to Wis. Stat. § 165.85(4) as a mandatory annual training area (in addition to vehicle pursuit training and firearm training that are already included).
 - De-escalation: De-escalation tactics and techniques are actions used by officers which seek to minimize the likelihood of the need to use force during an incident. Officers shall attempt to slow down or stabilize the situation so that more time, options and resources are available for incident resolution.

- Require that law enforcement's written use of force policies required in Wis. Stat. § 66.0511, include:
 - Duty to Preserve Life: The primary duty of all members of law enforcement is to preserve human life, including the lives of individuals being placed in police custody.
 - Necessity: Deadly force shall only be used as a last resort. The necessity to use deadly force arises when all other available means of preventing immediate and grave danger to officers or other persons have failed or would likely fail.
 - Proportionality: Law enforcement shall obtain the cooperation of the public, with minimum reliance on the use of physical force. When force is needed, it shall be in proportion to the threat posed.
 - De-escalation: De-escalation tactics to reduce the use-of-force by law enforcement officers shall be employed unless impossible.
 - Duty to Intervene: Officers must take actions to intervene when witnessing a colleague's excessive use-of-force.

- Direct the Law Enforcement Standards Board (LESB) to look at and develop best practices in the following areas:
 - Reducing the use-of-force by law enforcement officers while also increasing officer safety.
 - Responding to a subject exhibiting symptoms of a drug-induced psychosis or a psychotic episode as a medical emergency.
 - Encouraging officer intervention and accountability in excessive use-of-force incidents.
 - Requiring officers to reassess the situation after each discharge of their firearm.
 - Developing effective programming for officers who experience traumatic events.

- Require law enforcement agencies to collect and report the following information regarding the lethal use of force to the state Department of Justice, who will release an annual report summarizing the incidents:
 - Identifying race, gender, and age who was the target and the officer;
 - Time, date, and location of incident;
 - Alleged criminal activity of the target;
 - Whether the person who was the target of force was armed, and if so, with what;
 - Number of officers involved in the incident;
 - Copy of force guidelines in effect at the time deadly force was used; and
 - Whether the officer was responding to a call or if the contact was self initiated.