

Rodriguez, Rachel

From: Keith Findley <keith.findley@wisc.edu>
Sent: Tuesday, December 11, 2018 2:19 PM
To: Rodriguez, Rachel
Cc: Paulsen, Marci; Tom Brown
Subject: Additional recommendations
Attachments: Findley recommended additional policies.docx; Ad Hoc Committee additional recommendation.docx

Rachel,

I sent these additional recommendations for the ad hoc committee in quite some time ago, but I haven't noticed them in any of the materials you have sent to the full committee. I am resending them now just to make sure they don't get overlooked. Could you please circulate with other recommendations to the full committee, and attach them to the next agenda along with the other recommendations? If you've done so already, my apologies for missing it.

Keith

Keith A. Findley
Associate Professor
University of Wisconsin Law School
975 Bascom Mall
Madison, WI 53706
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Need policies on:

- Banning or limiting the use of deceit in interrogations, and use of Reid technique of interrogation
- Proper procedures for submitting evidence to the crime laboratories so as to minimize bias
- Providing mentors for promising officers from underrepresented groups to help them prepare for and be motivated to apply for promotions
- Governing when police should stop people for driving without a valid license, or when they ticket and/or arrest homeless people (for trespassing or obstructing the sidewalk, etc.), or ticket and/or arrest people for engaging in other low-level offenses that tend to disparately affect low-income people

One type of force sometimes applied by police officers, including MPD officers, when bringing a subject into custody is known as a “distraction blow” or “compliance strike.” The theory behind this technique is that distraction blows are strikes inflicted on a part of the body of a suspect and are intended to “distract” him so that hands could be secured or handcuffs could be applied. MPD policies neither explicitly allow nor disallow distraction blows. Elsewhere, the use of distraction blows has proved controversial. This matter is in need of further review by MPD about what is meant by the use of force and what is permitted. If the Department is going to continue to authorize distraction blows, clear policy and training should be devised on their use regarding what is permissible and what is prohibited. Any written policy should prohibit the use of blows to the head as distraction blows, or distraction blows to any subject once the subject has been handcuffed.

Possible Recommendation: MPD should reconsider its training protocols and policy regarding the use of “distraction blows.” If distraction blows are to be authorized, officers should be provided more guidance on the allowable uses of force under such category. Any distraction blows policy should prohibit strikes to the head or strikes to individuals already in handcuffs.



CHRIS TAYLOR

STATE REPRESENTATIVE ♦ 76th ASSEMBLY DISTRICT

December 12, 2018

Via Electronic Mail

Madison Police Department Policy & Procedure Review Ad Hoc Committee
Attn: Rachel Rodriguez
City of Madison Clerk's Office
City-County Bldg., Room 103
210 Martin Luther King Jr., Blvd.
Madison, WI 53703

MPD Policy & Procedure Review Ad Hoc Committee Members:

Thank you for the opportunity to provide recommendations on additional areas of the Madison Police Department's Policies and Procedures that should be assessed.

As you know, I have previously testified in front of the committee and provided feedback directly to the OIR Group. This testimony and feedback centered on specific additions to MPD's use of force policies, which I incorporated into state legislation introduced this session (attached). The principles in the bill are derived from and consistent with law enforcement training standards, recommendations from law enforcement executives, and best practices from law enforcement agencies throughout this country. These principles include:

- The primary duty of all members of law enforcement is to preserve the life of all individuals;
- Deadly force is to be used only as a last resort;
- Officers should use skills and tactics that minimize the likelihood that force will become necessary, including de-escalating tactics. If officers must use physical force, it should be the least amount of force necessary to safely address the threat; and
- Officers shall take reasonable action to stop or prevent any unreasonable use of force.

I am heartened to see that some of these principles have already been included in MPD's use of force policies.

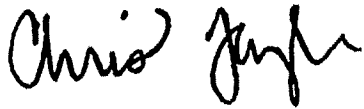
Additionally, I would encourage the committee to make recommendations regarding requiring MPD to shift to an independent internal review model. Currently, internal complaints are conducted within the MPD. This is not the best practice, and at a minimum leads to a perception by the public of bias. Dozens of law enforcement departments around the country use an independent internal review process, which can include a separate, independent ombudsman or board that conducts these investigations. This is the best way to ensure impartiality, increase transparency and enhance accountability.

Finally, I would recommend that the committee look at MPD's "Sexual Assault Investigations" Standard Operating Procedure. The Police Executive Research Forum published an Executive

Guidebook in May 2018 titled “Practical Approaches for Strengthening Law Enforcement’s Response to Sexual Assault.” I believe MPD’s current SOP on this topic could be strengthened so that the public, and especially sexual assault victims, has a better idea of what to expect out of sexual assault investigations. For example, a more robust policy might outline victim rights, interviewing victims, evidence collection, working with victim advocates, providing information on resources, and considerations for specific underserved populations or communities.

Thank you for this opportunity to provide further feedback to this important committee as members prepare final recommendations on this important issue.

Sincerely,

A handwritten signature in black ink that reads "Chris Taylor". The signature is written in a cursive, flowing style.

Representative Chris Taylor
76th Assembly District



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1260/7
CMH:amn

2017 ASSEMBLY BILL 438

July 14, 2017 - Introduced by Representatives C. TAYLOR, GOYKE, BOWEN, ANDERSON, CROWLEY, BERCEAU, OHNSTAD, SARGENT, CONSIDINE and KESSLER, cosponsored by Senators JOHNSON and RISSER. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to renumber and amend* 66.0511 (2); and *to create* 66.0511 (2) (a), (b),
2 (c) and (d) and (4) and 165.85 (4m) of the statutes; **relating to:** law enforcement
3 agency policies on the use of force.

Analysis by the Legislative Reference Bureau

This bill requires each law enforcement agency to ensure that its publicly available policy on the use of force incorporates the following principles: that the primary duty of all law enforcement is to preserve the life of all individuals; that deadly force is to be used only as the last resort; that officers should use skills and tactics that minimize the likelihood that force will become necessary; that, if officers must use physical force, it should be the least amount of force necessary to safely address the threat; and that law enforcement officers must take reasonable action to stop or prevent any unreasonable use of force by their colleagues. This bill also prohibits disciplining a law enforcement officer who reports a violation of a law enforcement agency's policy regarding the use of force.

This bill also requires the Law Enforcement Standards Board to develop a model use of force policy for law enforcement agencies. The model policy must address interactions with individuals with mental disorders, alcohol or drug problems, dementia disorders, and developmental disabilities; limit the use of force against vulnerable populations; and include other best practices that LESB identifies.

ASSEMBLY BILL 438

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 66.0511 (2) of the statutes is renumbered 66.0511 (2) (intro.) and
2 amended to read:

3 66.0511 (2) USE OF FORCE POLICY. (intro.) Each person in charge of a law
4 enforcement agency shall prepare in writing and make available for public scrutiny
5 a policy or standard regulating the use of force by law enforcement officers in the
6 performance of their duties. The law enforcement agency shall provide in its policy
7 the instances in which a use of force must be reported, how to report a use of force,
8 and a requirement that officers who engage in or observe a reportable use of force
9 report it. Each policy or standard shall incorporate the following principles:

10 **SECTION 2.** 66.0511 (2) (a), (b), (c), (d) and (e) and (4) of the statutes are created
11 to read:

12 66.0511 (2) (a) That the primary duty of all law enforcement is to preserve the
13 life of all individuals.

14 (b) That deadly force is to be used only as a last resort.

15 (c) That officers should use skills and tactics, including de-escalation tactics,
16 that minimize the likelihood that force will become necessary.

17 (d) That, if law enforcement officers must use physical force, it should be the
18 least amount of force necessary to safely address the threat.

19 (e) That law enforcement officers shall take reasonable action to stop or prevent
20 any unreasonable use of force by their colleagues.

ASSEMBLY BILL 438

1 (4) WHISTLEBLOWER PROTECTIONS. No law enforcement officer may be
 2 discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or
 3 otherwise discriminated against in regard to employment, or threatened with any
 4 such treatment, because the law enforcement officer reported, or is believed to have
 5 reported, any violation of a policy under sub. (2); initiated, participated in, or testified
 6 in, or is believed to have initiated, participated in, or testified in, any action or
 7 proceeding regarding a violation of a policy under sub. (2); or provided any
 8 information, or is believed to have provided any information, about a violation of a
 9 policy under sub. (2).

10 **SECTION 3.** 165.85 (4m) of the statutes is created to read:

11 165.85 (4m) BEST PRACTICES. The board shall develop, and review at least once
 12 every 2 years, a model use of force policy for law enforcement agencies that does all
 13 of the following:

14 (a) Incorporates the principles under s. 66.0511 (2).

15 (b) Addresses interactions with individuals with mental disorders, alcohol or
 16 drug problems, dementia disorders, and developmental disabilities.

17 (c) Limits the use of force against vulnerable populations, including children,
 18 elderly individuals, pregnant women, individuals with physical or mental
 19 disabilities, and individuals with limited English proficiency.

20 (d) Includes other best practices that the board identifies.

21 (END)

Rodriguez, Rachel

From: Gregory Gelembiuk <gwgeleb@wisc.edu>
Sent: Tuesday, December 11, 2018 11:05 PM
To: Keith Findley
Cc: Tom Brown; Rodriguez, Rachel
Subject: Re: CRT Proposed Recommendations - Set 1
Attachments: CRT Proposed Recommendations - Set 1.docx

Here's the document (resending, since not properly attached on the initial e-mail).

Greg

From: Gregory Gelembiuk
Sent: Tuesday, December 11, 2018 11:01 PM
To: Keith Findley
Cc: Tom Brown; rrodriguez2@cityofmadison.com
Subject: CRT Proposed Recommendations - Set 1

Tom, Keith, Rachel,

Here is the finalized document containing the first set of CRT proposed recommendations. There are a total of 18 recommendations in this set. Most are potential recommendations I'd previously e-mailed the committee over the course of time (but here, all compiled into one document).

We will send you a finalized document for the second set of ~9 CRT proposed recommendations on Wednesday.

Sincerely,

Dr. Gregory Gelembiuk

18 Proposed Recommendations.

This is a set of proposed recommendations from the Community Response Team. It is the first of two sets we are submitting.

Because this document is long, here are internal hyperlinks, linking to each major section, to facilitate access. Click (or Ctrl + Click) on the link to go to that section of the document.

[Public Data Releases](#) (Recommendation 1)

[Protective Devices](#) (Recommendation 2)

[Less-Lethal Weapons](#) (Recommendations 3-5)

["Firearms Control"](#) (Recommendation 6)

[International Models](#) (Recommendation 7)

[Foot Pursuit](#) (Recommendation 8)

[Are Communities of Color Overpoliced?](#) (Recommendation 9)

[ICAT Training](#) (Recommendation 10)

[Arrests and Citations for Minor Offenses](#) (Recommendation 11)

[Opioid Crisis](#) (Recommendation 12)

[Administrative Review of Critical Incidents](#) (Recommendation 13)

[Progressive Proactive Juvenile Crime Reduction](#) (Recommendation 14)

[Methodology for Calculated Reactive and Proactive Time](#) (Recommendation 15)

[Recruit Screening](#) (Recommendation 16)

[Shooting at Moving Vehicles](#) (Recommendation 17)

[Response to Persons in Altered Mental States](#) (Recommendation 18)

Public Data Releases

1. MPD should take all steps necessary to ensure that any data released to alders or to the public (for example, in annual reports) is fully accurate. All data releases should be accompanied by rigorous definitions and descriptions of methodology, sufficient to enable completely unambiguous interpretation of all data provided. Misleading data practices should be avoided.

On occasion, I have encountered inconsistencies in MPD data releases (e.g. where tables present contradictory information). Also, in many or most instances, terms are not adequately defined and methodology is not provided – making it impossible to properly interpret the data. In the absence of this information, the data is not actually useful.

An example of a misleading data practice: cutting off most of the Y-axis for a histogram that included only two bars, to generate an impression of an increase (when in reality there was virtually no change). Fox news often uses this tactic.

Protective Devices

2. MPD should consider deploying additional protective equipment in squad cars, including but not limited to transparent acrylic personal protection shields and Kevlar stainless steel gloves, and provide training in their use.

PERF (Police Executive Research Forum) recommends that patrol officers have access to personal protection shields (this is part of the PERF guidelines for reducing use of deadly force). Personal protection shields are a cornerstone of handling resistant emotionally disturbed persons for NYPD and across Europe. If you have the cover of a shield, there's less need to use a gun. PERF report guideline:

28 *Personal protection shields enhance officer safety and may support de-escalation efforts during critical incidents, including situations involving persons with knives, baseball bats, or other improvised weapons that are not firearms.*

Agencies should acquire personal protection shields for use by patrol officers and others in managing some critical incidents. Officers with access to personal protection shields should be adequately trained on how to use the shields both individually and as part of a team operation.



NYPD Deputy Inspector Matthew Galvin and NYPD Emergency Service Unit Lieutenant Sean Patterson demonstrate lightweight acrylic shields

Less-Lethal Weapons

3. MPD should consider acquisition and training in additional well-developed less-lethal tools, such as newer options for chemical sprays and better/safer kinetic weapons. An example of the former is the Piexon JPX4. An example of the latter is the 40 mm platform with appropriate less-lethal ammunition.

Another PERF recommendation for reducing use of deadly force:

EQUIPMENT

26 Agencies should consider *new options for chemical spray.*

Agencies should evaluate their current policies and practices on the use of chemical spray, and consider alternatives that address officers' concerns over cross-contamination and flammability. In the United Kingdom, some agencies are now using PAVA spray (pelargonic acid vanillylamide). Unlike traditional CS or OC sprays, PAVA has a concentrated stream that is more accurate, minimizes cross-contamination, and is not flammable (meaning it can be used in conjunction with an Electronic Control Weapon). While PAVA is not currently available in the United States, agencies should research and evaluate alternative products that provide some of the same features and benefits.

The Piexon JPX4 is an OC gun, designed to deliver a confined, high velocity splat of OC to the face. The splat is released from the gun at 405 mph. It has a range of 23 feet (i.e. can accurately hit a face at this distance). This is very different from other pepperspray devices, which are only useful at short range and deliver a widely dispersed mist or broad stream. The velocity is so high that it's not affected by wind. Pepperspray also normally takes seconds to take effect, but the confined, concentrated blast from a Piexon JPX incapacitates essentially immediately. Targeting is by painting the subject with a laser. The JPX4 allows four successive shots without reloading. Police departments using the Piexon JPX report it to be highly effective. It's relatively small and handgun/Taser shaped and is carried on the belt of the patrol officer. One cautionary note is that it cannot be used within five feet of the subject, since this risks permanent eye injury (given the velocity of the jet).

A 40 mm platform with 40 mm ammo has longer range, greater accuracy, and greater safety than beanbag rounds. For maximizing kinetic impact while minimizing risk of injury (especially penetrating injury – eyes are particularly vulnerable), you want to spread the impact across a large surface area, and higher diameter rounds provide this. Moreover, higher quality 40 mm ammo is designed to pancake, with the front end (which is often made of foam or similar material) crushing and spreading out upon impact (further increasing surface area). 40 mm rounds containing OC powder are also available – releasing a cloud of pepper powder upon impact (in addition to the kinetic effect).

Tasers:

4. MPD should train the Police Executive Research Forum recommendation that an ECW deployment that is not effective does not mean that officers should automatically move to their firearms.

EQUIPMENT

27 An ECW deployment that is not effective does not mean that officers should automatically move to their firearms.

Agencies should ensure that their policies, training, and procedures around the use of Electronic Control Weapons (ECWs) are consistent with the 53 guidelines released by PERF and the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) in 2011.⁶⁹

Accounts of fatal police shootings often state that “the officer tried an ECW, it had no effect, and so the officer then used a firearm.” This is an inappropriate way to view force options. ECWs often do not work because the subject is wearing heavy clothing or for many other reasons. An ECW deployment that is not effective does not mean officers should automatically move to their firearms. Under the Critical Decision-Making Model, an ineffective ECW deployment should prompt officers to re-assess the situation and the current status of the threat, and to take appropriate, proportional actions. In some cases, that may mean tactically repositioning, getting together as a team, and assessing different options.

I’ll mention that a less-lethal expert trainer I corresponded with (Lt. John Stanley of the Los Angeles Sheriff’s Department) expressed the following: “the vast majority of incidents that go down as Taser failures, really are not a failure of the weapon: they are training issues.” That is

supported by the fact that some departments (e.g. Green Bay Police Department) report very low Taser failure rates (even with a single shot model).

Studies (e.g. Mesloh et al 2008) show that successive iterations of Taser shots drastically reduce the frequency of failure to incapacitate. E.g. Perhaps one of the probes missed on the first shot, but both hit on the second; or one of the probes failed to adequately penetrate baggy clothing on the first attempt, but both did on the second. Essentially, the probability of failure appears to be multiplicative (e.g. with a 0.30 failure rate for one shot, after three iterations the failure rate is $0.30 \times 0.30 \times 0.30 = 0.027$).

One option to reduce Taser failure rate is to use multishot Taser models. I believe MPD uses the X26 or X26P - it only allows a single shot, then must be reloaded (with reloading not feasible in many field situations). The X2 allows two successive shots without loading a new cartridge and the Taser X3 allows three successive shots without reloading. Lt Stanley thinks that the Taser X3 is too large and expensive for routine use (though some departments do use them). Many departments do use the Taser X2. For reducing use of deadly force, this might be a superior option to the single shot X26 (or X26P). Cartridges are available with different probe lengths – the 35 foot (longest probe) cartridge might be the best option (giving better distance). Cartridges with slightly longer needles (XP – extra penetration model) are also available and reduce clothing penetration failures.

5. MPD should fully implement the recommendation of the NAACP/United Way/Dane County Chiefs of Police Special Community/Police Task Force regarding police ‘Use of Force’: “Allow officers to use Electronic Control Devices (i.e., Tasers) when no immediate back up is present. Remove the requirement of lethal cover for ECD use (Taser).”

Here’s the Task Force Report and here’s the 2017 follow-up progress report (in which each Dane County police department discusses their progress in implementing the recommendations).

MPD policy currently states: *“In cases where a subject is believed to be armed with a dangerous weapon, an ECD is not a substitute for deadly force. In such situations, unless circumstances dictate otherwise, an officer should not arm him or herself with an ECD unless another officer at the scene has the immediate ability to deliver deadly force, unless unique circumstances dictate otherwise. Officers armed with an ECD should continuously monitor and evaluate the ability of other officers present to deliver deadly force.”* It’s the same policy MPD had prior to the Task Force recommendations.

Most police departments, including in Dane County, do not impose such a constraint on Taser use. Moreover, in discussions of use of deadly force, MPD command officers have noted that a person’s body (arms, legs, etc.) can be a dangerous weapon – no implement is required to meet the definition of armed with a dangerous weapon. It thus appears that, in almost all circumstances, Taser use by an MPD officer is effectively prohibited unless lethal cover is

present (another officer with firearm drawn). I asked the command officer in charge of training for Richmond CA about the MPD policy (since that city has dramatically reduced fatal officer involved shootings). He said it didn't make any sense to deprive officers of the ability to use one of the key tools in their toolbox in these situations.

I'll add - perhaps one way to address concerns about potential Taser failure in such a context would be purchase and deployment of the X2 model (allowing two successive shots without reloading).

"Firearms Control"

6. MPD should reach out to NYPD administration to gain a detailed understanding of NYPD's schema of "firearms control", to determine if NYPD's approach, or elements of it, could be useful in reducing the frequency of officer involved shootings in Madison. If the answer is affirmative, MPD should consider incorporating this approach.

NYPD has a much lower rate of officer involved shootings than MPD. NYPD's success in reducing officer involved shootings in part revolves their implementation of the concept of "firearms control".

"Firearms control" is a concept that NYPD utilizes and emphasizes heavily. The basic idea is that avoidable officer involved shootings result from loss of firearms control - officers might lose focus, get startled/frightened, and begin shooting unnecessarily; or they may continue shooting when it's no longer required; or they may begin shooting contagiously; etc. The concept is one of continuous restraint and careful/deliberate decisionmaking in what they're doing with their firearms. I think departmental commitment to this idea is one of the core factors behind the decline in NYPD officer involved shootings.

In policy or conversation, I've seen no explicit use of this concept (or anything closely analogous) from MPD. Of course, MPD might say that it's there implicitly - kind of inherent in their policy provisions/training. But honestly, there's nothing here like the NYPD concept, and NYPD's very strong emphasis on the concept. I believe that MPD could really benefit from adopting and committing to NYPD's approach in this regard.

"Firearms control" is sprinkled throughout NYPD's policies, training documents, annual evaluations, etc. Some examples:

General policy for all police incidents:

"All members of the service at the scene of a police incident must:

a. Immediately establish firearms control

- b. Use minimum necessary force
- c. Employ non-lethal alternatives, as appropriate."

For incidents involving "emotionally disturbed persons":

"[For Patrol Supervisors]

(7) Establish firearms control.

(a) Direct members concerned not to use their firearms or use any other deadly physical force unless their lives or the life of another is in imminent danger."

For hostage situations:

"For a hostage situation, officers on the scene must contact a hostage negotiator, Emergency Services*231 must be contacted and firearms control must be established and maintained"

"Establish and maintain firearms control during the course of the hostage/barricaded situation."

From the 2011 NYPD annual firearms discharge report:

"Information gleaned from the annual reports has saved the lives of citizens and officers alike, and there has been Department-wide change—tactical, strategic, and cultural—with regard to how officers use and control their fire-arms. The Department has made restraint the norm. Today, the reports serve an additional but equally important role: they are statistical engines for the development of training, the adoption of new technologies, and even the deployment of Department assets. New instructional scenarios are implemented from these reports, new hardware—from bullet-resistant vests to speed loaders to semi-automatic handguns to conducted-energy devices—is introduced. Tracking how, when, where, and why officers discharge their weapons is an invaluable tool for working towards the Department's ultimate goal of guaranteeing that, for every discharge, no option exists other than the use of a firearm.

...restraint is the norm. More than a quarter of the officers discharging their firearms in adversarial-conflict incidents only fired one shot. And this pattern of control is also apparent when analyzing the number of shots fired per incident, rather than per officer. Sixty-one percent of the incidents involved five or fewer shots being fired. In 31 percent of adversarial-conflict incidents, the total number of shots fired by all police officers involved was one."

Moreover, firearms control/restraint (officers who don't shoot) can be rewarded by NYPD. e.g.

"NYPD hails 'Police Officers of the Year' for restraint in capturing gunman

June 3, 2011

STATEN ISLAND, N.Y. -- Two police officers who used "amazing" firearm restraint to capture a suspect who had fired three shots into the air at a crowded event earned the borough's 2010 Police Officer of the Year Award..."

Another such award:

"Members of the 113 Precinct Anti-Crime Team received the CompStat award for safely arresting an armed gang member while in the vicinity of a Queens middle school dismissal. ..As the officers approached the individual, he fled through Rochdale Village towards a local middle

school. Considering the safety of the school children in the area, the officers maintained extreme firearms control. Working as a team, the anti-crime officers apprehended the perpetrator and recovered a loaded .380 Bersa firearm without incident."

From a news story (entitled "Shootings, killings by officers fall in 2013, NYPD says"):
"They have been hammering firearms control into the cops' heads since I was a rookie cop in 1992," said retired Det. Sgt. Joseph Giacalone, who is a police training consultant. "They have made every effort to cut down on deadly force."

Another news story:

"The NYPD's new 'Tactical Awareness Bulletin' discusses options of what to do during a life or death situation. The NYPD says the bulletin was not released because of any recent specific situations, but it does appear to address any high profile encounter between police and civilians, which includes the October 4th killing of National Guardsman, Noel Polanco on the Grand Central Parkway. The bulletin advises police to take cover, slow down and assess and use firearms control when dealing with a difficult situation."

Another news story:

"Police discovered the 911 caller, who was allegedly under the influence of alcohol and prescription drugs, was the one firing the shots. Further, they observed a large cache of illegal weapons, including handguns, shotgun, rifles and assault rifles.

Officers seized the weapons and placed the Flushing resident under arrest.

"The seizure is significant, but for me what's important is the firearms control that they maintained," Harrison said. "Sometimes things can happen really quickly and you have to react really quickly. But these officers were patient under the direction of sergeant Mosca and they were able to bring this to a successful conclusion."

A discussion, from a review by RAND Corporation, of how NYPD seeks to instill restraint in drawing of firearms:

"The NYPD student's guide gives a number of examples of how a drawn weapon places the officer at a disadvantage; examples, many of which were observed in actual firearm-discharge cases, include the following:

"If an offender who is being held at gunpoint by an officer who has come too close to him or her decides to forcibly resist the officer, he or she has great advantage over the officer. Such an offender has both hands free to overpower the officer, but one of the officer's hands—almost always the stronger hand—is tied up in trying to safeguard the weapon. It is nearly impossible for officers who are handicapped in this way to overcome such a suspect, and, if they fail to overcome them, either officer or suspects become victims of shootings that should not have happened. (NYPD Police Academy, 2007a, p. 18)

Such situations—a suspect is being held at gun point—greatly increase the chances of accidental or unintended shootings. Should suspects make some unanticipated movement—like turning to explain themselves, reaching for their identification, slipping, or tripping—officers are likely to be startled and to pull their triggers. Should suspects try to forcibly resist, the chances of

an accidental shooting that will strike the suspect, an officer, or a bystander are increased significantly. (NYPD Police Academy, 2007a, p. 18)""

A similar concept appears to be emphasized in many European police departments. For example, as noted in an article "Why German police officers rarely reach for their guns": ""*Don't shoot*" - *that's not only the title of a police weapons training course in the state of North Rhine Westphalia, it's a main goal.*"

International Models

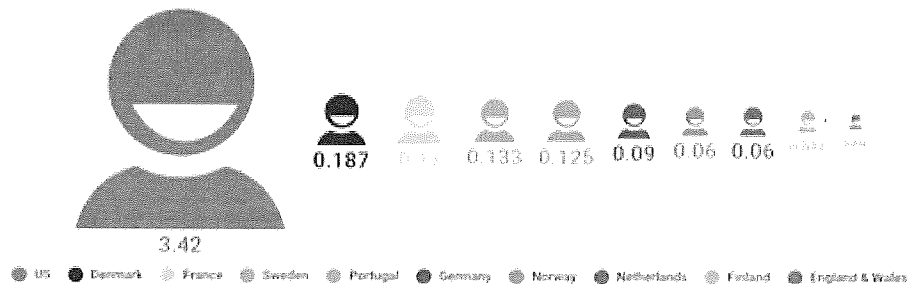
7. MPD should reach out to the Police of Finland, particularly the Police University College, and send at least one command officer to Finland, to learn about Finnish Police methods (training, tactics, etc.) that may be useful for reducing the frequency of fatal officer involved shootings.

U.S. policing has much to learn from policing models used in other countries, and particularly Finland. Key cultural factors are similar between Finland and the U.S., with high rates of violence and high per capita gun ownership in both countries. In addition, Finnish police officers routinely carry guns (like police in the U.S. and unlike police in a number of other E.U. countries). Yet the per capita rate of fatal officer involved shootings is about one hundred fold lower than in the U.S. (and the rate of injuries to Finnish police officers is also much lower than in the U.S.). The U.S. Police Executive Research Forum has recently noted the importance of examining policing models in other countries and has begun incorporating lessons learned from the Scottish policing model. The Finnish policing model might be even more relevant. Contact with police training instructors might be especially useful. I'd previously suggested potentially inviting a presentation to the Ad Hoc Committee by Tomi Kataja, an instructor at the Police University College of Finland who has been frequently cited in reports and news articles concerning use of force.

In the graphic below, showing the per capita rate of fatal police shootings across countries, the U.S. is the huge green figure at the left end, and Finland is second from the right.

A different standard

Fatal police shootings



Annual fatal police shootings per million residents. Data are based on most recent available. US: 2014; France: 1995-2000; Denmark: 1996-2006; Portugal: 1995-2005; Sweden: 1996-2006; Netherlands: 2013-2014; Norway: 1996-2006; Germany: 2012; Finland: 1996-2006; England & Wales: 2014.

Website for Finland's police education facility: <http://www.polamk.fi/>
http://www.polamk.fi/en/polamk_contact_information

Foot Pursuit

8. MPD should modify its foot pursuit policy to decrease risk of adverse events. Specifically, the following should be included:

- a. A provision that directs officers to maintain a safe distance, rather than overtaking the suspect, until sufficient cover (e.g. backup officers, etc.) is available to take the suspect into custody. This provision may include a list of techniques to consider (e.g. paralleling the suspect, etc.; see Portland OR policy for an example of such a list).
- b. A provision to the effect of "No sworn member shall be criticized for deciding against initiating or discontinuing his/her involvement in or terminating a foot pursuit."
- c. A provision specifying safety-enhancing explicit restrictions on engaging/continuing foot pursuit (see Portland OR policy for an example of such a list). Among other restriction, foot pursuit of armed suspects should be prohibited unless, in extreme circumstances, no other alternative strategy is feasible and a delay in the apprehension of the suspect would present a threat of death or serious physical injury to others.

d. A provision directing officers to consider factors related to the suspect's behavior when deciding whether to initiate or continue pursuit (see Portland OR policy for an example).

e. Language requiring the officer to continually assess whether to continue the pursuit.

f. A provision specifying that, whenever possible, the first officer to reach the suspect should not go "hand on" with them, but, instead should wait for backup to take that role.

The shooting on September 1, 2018 followed a foot pursuit. There's a lot of data nationally showing that foot pursuits are one of the circumstances most likely to lead to police shootings (e.g. Chicago Tribune article: "Third of police shootings started with foot chases, Tribune analysis finds").

Departments have adopted policies to reduce this risk. Many large city police departments have foot pursuit policies that are more detailed and restrictive, offering more guidance to officers, than MPD's.

The Portland OR Police Department foot pursuit policy is a nice example to compare with MPD's foot pursuit policy.

There are several important provisions that are present in the Portland policy and that reduce the risk of adverse outcomes (e.g. officer involved shootings), but that are absent in Madison's policy:

"b. Generally, the pursuing sworn member should not attempt to overtake the fleeing suspect but keep the suspect in sight until sufficient cover is available to take him/her into custody. The following are techniques to consider:

- 1. Following and maintaining a safe distance.*
- 2. Paralleling the suspect.*
- 3. Cover/contact pursuits (two sworn members).*
- 4. Following a different route than the suspect (i.e., wide corners).*
- 5. Using available cover (i.e., parked cars)."*

[Unlike MPD's policy, the Portland policy directs officers to maintain a safe distance, rather than overtaking the suspect, until sufficient cover (e.g. backup officers, etc.) is available to take the suspect into custody. The provisions in this segment increase safety.]

"No sworn member shall be criticized for deciding against initiating, discontinuing his/her involvement in or terminating a foot pursuit."

[This removes incentives for risky behavior by the officer.]

"Foot pursuit Restrictions (630.15)

a. The pursuing sworn member, if appropriate, will attempt tactical apprehension strategies. Sworn members will not engage in or continue in a foot pursuit when instructed not to by a supervisor. Sworn members should not engage in or continue foot pursuits in the following circumstances:

- 1. Armed suspects unless, in extreme circumstances, no other alternative strategy is feasible and a delay in the apprehension of the suspect would present a threat of death or serious physical injury to others.*
- 2. In the event that a suspect enters a building, structure, wooded area or otherwise isolated area sworn members, unless in extreme circumstances, will not pursue suspects into these areas without sufficient cover present.*
- 3. If the sworn member believes that the danger to the pursuing sworn member or the public outweighs the necessity for immediate apprehension.*
- 4. If the sworn member is disarmed.*
- 5. If the sworn member loses contact with BOEC and no other means of communication exists.*
- 6. If the sworn member loses visual contact of the suspect(s) for more than a brief period of time (1-2 seconds).*
- 7. The sworn member is not familiar with and is unable to communicate the direction of travel or location sufficient enough for other sworn members to assist.*
- 8. The sworn member is unsure of his/her location.*
- 9. If instructed to do so by a supervisor."*

[The Portland policy contains more safety-enhancing explicit restrictions on engaging/continuing foot pursuit than MPD's policy. Such measures reduce the risk of harm to the officer, the suspect, and the public.]

"Factors to Consider When Initiating/Continuing a Foot pursuit (630.15)

...

b. Suspect's behaviors:

- 1. Looking back may be an indication the suspect is targeting or "sizing up" a pursuing sworn member.*
- 2. Change in stride or pace or efforts to draw a sworn member in or allow a sworn member to close may indicate the suspect is preparing for an attack.*
- 3. Hand and shoulder movement is an indicator the suspect may be reaching into the waistband or other threat areas.*

4. *Holding an area of clothing to keep a weapon from falling out.*

...."

[MPD's policy offers a list of factors to consider when initiating a pursuit, but unlike Portland's policy, it doesn't require the officer to continually assess whether to continue the pursuit given that same list of conditions - a shorter list of conditions is specified for terminating a pursuit. In addition, MPD's policy contains nothing about considering the suspect's behaviors.]

Overall, incorporating some of these provisions from Portland (or from analogous policies in other cities) into MPD policy would reduce the risk of adverse outcomes.

Another useful element for foot pursuit policies, from Las Vegas:

(an excerpt from an [article](#) in the Minneapolis Post entitled "The professors and the police: How a Minneapolis project may change the way cops everywhere relate to the public")

Phillip Atiba *"Goff is the co-founder of the Center for Policing Equity. He gave an example of how collecting and analyzing data can lead to better practices. He looked at use-of-force incidents in Las Vegas and noticed that many of the complaints of excessive force came after foot pursuits. Goff did a ride-along and even took part in a foot pursuit.*

"When you arrive, your adrenaline is up and you want to do something to this guy because they made you run," said Goff, who described himself as more peaceful than Gandhi. "So it's a major thing for me to think, 'Let's get this guy' but that's the situation. That's not me being a violent person."

Goff and his team recommended a new policy to the Las Vegas police: Whenever possible, the first officer to reach a suspect should not be the first person to "go hands on" with him or her, leaving it to those who arrive later. The results have been a 30 percent reduction in use of force, Goff said. And since foot pursuits predominantly involve black and Latino neighborhoods, the racial disparity in use-of-force incidents will also go down, he said."

A description of these reforms, in a [Vox article](#):

"Goff gave an example from research work he did in Las Vegas. There, police established a foot pursuit policy that said the officer who was giving chase should not be the first person to put their hands on the suspect, with coordinated backup instead arriving on the scene and taking on that role. The idea is that foot pursuits often ended in excessive use of force — after all, they are high-adrenaline chases in which the officer and the suspect can get really angry, really fast. So by limiting, when possible, chasing officers from putting their hands on the suspect, Goff figured you could limit use of force."

An [additional point](#) from Goff:

"For anyone familiar with police serial dramas, it may seem as if foot pursuits are high-adrenaline chases that end when an officer springs on the suspect, tackling the runner to the ground (and, potentially, moaning that he or she is "getting too old for this"). However, although foot pursuits are indeed high-adrenaline events, they do not tend to end via police tackle. Rather, the bulk of foot pursuits stop when the suspect realizes he or she is surrounded and gives up. Yet, if asked, "How do most foot pursuits end?" a police officer's most likely response will be, "With the use of necessary force to subdue the subject."

A final important point from Goff:

"We talk about the split-second decisions that have to be made when deadly force is used, and it's a red herring. Most of the time, [police] are not ambushed in a corner and then they have to figure out what to do. Most of the time, what happens is there are a number of tactical decisions you've made up until that point that have compromised your safety."

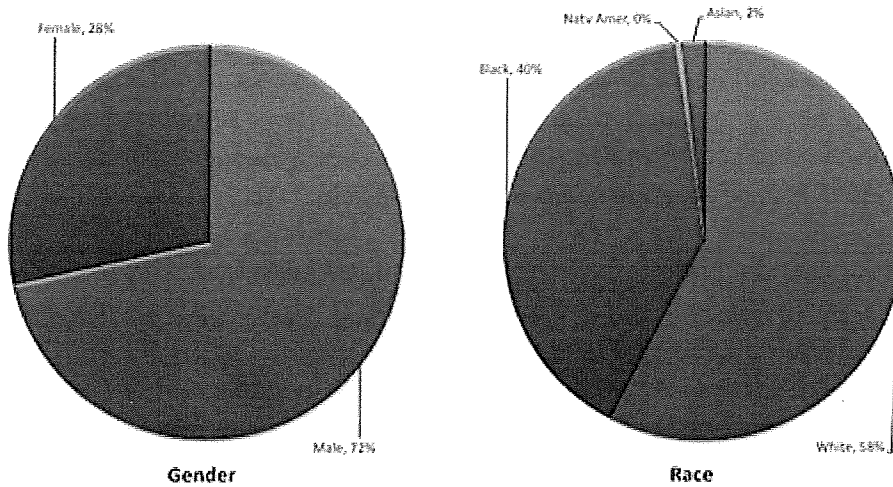
Are Communities of Color Overpoliced?

9. MPD should seek a collaboration with statisticians from University of Wisconsin – Madison, or highly-qualified statisticians elsewhere who have researched policing and racial bias, to determine if communities of color in Madison are incurring differential policing. Specifically, analysis should be conducted to determine (a) if rates of stops, arrests, and citations by MPD are correlated with neighborhood racial composition after controlling for crime rates, and (b) if the proportion of stops resulting in arrests or citations (hit rates) differs across racial and ethnic groups. If analyses do evince differential policing, MPD should consider measures such as reallocation of policing resources across neighborhoods and corrective training.

Dane County and Madison has one of the highest racial disparities in arrest rates in the nation. As a 2015 Wisconsin State Journal article noted *"A black person in Madison is over 10 times more likely than a white person to be arrested, according to data analyzed by the State Journal that showed African-Americans — who make up about 7 percent of the city's population — account for 45 percent of arrests."* In addition, the ratio of black people to white people arrested has been steadily increasing over the last several years (see MPD annual reports).

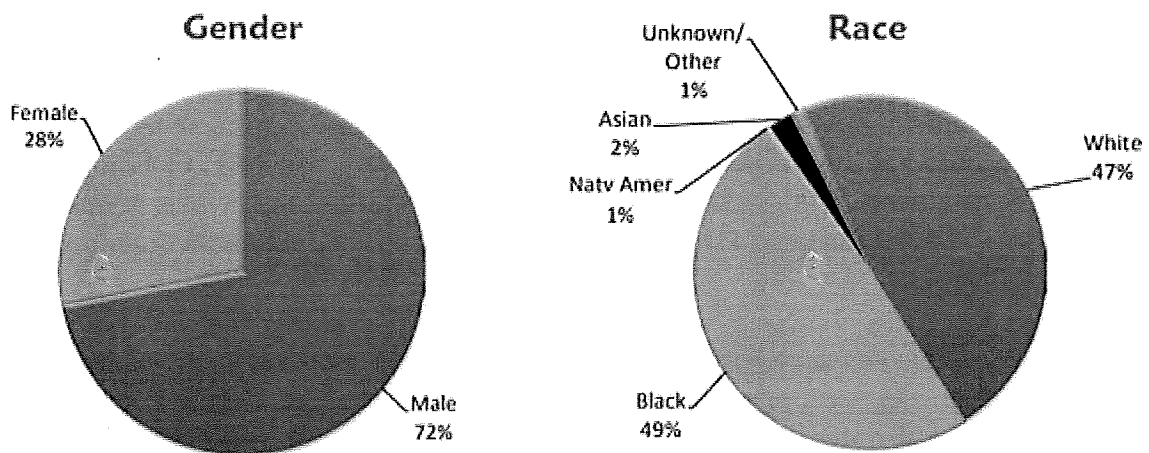
e.g. from the 2011 versus 2017 MPD annual reports:

PERSONS ARRESTED-2011: GENDER, RACE AND AGE



2017:

Persons Arrested: Gender, Race and Age



Various potential factors may be contributing to this disparity. But studies of such disparities elsewhere in the U.S. have found differential policing to be one important factor. This can include overpolicing of neighborhoods with a high proportion of residents of color (e.g. greater allocation of patrols to such neighborhoods, etc.) - a pattern that's evident even after other relevant variables are controlled for. It can also include a higher likelihood that, all else equal, police will stop, conduct searches, etc. with individuals who are non-white.

As criminologist David Kennedy noted, of the national pattern, “Black communities: overpoliced for petty crimes, ignored for major ones” ... *“imagine that the cops sat you and your family down and said that they weren't going to do anything anymore except cause you trouble. We're going to double down on the weed and the rest, they say; expect to get stopped when you walk down the street and pulled over every chance we get. You probably didn't know that riding your bike on the sidewalk is illegal, but it is, and now we're going to arrest you for it. If you're not on your own block, in front of your own house, we'll arrest you for trespassing, and if you don't like it you can explain it to the judge a week later when you get out of holding and get arraigned. If we see more than three of you and your friends at a time, we'll prone you out on the street in front of your girlfriends and cuff you while we run a warrant check.”*

Appropriate analyses for differential policing have not been conducted in Madison, to objectively determine the extent to which this is a problem here. Solving a problem (such as the racial disparity in arrest rates in Madison) requires understanding all the causes. I'll add that, properly conducting such analyses requires a high level of expertise in statistics – of the sort that you'll generally only find in top-tier academic institutions. Many may be unaware of this, but UW-Madison has one of the top statistics departments in the nation.

ICAT (Integrating Communications, Assessments, and Tactics) Training

10. MPD should utilize ICAT as part of its training curriculum.

As I've previously noted, MPD currently has an aberrantly high rate of officer involved shootings and fatalities. Almost all MPD officer involved shootings involve people in an altered mental state, incapacitated by mental illness and/or intoxication (this is true of 11 or 12 of the last 13 MPD officer involved shootings). Most MPD officer involved shootings involve people without firearms (true of 12 of the last 14 shootings, or 11 of 14 if you count Ronald Brandon holding an unloaded pellet gun).

The Police Executive Research Forum (PERF), the premier U.S. policing thinktank, has recently developed a training program, incorporating best practices, to safely defuse exactly these kinds of incidents. As PERF notes, it provides a new way of thinking about use-of-force training for American police officers:

“Integrating Communications, Assessment, and Tactics, or ICAT, is a use-of-force Training Guide designed to fill a critical gap in training police officers in how to respond to volatile situations in which subjects are behaving erratically and often dangerously but do not possess a firearm. The Training Guide includes model lesson plans and support materials (including Power Point presentations, videos, and other resources) in the key areas of decision-making, crisis recognition and response, tactical communications and negotiations, and operational safety tactics. ICAT then integrates

these skills and provides opportunities to practice them through video case studies and scenario-based training exercises.”

Mission Statement and Training Goals for the training:

“Mission Statement

Patrol officers will learn to safely and professionally resolve critical incidents involving subjects who may pose a danger to themselves or others but who are not armed with firearms. Reducing the need to use deadly force, upholding the sanctity of life, building community trust, and protecting officers from physical, emotional, and legal harm are the cornerstones of ICAT.

Training Goals

Reinforce with patrol officers the core ideal of sanctity of human life—the need to protect themselves, members of the public and, whenever possible, criminal suspects and subjects in crisis from danger and harm.

Promote public safety and officer safety by learning and integrating skills and strategies related to decision-making, crisis recognition, tactical communications, and safety tactics.

Provide patrol officers with the skills, knowledge, and confidence they need to assess and manage threats, influence behavioral change, and gain voluntary compliance whenever possible in dynamic and dangerous situations.

Provide patrol officers with a decision-making model that is intuitive, practical, and effective for safely resolving non-firearms critical incidents and for documenting and explaining actions after the fact.

Provide patrol officers with basic skills needed to recognize individuals in crisis and to approach and attempt to engage them in a safe and effective manner.

Provide patrol officers with key communications skills needed to safely engage with, de-escalate, and gain compliance from subjects who are in crisis and/or non-compliant.

Reinforce with patrol officers effective tactical approaches and teamwork skills needed to safely resolve incidents.

Provide patrol officers with realistic and challenging scenario-based training which focuses on recognition of persons in crisis, tactical communication, and safe tactics as part of an overall, integrated de-escalation strategy.”

Here’s a [link](#) to material for the Operational Tactics training module of the ICAT training.

An example excerpt:

“o Tactical positioning/repositioning

- *Individual officer*
 - *Presence/stance/posture*
 - **Don't "draw a line in the sand"** (unless public safety imperatives absolutely demand it)
 - *Maintaining a position of advantage (using distance and cover) – even if that means repositioning*
 - *"Reaction gap" or "zone of safety"*
 - o **Not an arbitrary number (e.g., no "21-foot rule")** – will always depend on circumstances
 - o *Regardless of the size of the "reaction gap," maintaining it supports officer safety, gives you more options to resolve the situation*
 - o *May need to increase the gap to provide more reaction time*
 - o *Unnecessarily closing the gap can reduce your options, put you at risk*
- *"Ebb and flow" of the team*
 - *As the situation evolves, the team may need to reposition as well (NYPD calls this the "Tactical Mambo")*
 - *Coordination, teamwork and discipline are critical*
 - *Be careful about not back up into a corner – be tactically sound at all times*
 - *Properly "containing" the scene will eliminate the risk of unassociated person(s) making a static scene "dynamic" due to intrusion*
 - *Continue to communicate with the subject even as you reposition*
- o **Keep yourself in a winnable situation**
 - *Isolate, contain, hold, and assess*
 - *Call out for additional resources*
 - *Use tactical communications*
 - *Identify options and develop a plan*
 - *Intervene only if there is an immediate threat to life/safety*
 - **Another way to look at this: don't put yourself in an unwinnable situation through your actions** (such as closing the distance or rushing the action if you don't have to)
 - *Have a Plan B.*
 - *Remember: you don't have to succeed on first try – multiple opportunities for success*
 - *Spin the model*
 - *Get ready to move*
 - *Tactically reposition yourself depending on the dynamics of the situation*
 - *Continue to assess your next step*
 - *If the Taser/other less-lethal options fails, then what?"*

Much of this is invaluable – the instruction not to draw a line in the sand, the emphasis on tactical repositioning, the Tactical Mambo concept, etc.

Another short excerpt:

- “• *Stay in your lane*
 - *One officer speaks*
 - *Otherwise, confusing for the subject and the team”*

This is a statement of one of Fyfe’s Principles (which MPD has failed to incorporate into their policy).

Here’s a [link to an embedded video](#), showing officers from the Burlington Police Department talking about new tools and tactics. As the training material notes, the Burlington Police Department has placed new tactical equipment, including transparent plastic shields and rope, in patrol officer vehicles in order to safely resolve potential deadly use of force situations. Rope, for example, can be used to tie off doors and contain someone. For example, the use of these tools and tactics could have prevented the shooting of Michael Schumacher in 2016 (where, rather than pursuing a containment/stabilization strategy, MPD Officer Hector Rivera opened the front door, and yelled “Show yourself!”).

Here’s an [article about this training](#), being provided by PERF to the Portland Police Department. Some excerpts:

“If someone is in crisis, raising your gun and pointing it and barking orders is sometimes the worst thing you can do,” Wexler said. “It makes a bad situation worse.”...

Lutz was among officers from around the country who helped the research forum develop the training, called ICAT for Integrating Communications, Assessment and Tactics. It sprang from a review of basic police training in Scotland, where officers don't carry guns.

“Why is it when you have someone who is a mentally ill person with a knife in Glasgow, you're able to handle it without someone being shot and we can't?” Wexler asked, when visiting the country. Wexler brought officers from around the United States to observe the Scotland training. They studied Scotland's approach and modeled the forum's curriculum after it...

“We'll do tactical mambo all day long,” Wilson told Portland trainers. If a man with a knife steps towards you, “we'll step back. Our shoes are not in concrete.”

In Camden County, the training is given to all recruits and rests on a guiding principle: “The sanctity of human life should be at the heart of everything an agency does.”

“There's a lot of shootings that are lawful, but we call them 'lawful but awful,' meaning they could be avoided with perhaps a different mindset going in,” Lutz said.

The forum instructors urged Portland police not to repeat the message they've likely heard as young officers.

"You probably were told 'your No. 1 job is to make sure you go home at night,' " Wilson said. "Isn't it our No. 1 job to make sure everybody goes home?""

Here's an interview with Tom Wilson of PERF.

Excerpts:

"Join us as Tom Wilson from the Police Executive Research Forum provides a high-level overview of their ICAT Training,....

Tom Wilson: "...if an individual is very excited, or amped up, the officer can come in at a lower pace, talk to them in a calmer voice – that's another technique.

So, there's been some confusion when it comes to the use of force. Some fear that if we don't come in with that command presence, if we don't bark orders, and tell people what's expected of them, then we're not going to get the compliance that we need. But what we're finding is when we are dealing with someone who's in crisis and we yell or we bark orders at them, they're not really processing it very well. So, we've got to think about how we come in to that situation....

We started this process of looking at use of force by travelling to the United Kingdom, and working and talking with Police Scotland and Northern Ireland, and a few things really jumped out at me from that trip.

The first one was, we were talking to a woman in Police Scotland. She was an inspector, so in the United States, comparable to a captain — a higher mid-level manager, almost an executive staff in some agencies. We were at their Training Academy for Police Scotland, talking. So as we were talking, I told this inspector about in the United States, and one of the things that we do in our academy is we tell our cops that their number one job is to go home alive tonight, and we've done that for years.

She looked at me with a puzzled look, and she said, "Your number one job is to make sure you go home alive tonight?" with that questioning look. And I said to her, "Yes, that's what we say." And she said, "Isn't your number one job to make sure everyone goes home alive tonight?" I was just speechless. I just scratched my head and thought to myself, "Well, absolutely, that's why we signed on to this job, but why aren't we saying that to our people? Why aren't we expressing that importance?"

And that sort of rolls into another area which when we created... some principles that could help guide us on use of force. And that number one principle was the sanctity of life, the importance of life. So, if you think about it, that importance of life goes hand and glove with exactly what that inspector said, which was everyone goes home alive.

In law enforcement, we have to do everything we can to make sure we're not just looking out for ourselves, but are looking out for everyone. We always think about making the public safe, making the victims safe. But do we always put that emphasis on even that individual that we're dealing with? Maybe they're in crisis. Maybe they've committed a crime. In the back of their mind, maybe there's a reason behind this and they felt the need to do this. That person is still a human being. That person is still someone's family member. I think we can look at it differently, and recognize that we can take those efforts to make sure we realize everyone's life is important."

A final point worth noting – ICAT can be utilized in a flexible/adaptable manner:

"PERF encourages police agencies and academies to be creative in how they choose to use the ICAT Training Guide.

**Some may decide to present ICAT as a stand-alone training program, for recruit or in-service training, or both.*

**Other agencies may choose to incorporate the ICAT training modules into existing programs on de-escalation, tactical communications or crisis intervention.*

**Still other agencies may want to take elements of individual modules and create their own lesson plans that are tailored for their agencies and communities.*

**And because many skills (such as tactical communications) are perishable and need to be reinforced and practiced on a regular basis, some agencies may choose to include elements of ICAT in their roll call or team training exercises."*

MPD could really benefit from PERF's ICAT training.

Arrests and Citations for Minor Offenses

11. MPD should encourage officers to use approaches such as verbal warnings, problem-oriented policing methods, dispute mediation, etc., in lieu of arrests or citations, for minor offenses, particularly in communities most impacted by policing (such as communities of color, communities of lower socioeconomic status, etc.).

As I've mentioned elsewhere – many people in communities of color, many adolescents and young adults, etc. have an experience of being overpoliced on minor infractions. And this holds true in Madison. Extensive use of arrests and citation for minor offenses corrodes trust – is incompatible with trust-building. It thus lessens cooperation with police (a lack of cooperation that Koval frequently bemoans).

An example of the alternative. Connie Rice is a civil rights attorney, used to be a frequent critic of LAPD, and sued LAPD numerous times regarding civil rights violations. Eventually, LAPD Chief Charlie Beck decided to use her as a consultant, rather than fighting her, and then put her in

charge of 50 officers patrolling high-crime housing projects in LA. In those projects, she implemented her own vision of neighborhood policing. OIR planned to use Connie Rice as a consultant for the Madison review, but unfortunately she became seriously ill (and was unable to participate).

From an interview with Connie Rice, talking about the reforms she instituted in LA:

"I told these cops that you are not in the arrest business. You are a specialized unit that is in the trust-building business. And those cops looked at me like I had really lost my way.

When I told them you are not going to get promoted based on the number of arrests, their eyes got big. I said, in fact, if you make any arrests for minor infractions, including drug infractions that don't harm anybody else and involve no violence, you're going to get dinged for that. You're going to get demerits for that. I'm not interested in you dragging in black teenagers for selling a little bit of marijuana. I don't care who's getting high.

And I said I don't care if they're doing small things. You are not to focus on that. That is not what we're about, because that destroys trust. When you throw people on the ground and slap handcuffs on them for selling a couple of hand-rolled cigarettes, like Mr. [Eric] Garner [who died after NYPD used choke holds and put him face down], that just totally destroys trust in the police."

The approach Connie Rice used was very successful. The overall number of arrests was reduced by 50%, and police stops and use of force also fell. Cooperation with police rose. And crime dropped sharply – Connie Rice: *"Crime has plummeted. A 66 percent reduction in property crimes. A 90 percent reduction in physical crimes. I'll tell you the statistic that bowled me—I had to sit down when I heard this one—there has not been a murder in Nickerson Gardens for three years. We used to have a body count weekly in Nickerson Gardens. And for there to be a three-year periods with no murders, that's like saying in a brothel there were no sex acts for three years."*

Opioid Crisis

12. The City of Madison should advocate access to opioid agonist therapy (treatment utilizing Suboxone and methadone) for incarcerated individuals and those under community supervision.

As most are aware, heroin use and associated deaths have skyrocketed in Madison. Efficacious responses are required.

One such helpful response has been the Madison Addiction Recovery Initiative (MARI), implemented by MPD and its partners in September 2017.

“The MARI Program is a prediversion program that allows for eligible people to maintain a clean record if they comply with the program requirements, MPD Captain Cory Nelson said. The crimes eligible include possession of heroin, possession of drug paraphernalia, retail theft, theft from auto, prostitution and family-related burglary.”

Another effective measure is a program to connect emergency room patients with recovery coaches.

However, there currently are major barriers to access for what medical professionals recognize as the most effective therapies – particularly opioid agonist therapy. One issue is that there are an insufficient numbers of providers/treatment centers available in Madison. Here, I will highlight another crucial barrier – incarcerated individuals in Dane County have no access to opioid agonist therapy.

Incarcerated individuals in Dane County Jail are not allowed opioid agonist therapy. There is no medical justification for this – it’s against all medical recommendations. Opioid agonist therapy (using Suboxone or methadone) is considered the gold standard for treatment of opioid addiction. This is essentially the unanimous view of addiction experts and medical providers. But in the U.S., many jails and prisons do not allow access, simply because of the stigma associated with drug addiction, and the regressive view that such therapy is “just replacing one drug with another”.

Any opioid addict stably receiving opioid agonist therapy is forced to go through withdrawal upon entering Dane County Jail. Pain and distress is being inflicted, and the long-term wellbeing of the individual is jeopardized, with no medical justification, because of a regressive “abstinence only” view. Upon leaving Dane County Jail, to re-enter the community, addicts are offered an intramuscular shot of extended-release naltrexone (Vivitrol), an opioid antagonist that blocks the action of opioids for a month. This is a valid treatment option, and inmates should be able to choose to receive it. But opioid agonist therapy has been proven to greatly reduce mortality among opioid addicts, and naltrexone therapy (either via a Vivitrol short or via a daily pill) has not been shown to reduce mortality. Vivitrol must be given as monthly injections, and is far more expensive than Suboxone or methadone treatment, with Vivitrol’s expense and related insurance coverage issues contributing to a high rate of discontinuation of the treatment among released inmates. In addition, released inmates who have been forced to withdraw from opioid agonist therapy are at greatly elevated risk of an opioid overdose when re-entering the community (i.e. opioid addicts frequently relapse, but tolerance is lost during abstinent incarceration, leading to overdose). And these policies do have direct implications for MPD, insofar as its officers have to deal with associated overdoses and deaths.

MPD doesn’t have control over Dane County Jail. But is possible for the City of Madison to recommend/advocate that Dane County Jail follow practices recommended by medical professionals/addiction experts and allow access to opioid agonist therapy.

Additional information (excerpts from pertinent articles):

An informative article from a magazine covering pharmaceutical issues “Trump opioid plan writes in favoritism to single company’s addiction medication”:

“The White House’s national strategy to combat the opioid crisis, unveiled last week, would expand a particular kind of addiction treatment in federal criminal justice settings: a single drug, manufactured by a single company, with mixed views on the evidence regarding its use. ...addiction experts say that, though ensuring access to medication-assisted treatment (MAT) is an improvement on status quo, multiple MAT drugs should be made available and chosen according to physician judgment and patient need.

“Methadone and buprenorphine have been shown on a variety of metrics to be far superior to Vivitrol — that includes safety, effectiveness, and cost,” said Leo Beletsky, a professor of law and public health at Northeastern University who focuses on drug policy. “The reason Vivitrol is preferred is that it’s a medical version of forced abstinence. That is why it’s been the darling of those who rhetorically support medication assisted treatment.”

A Vivitrol-only policy is unlikely to yield the best possible outcomes, Beletsky and other experts said, because it limits patient options in a situation where multiple medications are available. A better system, they said, would involve offering Vivitrol alongside either buprenorphine or methadone, and preferably both....

Another recent paper... showed that 49 percent of participants, for a variety of reasons, never received more than two injections [of Vivitrol]. Low adherence rates are an obstacle in delivering addiction treatment regardless of the drug in question. For that reason and others, multiple experts in addiction treatment including Saxon said doctors and patients should have options in choosing a medication. “I would not want to treat people in the criminal justice system any differently than I would want to treat any other patient,” Saxon said.”

From the National Academies of Sciences, Engineering, and Medicine – “Integrating Responses at the Intersection of Opioid Use Disorder and Infectious Disease Epidemics: Proceedings of a Workshop (2018) Chapter: 4 Exploring Opportunities in Correctional Health, Law, and Law Enforcement”:

“Rich described his experience as part of the Rhode Island Governor’s Taskforce on Overdose Prevention....

The taskforce... decided to provide MAT throughout the entire correctional system, including prisons, jails, courts, law enforcement, probation services, and parole services. Previously, people in correctional facilities had been treated for opioid use disorder during their incarceration and then released without continuity of care. “When you take them off their illicit opiates, their tolerance goes down. You let them out and they are set up for fatal overdose,” he explained. The state budgeted \$2 million to establish a MAT [medication assisted therapy] program in the Rhode Island Department of Corrections

that would screen everyone entering the system for opioid use disorder, offer the best possible treatment for each individual, and then link patients to treatment when they are released. The program began in the summer of 2016. A recently published study compared data on mortality caused by opioid overdose in the general population to individuals with an incarceration in the 12 months prior to their death in Rhode Island during the periods of January–June 2016 (prior to the start of the program) and January–June 2017 (Green et al., 2018). The study found a 12 percent decrease in overdose mortality statewide, at a time when mortality curves elsewhere in the country were continuing to climb. Among people who had been released from incarceration within the previous 12 months, there was a 65 percent absolute decrease, representing a relative risk reduction of 61 percent in overdose mortality by connecting people with medications for addiction treatment in incarceration within 1 year of starting the program....

A workshop participant asked how the Rhode Island correctional system was convinced to provide agonist therapy, because more correctional systems tend to prefer antagonist therapy. Rich explained that all three types of medications were available to patients. Of the first 1,000 patients, approximately half ended up on methadone and half on buprenorphine; only about a dozen patients opted for depot naltrexone. He emphasized that 99 percent of correctional facilities across the country offer nothing and the ones that do offer treatment primarily offer an extended-release naltrexone program without follow-up. Evidence suggests that the drug is effective, but a 60 percent reduction will not be achieved if only one medication is offered—the medication offered should be tailored to the specific person’s symptoms and biological response, said Rich. To convince correctional authorities, the taskforce emphasized that providing the medication in a public institution (i.e., a correctional facility) is a public health intervention to address a nationwide public health epidemic....

The postincarceration overdose rate in Massachusetts is 56 times the background rate. People who are involuntarily committed into treatment have a 2.2 times higher risk of fatal overdose than those who enter treatment voluntarily (MDPH, 2017). “There is an ethical imperative to figure out how to deploy these interventions that actually reduce harm and not enhance it,” he argued. Given that OAT [opioid agonist therapy] is proven to slash overdose rates by 50 to 80 percent or more, he said, it is shocking that so many post-overdose regimens and interventions do not include access to OAT.”

Massachusetts Legislative Report (2017) - *“An Assessment of Fatal and Nonfatal Opioid Overdoses in Massachusetts (2011 – 2015)”*:

“The opioid overdose death rate is 120 times higher for those recently released from incarceration compared to the rest of the adult population.”

Jarvis et al. (2018) Extended-release injectable naltrexone for opioid use disorder: a systematic review. *Addiction*. 113: p1188–1209:

“The recent randomized trials in Norway and the United States are the first to compare the relative effectiveness of XR-NTX to buprenorphine, a gold-standard OUD treatment. The Norwegian trial was brief (3 months), buprenorphine dosing occurred in a controlled environment and the buprenorphine dose was low (11.2 mg). The US trial recruited participants from in-patient detoxification centers, which may have favored XR-NTX induction and contributed to the high induction success (72%; the highest among studies for individuals requiring a detoxification). These limitations notwithstanding, the trials showed that XR-NTX and buprenorphine can produce similar short-term opioid outcomes. Critically, this finding was only true when considering individuals who had completed an opioid detoxification successfully. When induction failures (who typically progressed to relapse) were included, XR-NTX was less effective than buprenorphine in improving opioid use outcomes....

Two recent comparative effectiveness trials suggest that once initiated, rates of adherence to XR-NTX and buprenorphine are similar. However, in the Norwegian trial, buprenorphine was given daily in a controlled environment, which is not the standard delivery method in other countries (e.g. United States), and may have imposed additional barriers to adherence. Although the need to improve treatment retention is not unique to XR-NTX, the resources needed to detoxify completely and induct individuals on XR-NTX are substantial and would be required again after a relapse to resume XR-NTX, an issue not faced by buprenorphine or methadone treatment.”

Velander, Jennifer (2018) Suboxone: Rationale, Science, Misconceptions. *Ochsner Journal* 18: p23–29:

“US Department of Veterans Affairs guidelines currently recommend either buprenorphine or methadone vs depot intramuscular naltrexone, oral naltrexone, or abstinence-based treatment...

A longitudinal study showed 8 times the risk of overdose after patients left naltrexone treatment compared to agonist treatment...

According to 2017 American College of Obstetricians and Gynecologists guidelines, buprenorphine is the treatment of choice for opioid-dependent women in pregnancy and is safer than methadone or medical withdrawal. This recommendation for buprenorphine rather than abstinence-based or antagonist treatment is based on the high risk associated with opioid withdrawal and detoxification in pregnancy.”

A final tangentially-related point: As I’d previously noted, Madison has an inadequate number of treatment facilities available. Research shows that expanding access to substance-abuse treatment not only saves lives, but also substantially reduces crime. For example, from Bondurant, Lindo, & Swensen. 2016. “Substance Abuse Treatment Centers and Local Crime”: *“In this paper we estimate the effects of expanding access to substance-abuse treatment on local crime. We do so using an identification strategy that leverages variation driven by*

substance-abuse-treatment facility openings and closings measured at the county level. The results indicate that substance-abuse-treatment facilities reduce both violent and financially motivated crimes in an area, and that the effects are particularly pronounced for relatively serious crimes. The effects on homicides are documented across three sources of homicide data."

Administrative Review of Critical Incidents

13. An additional sentence to be appended to Recommendation 73, as amended by the committee.

A re-interview of the involved and witness officers should be considered necessary if there is any possibility it would provide additional information or insights.

OIR's Recommendation 73 was amended to add the words "if necessary" at the end. Thus, it currently reads: *"MPD should automatically conduct an administrative investigation of all officer-involved shootings and other critical incidents separate from any criminal investigation, including, at a minimum, re-interviewing involved and witness officers, if necessary."*

Unfortunately, this effectively guts (fully neutralizes) the recommendation – since MPD contends that such interviews are rarely necessary. The proposed additional sentence specifies a meaning for "necessary", so that the recommendation would mean something (rather than being fully empty). Alternatively, one could revert to the original OIR recommendation.

The meeting at which "if necessary" was added was the meeting where Gloria Reyes insisted that there could be no information exchanged between community members and committee members during deliberation (that only city staff could be asked questions, etc.). I recognized the problem with the amendment at the time, but could say nothing. Also, an OIR representative was not present, to explain the recommendation.

Currently, MPD does not conduct meaningful administrative reviews after officer involved shootings. OIR discovered this deficit during their review, which led them to make this recommendation. The attorneys for Tony Robinson's family independently made a similar point during their press conference after the settlement was announced – explaining that they'd found that MPD does not conduct a meaningful administrative review in an officer involved shooting. MPD basically just regurgitates the DCI criminal review findings, with virtually no independent fact finding, as would be required to properly determine if departmental policies were violated. A fuller understanding of the circumstances of a shooting is also needed for proper analysis, to enable steps that would reduce the risk of future officer involved shootings. Some argue that MPD "works it backward", starting with the conclusion that the officer should be cleared, then conducting the (minimized) investigation in a manner that would accomplish that goal. Unfortunately, from following some recent MPD officer involved shooting cases

(starting with the shooting of Paulie Heenan), I think there's substantial truth to that assertion.

OIR has reviewed a vast number of police critical incidents. As they note: *"In the hundreds of detective and administrative interviews we have reviewed, there has consistently been additional, relevant, and often critical information that emerges from the administrative interview."*

It's worth contemplating OIR's explanation of their recommendation. From the OIR Report:

"In the past, MPD has relied on the criminal investigation for virtually all of its fact collection. Because a more robust administrative review demands a fuller accounting of facts, we advocate for a more exhaustive administrative investigation, including at a minimum a re-interview of the involved and witness officers.

The agency's internal administrative review should be a much broader, holistic review, to include examination of tactical decision making prior to the use of deadly force; efficacy of supervision; effectiveness of radio communications; effectiveness and availability of appropriate equipment; whether current policy provided sufficient guidance to involved officers; sufficiency of current training to prepare officers for the circumstances presented; post-incident decision making, including how effectively the on-scene officers transitioned to rescue mode and provided first aid; and effectiveness of communication with the family of injured individuals regarding notification and any requests for access to the hospital.

We propose a complete overhaul of the way in which the Department conducts its administrative reviews. We also advance a similar review process after any critical incident that results in significant liability in order to identify officer or MPD performance that resulted in the exposure and development of a public corrective action plan designed to reduce the likelihood of future conduct and liability."

.....

"The criminal investigation conducted by DCI is intended to collect sufficient facts for the District Attorney to determine whether the use of deadly force constituted a crime. As a result, the investigation is narrowly focused on that specific moment of officer action and the reasons for it. Investigators do not gather evidence with an eye toward making a broader assessment of the incident, such as whether the performance of any officer violated agency policy. The criminal review process typically does not assess pre-event tactical decision making, evaluate the decisions of supervisors, or consider post-incident conduct such as the timely provision of medical care. Still, these are issues worthy of inquiry and careful consideration by the involved Department.

After the completion of the criminal case, and per the relevant SOP, MPD's Professional Standards and Internal Affairs Unit is responsible for conducting an "internal

investigation to ensure compliance with the MPD Policy, Procedures, Regulations, Work Rules, and Training and Standards.” In the relevant case files we studied, the PSIA review usually relied entirely on the criminal investigation’s collection of facts, summarized those facts, and rendered findings that were limited to the question of whether the use of deadly force was within policy. Contrary to its stated policy, MPD’s current administrative process does not usually consist of an “investigation,” but instead a repackaging of the facts collected by the criminal investigators.

Because the interviews of involved officers that criminal investigators conduct are generally narrow in focus, as we describe above, many police agencies routinely conduct follow-up interviews of involved and witness officers, as well as supervisors, when conducting the administrative investigation. In those interviews, questions regarding planning, tactical decision-making, supervisory decisions, communication, equipment, and post-shooting conduct are thoroughly explored. This provides the agency with a comprehensive fact set upon which to evaluate officer performance and identify other issues relating to the use of deadly force. The intent of these administrative investigations is, in part, to ensure individual accountability for lapses in performance, but the broader goal is to enable a review process with an overarching objective of ongoing, Departmentwide improvement.

For its part, MPD’s current practice is not to routinely re-interview involved and witness officers for these purposes. Instead, the Department generally relies on the interviews conducted by the criminal detectives in making its administrative determinations. This resultant gaps in evidence may end up being even more pronounced now that DCI has assumed investigative responsibilities for fatal shootings: MPD no longer has any ability to influence the breadth of the initial interviews. It is therefore incumbent on MPD to adopt officer-involved shooting protocols that will ensure that all involved and witness officers are interviewed administratively.

Additionally, there may be other witnesses whom MPD will need to interview to answer important questions about the event as a whole. An assessment of medical care’s timeliness after the use of deadly force is now standard in progressive police agencies’ administrative review. In order to make this assessment, investigators often need to interview emergency medical providers and obtain related records, tasks not typically completed by criminal investigators. MPD’s administrative investigation should take this sort of initiative.”

From the supplemental OIR report:

“We appreciate MPD’s receptivity to re-interviewing involved and witness officers relating to a critical incident if information about tactical decision making and other policy, training, or equipment issues that are not the focus of the criminal investigation. However, MPD still expresses reticence about devising a protocol where such an interview is undertaken in every case.

It is critical for an agency interested in learning and improving from a critical incident to value the collection of facts and insight, even regarding secondary concerns. In the hundreds of detective and administrative interviews we have reviewed, there has consistently been additional, relevant, and often critical information that emerges from the administrative interview. We again urge adoption of an SOP where an administrative interview of involved and witness officers is routine and automatic.”

Progressive Proactive Juvenile Crime Reduction

14. The Madison Metropolitan School District should be encouraged to consider implementing the Becoming A Man program, a cognitive behavioral therapy program for at-risk youth, to improve academic outcomes for at-risk youth and reduce juvenile crime.

The Chicago Becoming A Man (BAM) program is a wonderful example of a cognitive behavioral therapy (CBT) approach, working with at-risk youth in Chicago Schools. It's a school-based program for at risk youth that provides mentoring and peer-support, utilizing cognitive behavior therapy to teach elements such reduction of automaticity (slowing down and thinking before acting), positive anger expression, visionary goal-setting, etc. The BAM program identifies at-risk kids and invites them to participate, and most invitees do. The social support and guidance and peer elements of the program generate a strong intrinsic incentive to participate (the kids want to be there).

I'm advocating adoption of this approach specifically because 1. it meets the evidentiary gold standard (its efficacy is well-established), and 2. because of its large effect size in reducing crime and violent crime, and improving academic outcomes for juveniles. The randomized controlled trials supporting the efficacy of BAM were the largest ever conducted with urban youth populations. Additional randomized controlled trials of the same basic cognitive behavior therapy approach underlying BAM also support its efficacy. The cost of BAM, at least in its initial iterations, was \$1,100 per student (in later variants of the program, the cost rose as services were added). Depending on how one monetizes crime cost, the calculated societal benefit:cost ratio from crime reduction alone (not even counting improved educational outcomes) was up to 30:1 (i.e. ~\$30 for every \$1 invested).

One of several papers analyzing the outcomes:

Sara Heller, Anuj Shah, Jonathan Guryan, Jens Ludwig, Sendhil Mullainathan, & Harold Pollack (2017) Thinking fast and slow? Some field experiments to reduce crime and dropout in Chicago. *The Quarterly Journal of Economics* 132(1) 1-54.

Abstract

“We present the results of three large-scale randomized controlled trials (RCTs) carried out in Chicago, testing interventions to reduce crime and dropout by changing the decision making of economically disadvantaged youth. We study a program called Becoming a Man (BAM), developed by the nonprofit Youth Guidance, in two RCTs implemented in 2009–2010 and 2013–

2015. In the two studies participation in the program reduced total arrests during the intervention period by 28–35%, reduced violent-crime arrests by 45–50%, improved school engagement, and in the first study where we have follow-up data, increased graduation rates by 12–19%. The third RCT tested a program with partially overlapping components carried out in the Cook County Juvenile Temporary Detention Center (JTDC), which reduced readmission rates to the facility by 21%. These large behavioral responses combined with modest program costs imply benefit-cost ratios for these interventions from 5-to-1 up to 30-to-1 or more. Our data on mechanisms are not ideal, but we find no positive evidence that these effects are due to changes in emotional intelligence or social skills, self-control or “grit,” or a generic mentoring effect. We find suggestive support for the hypothesis that the programs work by helping youth slow down and reflect on whether their automatic thoughts and behaviors are well suited to the situation they are in, or whether the situation could be construed differently.”

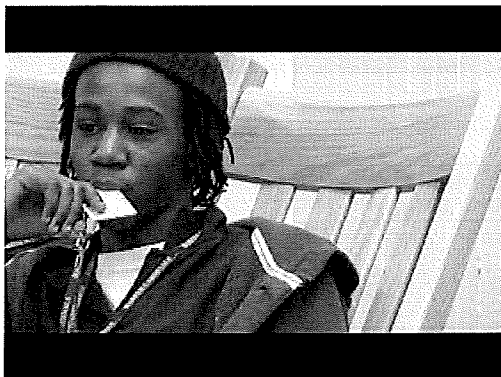
There is evidence of a treatment dosage effect – excerpt from the Heller et al (2017) paper: "We use interactions of treatment assignment with randomization block as instruments to estimate the relationship between number of BAM sessions attended (“dose”) on total arrests, as in Panel a, and in Panel b on automaticity, or slowing down (see Kling, Liebman, and Katz 2007). While the estimates are somewhat imprecise, the figure suggests that the schools and grades where treatment-group youth participated in the most BAM sessions are the same ones in which we saw the largest increase in slowing down and reduction in criminal behavior."

Another indication of dosage effect is that for the two year BAM program, the beneficial effects get stronger in the second year.

Website of Youth Guidance, which runs BAM: <https://www.youth-guidance.org/bam/>
Chapin Hall report: What Makes the Becoming a Man Program Successful?
<https://www.chapinhall.org/research/what-makes-the-becoming-a-man-program-successful/>

Here are videos that provide a good overview of the BAM program:

<https://www.youtube.com/watch?v=btxsM3DivKY>



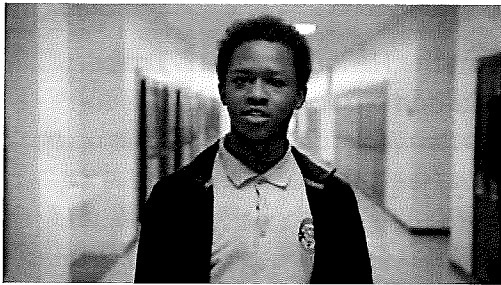
Becoming a Man (BAM) History Video

www.youtube.com

In 2001, Youth Guidance launched the Becoming a Man (BAM) program to

help young men of color
navigate difficult
circumstances that threaten
their future. Program ...

https://www.youtube.com/watch?v=L_TIS6QEgqk



How slow
thinking can
help at-risk
youth

www.youtube.com

At-risk CPS students
are learning how to
slow down their
thinking to achieve
life-changing goals.
Anuj Shah of Chicago
Booth explains how
Youth Guidance's
Becoming A ...

As University of Chicago Urban Labs notes: *“The program and this rigorous evidence of effectiveness were key inspirations for President Obama’s My Brother’s Keeper initiative aimed at improving the lives of young men of color, and Chicago policymakers and the Chicago Public Schools are now scaling BAM as part of the city’s violence reduction strategy.”*

The BAM program was honored by Obama at the White House in 2016 – one article on this: [“A Conversation With Tony D: How 'Becoming A Man' Got To The White House”](#)

Methodology for Calculated Reactive and Proactive Time

15. In calculating time spent on reactive and proactive policing activities, MPD should adhere to the standard definitions for both (e.g. as used by Office of Community Oriented Policing Services reports). MPD should also provide an estimate of time spent on reactive and proactive policing activities that is comprehensive, encompassing all units in the field, including specialized units (such as community policing teams, neighborhood officers, etc.).

To determine police staffing needs, various police departments, including MPD, perform workload analysis. This includes estimating the amount of time officers spend on reactive versus proactive policing activities. Reactive time is time spent responding to citizen calls for service. It is sometimes also defined to include administrative tasks. Proactive time refers to time spent on self-initiated activities.

In 2007, MPD engaged with a consultant, ETICO Solutions Inc. (a tiny firm, with a listed staff of one) to carry out a workload analysis, and since that time has used the methodology of that study. However, there are serious issues with the ETICO study. One is that ETICO incorrectly assigned officer-initiated traffic stops to the "reactive time" category, likely at the request of MPD administration. This has major consequences, since the ratio of "reactive" to "proactive" time is the entire basis of the staffing recommendation. MPD has continued to perform workload analyses using the ETICO methodology – and presumably has continued the misclassification of traffic enforcement.

Officer-initiated traffic stops are universally defined as "proactive" police activities, not as reactive. Everyone - the USDOJ COPS office, all police staffing consultants, etc. - assign officer initiated traffic stops to proactive time. Arbitrarily recategorizing traffic enforcement to reactive activity, contrary to all standard usage, has the consequence of artificially making a police department appear understaffed.

Examples of the universal standard usage:

U.S. Department of Justice Community Oriented Policing Services & Michigan State University – A Performance-Based Approach to Police Staffing and Allocation:

"The principal metric used to assess workload is citizen-initiated calls for service. A call for service occurs when a resident contacts the police, typically by phone, and a police officer is dispatched to handle the call. While key to the workload-based approach, it can be difficult to reliably measure the number of calls in a community. Law enforcement executives may use information from a Computer-Aided Dispatch (CAD) system to determine the number of calls for service in a given time period, but such information can be very misleading. Most organize their CAD systems around "events" or "incidents." Yet these events are not necessarily calls for service. In some communities, every traffic stop is an event, as is, in Chicago, even an officer's meal, and an officer's visit to a station is an incident (Weiss 2010). In others, an event may be generated or initiated by

an officer, yet appear in a statistical system as a call for service. Traffic stops in particular may appear to be calls for service, particularly if an arrest is made. Using CAD data without scrutiny may grossly exaggerate, perhaps by three- or four-fold, the number of citizen-generated calls, although some systems permit users to identify records by the source of the call....

Consider the self-initiated (proactive) category. Much of this activity involves traffic stops and contacts of suspicious persons. Suppose an officer parks a patrol vehicle along the highway and looks for speeders for 30 minutes. The officer records this time as self-initiated activity."

Matrix Consulting Group initiated the Operational and Staffing Study of the Lansing Police Department:

"Proactive time" is defined as all other activity not in response to a citizen-generated call; it occurs during the shift when officers are not handling calls and have completed other necessary tasks; it includes items such as traffic enforcement, directed patrol, bike and foot patrol.... Between 50% and 60% of the time in a community should be spent handling all of the elements of reactive patrol. The remaining 40% to 50% should be spent on specific proactive patrol activities, other self initiated tasks or community policing activities."

US, Department of Transportation - National Highway Traffic Safety Administration. Police Personnel Allocation Manual User's Guide - Municipal Police Departments:

"Proactive time refers to time spent by an officer on self-initiated/COP activities and uncommitted patrol; it includes the time spent performing the activity (e.g., issuing a citation) and the time spent on uncommitted patrol looking for the activity (e.g., looking for traffic violators)."

Blake Consulting - Proactive Policing Survey

"This survey is intended for law enforcement PATROL LEVEL OFFICERS ONLY. ... Proactive Policing is defined as: Self initiated law enforcement activities to include; self initiated traffic enforcement, self-initiated pedestrian stops, and other self initiated enforcement activities (ie: probation searches)."

Operational Report Police Department Flint, Michigan November 2014:

"Responding to emergency calls for service through 911 is one of the foundations of police patrol across the country. In addition to this responsibility, officers on patrol should also be engaged in proactive enforcement such as directed patrols, traffic enforcement, etc., as well as community problem-solving and community policing activities."

Routine Activities and Proactive Police Activity: A Macro-scale Analysis of Police Searches in London and New York City:

"Police work can be divided into two types, "reactive" and "proactive" (Black & Reiss, 1970). Reactive policing activities are those that are initiated by members of the public, such as calls for service, reports of crimes in progress or having occurred, and other requests for action. Proactive activities are those that are initiated by the police themselves: the stopping of people who appear to be behaving suspiciously, patrols of crime hotspots and 'sting' operations against (for example) suspected drug dealers or street prostitutes."

But for its calculations for MPD, ETICO included it in reactive time.

ETICO even appears to be inconsistent in its own report.

Near the beginning of the report, it properly defines proactive:

"Calls that are initiated by the officer such as preventative patrol, minor traffic stops, and community policing activities are referred to as proactive activities."

Then, for its calculations, it shifts traffic stops into the reactive category:

"Bringing all of these activities together, the total reactive workload for the patrol division consists of the total time required to handle reactive activities reported in the CAD, the time required for report writing and any other activities that are not currently being captured by the CAD, the time required for the daily administrative duties of the officers, and the time required for expected levels of traffic enforcement.

...And finally, frequencies and average times for traffic stops for 2007 are estimated and contained in the spreadsheet along with the number of traffic stops from previous years. Based on the spreadsheet calculations, the total hours of reactive workload for the patrol division from past years, and forecasted into previous years are contained in Chart 3."

ETICO did not do this in police staffing studies for other cities. For example, in its patrol staffing analysis for Bozeman, done in the same year as the MPD patrol staffing study, ETICO assigned "selective traffic enforcement" (traffic stops) to proactive time (unlike for MPD). I would guess that it was handled differently in MPD's case at the request of MPD command staff.

Traffic stops actually take up a significant amount of patrol officer activity. It appears that MPD would have been well over 30 minutes "proactive time" per hour for patrol officers if this error hadn't been made (i.e. by itself, it appears that this error or manipulation was sufficient to drive the entire "recommendation" of the 2008 report that more patrol officers were needed).

Here, I'll bring up a second issue with the ETICO analysis – it only considered patrol officers in isolation, as though the large number of MPD specialized units did not exist.

The general consensus for police department staffing (espoused by USDOJ COPS and other professional organizations) is "the rule of 60" – 60% of a department's officers should be assigned to patrol, and about 60% of a patrol officer's time (not higher) should be reactive.

For example, see *How many officers do you really need? A Review of 62 Police Agencies Analyzed by the ICMA/CPSM (International City/County Management Association Center for Public Safety Management)*. ICMA/CPSM states the following (regarding recommended percentage of officers assigned to patrol, and dedicated/reactive time in patrol):

“There should be approximately 60 percent of the total number of sworn officers in a department assigned to the patrol function. According to the table the mean patrol percentage is 66.1 percent. In other words the average department in this study assigns about two-thirds of its officers to patrol...”

The ratio of dedicated time compared to discretionary time [also termed reactive versus proactive time] is referred to as the “Saturation Index” (SI). It is CPSM’s contention that patrol staffing is optimally deployed when the SI is in the 60 percent range. An SI greater than 60 percent indicates that the patrol manpower is largely reactive, and overburdened with CFS [calls for service] and workload demands. An SI of somewhat less than 60 percent indicates that patrol manpower is optimally staffed. SI levels much lower than 60 percent, however, indicate patrol resources that are underutilized, and signals an opportunity for a reduction in patrol resources or reallocation of police personnel.”

For MPD Patrol Division officers, reactive (dedicated) time is just over 53% (i.e. well below 60%).

MPD only assigns 49% of its officers to patrol, having prevailed on city government to hire a lot of additional officers that MPD has assigned to specialized units – Community Policing Teams, Neighborhood Officers, etc. – which are supposed to predominantly be engaged in proactive policing. When there are also specialized units such as this, the general recommendation is that patrol reactive time can be higher, since with specialized units there's additional proactive work being done separate from patrol.

As the USDOJ COPS office notes (in *“A Performance-Based Approach to Police Staffing and Allocation”*):

“Agencies developing a specialized unit have less need to increase the discretionary time for patrol officers to devote to community policing.”

Again, from COPS:

“Some communities might want officers to be available for patrol for at least half their shift. Others, like Chicago, devote considerable resources to specialized patrol units; as a result, beat cars need less time for officer-initiated activities.”

In the ETICO study, MPD also got to choose the target percentage of time that a patrol officer should be spending on reactive activities, and it chose 30 minutes per hour (a proactive to

reactive ratio of 1:1 rather than the more conventional ~40:60 ratio embodied in the Rule of 60). The ETICO report states *“it is recommended that the agency make every attempt to target an MR [reactive time] value between 28 and 30 minutes per hour.”*

MPD is basically trying to have it both ways. In essence, ETICO was instructed to pretend that MPD’s specialized units didn’t exist (to model Patrol Division as though it were operating all alone) AND to set the required proportion of proactive to reactive time high (1:1) for patrol officers. As police regulatory specialist Seth Stoughton (University of South Carolina School of Law) noted when he learned of this, it’s “problematic.” If the Council is committed to a 1:1 allocation of proactive versus reactive time, that needs to take into account the existence of the specialized units that are engaging in predominantly proactive policing (CPTs, Neighborhood Officers, etc.) and not pretend that Patrol Division officers are operating alone in the field.

In working with the ETICO consultant, it appears that MPD was able to dictate its desired outcome (i.e. this was not actually an independent study). In determining proactive versus reactive time, it was pretended that MPD’s specialized units (Community Policing Teams, Neighborhood Officers, etc.) did not exist. As another Madison resident noted: *“the ETICO staffing study and the 2016 follow up are more or less tailor-made vehicles designed to wrap the appearance of impartial assessment around what is really MPD writing their own checks for whatever they want.”*

Recruit Screening

16. MPD should examine whether it would be beneficial to include the M-PULSE Inventory as a pre-employment screening instrument.

Police departments routinely screen recruits with psychological tests, in an attempt to screen out candidates who are likely to engage in problematic behaviors as police officers (using excessive force, conduct issues, etc.). In police departments, a small number of individuals are generally responsible for a very disproportionate share of the problems. And this is true of MPD as well – for example, Officer Steve Heimsness, who shot Paulie Heenan, had a long history of misconduct problems, including prior major excessive force cases (resulting in suspension in one case, a large financial settlement in another, etc.) and formal complaints both from civilians and other officers.

But detecting candidates who pose an elevated risk is very difficult. Commonly used tests have low power (missing most problematic candidates). The measures used lack consistency and standardization. Most commonly, the psychological testing instruments employed are not specifically designed for law enforcement officers, and to assess law enforcement liabilities. Rather, most tests used are simply designed to detect psychopathology. The most commonly used test is the MMPI-2.

A potentially better method would be an instrument constructed on empirically measured links between responses to test questions and subsequent problematic officer behavior (civil rights violations, etc.). This is the basic approach behind the M-PULSE Inventory, a newer evaluation tool (first released in 2008).

The Matrix Predictive Uniform Law Enforcement Inventory (M-PULSE) is a self-report, actuarial instrument used to predict law enforcement officer job performance and liability risk, as well as assist law enforcement agencies in selecting qualified candidates. It's the only law enforcement officer screening instrument based on actuarial modeling (actuarial measures assess for vulnerabilities and the potential for financial loss through mathematical modeling – in this case, actuarially predicting performance of law enforcement candidates across several domains). It's specifically designed for screening law enforcement officer candidates, unlike generalist psychological testing tools such as the MMPI-2.

A description of M-PULSE from the Handbook of Police Psychology (ed. Jack Kitaeff): *"The M-PULSE is a 455-item inventory scored on a four-point scale that focuses primarily on identifying law enforcement officer candidates at risk for specific liabilities most frequently associated with performance problems as a law enforcement officer. The M-PULSE consists of 18 liability scales that focus on these specific areas such as Potential for Termination and Criminal Conduct. It also has four empirical scales, each with a series of subscales, that assess personality characteristics and attitudes that could negatively influence law enforcement work. These are Negative Self-Issues, Negative Perceptions Related to Law Enforcement, Unethical Behavior, and Unpredictability. The M-PULSE also has two validity scales to assess the degree to which the examinee responds in an open and honest fashion. While the M-PULSE is a new instrument in the field of police selection, the results for correct classification of various future performance problems as a law enforcement officer using the liability scales have been particularly impressive. The classification rates for each performance problem using these scales are presented in detail in the M-PULSE manual (Davis & Rostow, 2008) based on the norming sample of 2,000 officers. While further validation research on the M-PULSE is currently conducted, this test appears to present an actuarial method for identifying officer candidates who are at risk for potential performance problems."*

The 18 liabilities the M-PULSE measures are for: 1. Family or Interpersonal Difficulties, 2. Chemical Abuse/Dependency, 3. Off-Duty Misconduct, 4. Procedural and Conduct Mistakes, 5. Property Damage, 6. Misuse of Vehicle, 7. Motor Vehicle Accidents, 8. Discharge of Weapon, 9. Inappropriate Use of Weapon, 10. Unprofessional Conduct, 11. Excessive Force, 12. Racially Offensive Conduct, 13. Sexually Offensive Conduct, 14. Lawsuit Potential, 15. Criminal Conduct, 16. Reprimands/Suspensions, 17. Potential for Resignation, 18 Potential for Termination.

Research has shown the M-PULSE to be highly accurate in predicting future misconduct. It has also been directly compared to metrics based on the MMPI-2 in several studies, and was found to be more accurate in predicting the liabilities (risk for future problems) it measures. A summary of results from one such study:

“Comparing the M-PULSE Inventory and MMPI-2: Degree of Overlap and Predicting Misconduct in 7,161 Law Enforcement Officers

Kevin M. Williams, Ph.D., Robert D. Davis, Ph.D., & Cary D. Rostow, Ph.D.

Paper presented at the 2011 Convention of the American Psychological Association, Washington, DC

The Minnesota Multiphasic Personality Inventory (MMPI-2) has been frequently used over the past several decades to assist in the selection and evaluation of law enforcement personnel by various North American agencies. However, because the MMPI-2 was originally developed as a general measure of personality and psychological illness nearly 70 years ago, it is unclear if this measure is actually appropriate for law enforcement evaluations and hiring decisions today. On the other hand, the Matrix-Predictive Uniform Law Enforcement Selection and Evaluation Inventory (M-PULSE) was published in 2008 as a self-report measure specifically relevant to law enforcement job performance and culture. Previous research has shown the M-PULSE to be extremely accurate in predicting future misconduct among law enforcement officers. This article summarizes new research that directly compares the MMPI-2 and M-PULSE in law enforcement settings for the first time.

We examined MMPI-2 and M-PULSE Inventory data for 7,161 participants (85.3% male, 72.8% white, average age = 30 years old, average level of education = high school graduate). All participants were law enforcement candidates sitting for post-conditional offer evaluations. Data were collected from law enforcement agencies in nine U.S. states: California, Illinois, Indiana, Louisiana, Maine, Massachusetts, Michigan, New Hampshire, and Vermont.

Along with MMPI-2 and M-PULSE Inventory scores, official records of misconduct were collected for 4,973 of the officers. On average, each officer’s behavior was tracked for a period of about two years. For each officer, a superior completed a standard form describing any instances in which the officer committed any of the following 16 liability outcomes:

*procedural or conduct mistakes
family or interpersonal difficulties
at-fault motor vehicle accidents
weapons discharges
inappropriate weapons use
undesirable off-duty conduct
damage or destruction of official property
misuse of official vehicles
unprofessional conduct
suspensions or written reprimands from superiors
lawsuits for sustained misconduct
inappropriate sexual behavior*

*racially offensive conduct
substance abuse
excessive force
criminal conduct*

Three main statistical analyses were performed on the data. First, MMPI-2 scores (e.g., Good Cop/Bad Cop, Aggression, etc., see Table 1) were compared to M-PULSE Liability Scale scores for all of the law enforcement officers. Results showed that there was no relationship between scores on the two measures. In other words, the two scales appear to be measuring very different things. The psychological and personality traits measured by the MMPI-2 are not related to the law enforcement-specific traits measured by the M-PULSE.

Second, we compared MMPI-2 and M-PULSE scores for officers who committed or did not commit the 16 liability outcomes. Results showed that officers who committed liabilities scored higher on the M-PULSE scales, as expected. On the other hand, officers who committed liabilities generally did not score any differently on the MMPI-2 than officers who did commit liabilities. In other words, the MMPI-2 could not distinguish officers who committed liabilities from those who did not. In some instances, officers who did not commit the liabilities actually scored higher on the MMPI-2 than individuals who committed the liabilities; the opposite result from what one would expect.

Finally, we examined the ability of the M-PULSE to predict the 16 future liability outcomes, compared to how well the MMPI-2 was able to predict these outcomes (Table 1). Initially, for 14 of the 16 outcomes, results showed the M-PULSE was more accurate than the MMPI-2. For the two outcomes in which the MMPI-2 was the more accurate predictor, further analyses demonstrated that this was a 'chance' statistical anomaly and that the M-PULSE is in fact a more consistently accurate predictor for these two outcomes as well.

Overall, these results suggest that the MMPI-2 and M-PULSE measure different aspects of individuals: the MMPI-2 measures factors related to psychological illness and general personality traits, while the M-PULSE measures attitudes and behaviors more specific and relevant to law enforcement. Also, officers who committed liabilities scored consistently higher on the M-PULSE scales, a trend that was not found for the MMPI-2. Finally, the M-PULSE was a more accurate and consistent predictor of misconduct than the MMPI-2. These results provide convincing evidence that traditional measures of personality and psychological illness may not be appropriate for law enforcement job evaluation and hiring decisions. Despite its superior performance, it is still recommended that the M-PULSE Inventory be used not as a stand-alone measure in personnel selection and evaluation, but in combination with traditionally effective procedures such as interviews and background checks. Overall, the M-PULSE Inventory may be used to assist agencies in hiring officers who are least likely to demonstrate

misconduct, therefore reducing associated monetary and reputational liabilities while maximizing performance and efficiency in their public safety mission.”

Mark Dantzker (University of Texas), reviewing LEO screening instruments in the journal *Professional Psychology Research and Practice* (2012, 43:162-163):

“what is being discussed and sought is a standardized inquiry into selecting the best possible candidates for policing. To date, the closest available instrument that provides a means of selecting plausible police candidates is the M-PULSE Inventory (Davis & Rostow, 2008; Davis, Rostow, & Williams, 2011)”

Since M-Pulse is a newer instrument (released in 2008), it’s been subjected to less research than various other instruments used in LEO screening (such as the MMPI-2). That’s one weakness.

Note that the proposed recommendation is simply to examine whether inclusion of this test would be beneficial during assessment of candidates. It does not impose use of the M-PULSE, leaving that decision up to MPD (or the PCF).

Shooting at Moving Vehicles

17. An additional sentence to be appended to Recommendation 99, as amended by the committee:

To prevent the threat of being struck by a vehicle, officers should make every effort to avoid putting themselves into the path of any occupied vehicle and, when such positioning is unavoidable, to move out of the vehicle's path as soon as practical.

Alternatively, the following language, from the Washington D.C. Metropolitan Police Department policy, could be used.

“Members shall not discharge their firearms either at or from a moving vehicle unless deadly force is being used against the member or another person. For purposes of this order, a moving vehicle is not considered deadly force except when it is reasonable to believe that the moving vehicle is being used to conduct a vehicle ramming attack. Members shall, as a rule, avoid tactics that could place them in a position where a vehicle could be used against them.

Definition: Vehicle ramming attack – form of attack in which a perpetrator deliberately rams, or attempts to ram, a motor vehicle at a crowd of people with the intent to inflict fatal injuries.”

The Washington D.C. policy addresses a concern raised about the initial OIR recommendation – what about a terrorist attack (someone deliberately driving into a crowd). But the Washington D.C. policy addresses it with a specific, narrowly tailored exception, rather than creating a wide exception with the potential to lead to tragic shootings.

Discussion - because this discussion is rather long, here's an outline of its components:

- I. Why the policy language advocated by MPD is insufficient.
- II. Suggested policy language from Seth Stoughton. Seth Stoughton served as a consultant for the OIR review. He's a foremost specialist in use of force issues and regulation of policing in the U.S.
- III. Articles providing critical background on the issue.
- IV. Recommended policy from PERF (Police Executive Research Forum), and the reasons for their recommendation (why a strict policy is needed).
- V. Examples of policy language from major city police departments (all more restrictive than what MPD has sought).
- VI. The case of MPD Officer Steve Heimsness (shooting at a car in the Lake Street Parking Ramp).

I. In response to the OIR report, MPD advocated for adoption of the following policy language, which was passed by the Ad Hoc Committee.

"Firearms shall not be discharged at a moving vehicle unless:

(1) A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or

(2) The vehicle is operated in a manner that reasonably appears deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted (or are not present or practical)."

The exception language in (2) is too broad and nonspecific. A strict policy is the recommendation of PERF (Police Executive Research Forum) and most experts in this area, and is reflected in the deadly force policies of major city police departments throughout the U.S.

a. In an important way, this language is less restrictive than current MPD policy. Note that electric scooters and bicycles are generally classified as moving vehicles, and that (2) does not require threat of great bodily harm or death from being hit by the moving vehicle (which the existing MPD policy requires). So if an officer is about to get hit by someone on an electric scooter (or bicycle), and thinks they can't get out of the way, the new draft policy can be plausibly interpreted as authorizing the officer to shoot. That's a problem.

b. As all of you know, many police departments (definitely including MPD) are loath to "second-guess" officers' deadly force decisions. In the absence of a clear strict prohibition, officers will often behave in a manner that produces officer-created-jeopardy, and in the resulting split-second moment, they may believe and convincingly assert that there were no other means of defense. "Practical" could be interpreted to mean almost anything. Etc. See items III-VI below for more details on this.

c. Also, this policy includes no explicit language about it being the duty of the officer to move out of the path of a moving vehicle.

For background, I'll note that the OIR report for the Madison Police Department recommended:

"MPD should modify its prohibition on shooting at moving vehicles to make it clear that discharging a firearm at a moving vehicle is prohibited unless an individual in the car poses an immediate threat of death or serious bodily harm by means other than the vehicle, and that officers have a duty to move out of the path of a moving vehicle."

I'll note that the written OIR recommendation matches the policies of many U.S. police departments.

Existing MPD policy has been:

"Deadly force is never authorized:

3. At a moving vehicle unless an officer has reasonable cause to believe that one's self or another is in imminent danger of death or great bodily harm or Deadly Force Authorized, paragraph 3, regarding certain felons applies."

Paragraph 3

"The use of deadly force is only authorized when, under any of the following circumstances, an officer reasonably believes a lesser degree of force would be insufficient:

3. To effect the arrest or prevent the escape of a suspect who the officer has reasonable cause to believe has committed, or attempted to commit, a felony involving the use or threatened use of deadly force, when a high probability exists that the suspect, if not immediately apprehended, may cause death or great bodily harm."

II. Seth Stoughton is a key consultant that OIR retained for their review of MPD. Seth is faculty at University of South Carolina School of Law - he's a former police officer and is widely considered one of the foremost experts on use of force issues and regulation of policing.

Seth suggested a blend between the language provided in the OIR report and MPD's language, to the effect of:

"Firearms shall not be discharged at a moving vehicle unless:

(1) A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or

(2) The vehicle is operated in a manner that reasonably appears deliberately intended to strike an officer or another person in a way that would cause great bodily harm or death and there is no reasonably safe opportunity to avert that threat through other means. To prevent the threat of being struck by a vehicle, officers should make every effort to avoid putting themselves into the path of any occupied vehicle and, when such positioning is unavoidable, to move out of the vehicle's path as soon as practical."

Seth also stated that *"the 'all other reasonable means of defense' portion is a useful limitation-- but I'd also like to see the policy go beyond just defending against a threat by instructing officers to prevent the threat when possible."*

The critical change in his suggested language is the addition of: *"To prevent the threat of being struck by a vehicle, officers should make every effort to avoid putting themselves into the path of any occupied*

vehicle and, when such positioning is unavoidable, to move out of the vehicle's path as soon as practical."

Mike Gennaco of OIR is in support of such an amendment to the current language. When queried, he wrote: *"Your modest suggestion makes sense. We will support it in future discussions with the Ad Hoc Committee."*

III. If you want to better understand the issue of police shooting at moving vehicles, this article from The Guardian is a good starting point:

<https://www.theguardian.com/us-news/2015/sep/01/moving-targets-police-shootings-vehicles-the-counted>

Moving targets - The Guardian

www.theguardian.com

US police have fatally shot 30 people in moving vehicles this year, despite federal guidelines advising them not to. Why have police departments pulled the trigger on drivers rather than reform?

As the 2015 Guardian article notes:

"The US Department of Justice, prominent international policing experts and most major police departments across the US agree: police officers should not fire their guns into moving cars. The shots are widely viewed as ineffective for stopping oncoming vehicles, and the risks to innocent parties are seen as overwhelming.

But a Guardian investigation has found US police have carried out at least 30 fatal shootings into moving vehicles they claimed were being used as weapons so far in 2015. More than a quarter of those killed were black men, a group that according to the US Census Bureau makes up just 6% of the driving-age American population.

In all cases, officers said the vehicle posed a threat either to their own lives, to those of police colleagues, or to bystanders. In almost all incidents, however, their decisions to shoot appeared to run counter to federal guidance instructing officers to open fire only if a driver presents a separate deadly threat, such as a gun. None of those killed were accused of pointing firearms at police, and in only three cases did police appear to be aware of a gun being inside the vehicle.

Like thousands of other law enforcement agencies around the US that have declined to reform their internal policies in line with DoJ standards, Alexander City has a rulebook that says officers may fire into moving vehicles "as the ultimate measure of self-defence" when "the suspect is using deadly force". Implicit is that the vehicle itself may be considered the deadly weapon."

Here's an article from Vox on the same topic:

<https://www.vox.com/policy-and-politics/2017/5/8/15533536/police-shooting-moving-cars-jordan-edwards>



Police have known for 45 years they shouldn't shoot at

...

www.vox.com

Police and experts have widely known for 45 years that it shouldn't be done. Yet late last month, the act cost a 15-year-old boy his life. In April, a police officer, responding to a call about a house party, shot at a moving car and killed the front-seat passenger, 15-year-old Jordan Edwards. The ...

Vox article excerpt:

"one thing we've known for decades is that this kind of shooting simply shouldn't happen, because police officers should almost never shoot at moving vehicles. That's been the policy in New York City, the country's biggest local police department, for 45 years — and experts widely argue that it should be the policy for all police departments.

The argument for the change is straightforward: Shooting at a 4,000-pound vehicle is an ineffective way to stop it. Not only is the officer likely to miss the target (because real life isn't Call of Duty), but she may actually hit someone else entirely. And if the officer gets or remains in front of the moving car in the course of shooting, she could get hurt even if she hits the driver.

"If you're successful and shoot the driver, now you have an uncontrolled vehicle," Geoff Alpert, a police tactics expert at the University of South Carolina, told me. "And it's just as likely his foot is going to go on the gas as it is to not go on the gas."

Yet these shootings continue to happen. According to a Washington Post database, police nationwide have killed nearly 200 people who were inside a moving car since January 2015. These are by and large shootings that violate what policing experts consider best practices, causing deaths that are unnecessary, even if they're legal....

Experts said this policy is good for just about everyone involved: officers, the driver, and anyone else who may be around this kind of situation.

“No officers, to my knowledge, have been hurt as a result of it,” Wexler said, referring to New York City’s policy. “And many lives have been saved.” He added, “This policy, to me, is all about the sanctity of human life — both officer and the subjects they’re dealing with.”

To understand why, imagine a case in which an officer is in front of a car that’s speeding toward him. If the cop decides to shoot, that could put him in harm’s way, since, instead of getting out of the way, he’ll be focused on shooting. That could get the officer seriously injured.

The other issue is that shooting a moving vehicle is a very ineffective way of actually stopping it. Most of the time, officers will miss — since cops simply aren’t always the marksmen we see on television and in the movies. They might even hit the wrong target, like a passenger or a passerby near the car.

But even if they do hit the driver, that in no way guarantees that the car will actually stop. A wounded driver or dead body could lean into the pedal harder, causing the car to spiral out of control — and maybe hit more people and do more damage.”

An officer involved shooting case from Balch Springs was recently in the news, and exemplified the problems with the type of broad exception created in paragraph 2 of the draft policy sought by MPD (and passed by the Ad Hoc Committee in August).

<https://atlantablackstar.com/2018/08/20/witnesses-testify-there-was-no-reason-for-texas-police-to-fire-into-car-filled-with-black-teens/>

Witnesses Testify There Was No Reason for Texas Police to Fire Into Car Filled with Black Teens

atlantablackstar.com

DALLAS (AP) — Teenagers who witnessed a police shooting that killed a high school freshman in Texas testified on Friday that there was no reason for the

The Balch Springs Police Department policy had an exception very similar to the paragraph 2 exception. Here’s the Balch Springs policy (I’ve underlined the corresponding exception provision):

“C. Deadly Force Restrictions.

2. Firearms shall not be discharged at a moving vehicle in an attempt to disable the vehicle.

3. Because of the low probability of penetrating a vehicle with a handgun, officers threatened by an oncoming vehicle should attempt to move out of its path, if possible, instead of discharging a firearm at

it or any of its occupants. However, if an officer reasonably believes that a person is immediately threatening the officer or another person with deadly force by means of a vehicle, an officer may use deadly force against the driver of the vehicle."

IV. PERF (Police Executive Research Forum) recommends a clear, strict policy. PERF is generally considered the premier U.S. police thinktank. In 2016, PERF published "30 Guiding Principles on Use of Force", to provide guidance to U.S. police departments. Principle #8 is "Shooting at vehicles must be prohibited."

The Executive Director of PERF is Chuck Wexler. He's quoted in The Guardian article about this principle:

"Wexler's organisation has advised major police departments on introducing shooting bans into their rulebooks. He returns again and again to the illogical notions, as he puts it, that an officer facing down a direct and rapidly advancing car would save himself by firing and incapacitating the person at the steering wheel. "If the driver is shot, the vehicle becomes a totally unguided threat," he said.

*"It doesn't make any sense," Wexler, a former senior official at the Boston police department, said in an interview. **"You can't stop a moving vehicle. You shouldn't shoot at moving vehicles. Period. No exceptions."** Wexler also stressed the risks that ricocheting or missing shots could strike innocent bystanders."*

Wexler is also quoted in the Vox article:

"Wexler argued that it's important any ban on shooting moving vehicles remain stringently enforced and narrowly written. Otherwise, officers will feel too much leeway — and may opt to shoot more often than they should. "If it isn't a strong prohibition, then what happens is officers will put themselves in a position in which they do feel their life is in danger, and they have no choice," he said."

I wrote Chuck Wexler about this, and he referred me to the statement by John F. Timoney in PERF's 30 Guiding Principles document about this principle:

"PERF asked John F. Timoney to discuss the PERF 30 Guiding Principles in the context of his experience as First Deputy Commissioner of the New York City Police Department, Commissioner of Police in Philadelphia, and Chief of Police in Miami, FL.

By John F. Timoney

Many of the elements of the PERF 30 Guiding Principles have been tried and tested successfully in the three police departments where I have served.

Shooting at Moving Vehicles

Take PERF's Principle #8, which calls on agencies to adopt "a prohibition against shooting at or from a moving vehicle unless someone in the vehicle is using or threatening deadly force by means other than the vehicle itself."

The New York City Police Department, where I began my career, adopted this policy more than 40 years ago. The policy was part of a package of reforms developed within the NYPD in 1971, which also included a ban on "warning shots," and more thorough investigations by senior officers of all police shooting incidents, regardless of whether anyone was injured or killed.

The package of reforms was not implemented immediately, because the top brass in the department were waiting for the right time to announce it. That moment came in August 1972, with the fatal shooting by an NYPD officer of an 11-year-old African-American boy who was fleeing in a stolen car.

When the new policy was announced, the controversy was intense. The police union strenuously objected, saying that the policy would endanger officers and that the department was caving to community pressure. The news media fanned the flames, taking one side or the other depending on their point of view.

What nobody expected was how quickly the policy caused police shootings to plummet. The policy took effect in August 1972. In 1972, there were 994 shooting incidents involving NYPD officers. The numbers for September–December, immediately after the policy took effect, were down about 40 percent compared to the January–August figures. The following year, total shootings numbered 665—a 33-percent reduction in the first year. Those numbers have continued to decline to this day, and in recent years have been below 100 shootings per year. Fatal shootings show a similar pattern.

A strict policy does not mean that there will never be an exception to the rule. If a cop can give a valid reason why he or she shot at a moving car (I have heard a few in my time), it can be treated as an exception to the rule. But in the large majority of cases, a strict rule against shooting at cars will not only save lives, it will keep our cops out of trouble, out of the press, and God forbid, out of jail."

V. Many big city police departments have policy language that's more specific and restrictive than the language MPD has sought:

e.g. Philadelphia:

"Police officers shall not discharge their firearms AT a vehicle unless a person in the vehicle is immediately threatening the officer or another person with deadly force by means other than the vehicle (e.g., officers or civilians are being fired upon by the occupants of the vehicle).

1. A moving vehicle alone shall not presumptively constitute a threat that justifies an officer's use of deadly force.

2. Officers shall not move into or remain in the path of a moving vehicle. Moving into or remaining in the path of a moving vehicle, whether deliberate or inadvertent, SHALL NOT be justification for discharging a firearm at the vehicle or any of its occupants. An officer in the path of an approaching vehicle shall attempt to move to a position of safety rather than discharging a firearm at the vehicle or any of the occupants of the vehicle.

NOTE: An officer should never place themselves or another person in jeopardy in an attempt to stop a vehicle."

Boston:

"Moving/Fleeing Vehicles: Firearms shall not be discharged from a moving vehicle. Firearms shall not be discharged at a moving or fleeing vehicle unless the officer or another person is currently being threatened with deadly force by means other than the moving vehicle. For the purposes of this section, the moving vehicle itself shall not constitute the threatened use of deadly force. Therefore, officers shall move out of the path of any oncoming vehicle instead of discharging a firearm at it or any of its occupants. Moving to cover, repositioning and/or waiting for additional responding units to gain and maintain a tactically superior police advantage maximizes officer safety and minimizes the necessity for using deadly force."

San Francisco:

"MOVING VEHICLES. An officer shall not discharge a firearm at the operator or occupant of a moving vehicle unless the operator or occupant poses an immediate threat of death or serious bodily injury to the public or an officer by means other than the vehicle. Officers shall not discharge a firearm from his or her moving vehicle."

NYPD:

"PROHIBITIONS

*Members of the service **SHALL NOT:***

f. Discharge their firearms at or from a moving vehicle unless deadly physical force is being used against the member of the service or another person present, by means other than a moving vehicle."

Las Vegas:

"Officers are not authorized to discharge their firearm:

c. Either at or from a moving vehicle, unless it is absolutely necessary to do so to protect against imminent threat to the life of the officer or others. The imminent threat must be by means other than the vehicle, itself:

1) Officers will attempt to move out of the path of an oncoming vehicle, if possible, rather than discharge their firearms;

2) Officers will not intentionally place themselves in the path of an oncoming vehicle and attempt to disable the vehicle by discharging their firearms;

3) Officers will not discharge their firearms at a fleeing vehicle (a vehicle moving away from the officer) or its driver."

Cincinnati:

"Moving Vehicles: Officers shall not discharge their firearms at a moving vehicle or its occupants unless the occupants are using deadly physical force against the officer or another person present, by means other than the vehicle."

VI. I'll also note that the first case in which MPD Officer Steve Heimsness used deadly force, in the Lake Street Parking Ramp in 2001, could be seen as potentially fitting within the exception created by paragraph (2) of the policy MPD wants to adopt. This was a bad shooting, that should never have happened, providing a portent of Heimsness' later killing of Paulie Heenan.

Excerpt from the suit of the Heenan family against Officer Heimsness, Chief Noble Wray, and the City of Madison:

"Officer Heimsness stated he fired a round at the suspect vehicle because he felt the suspect was going to run him over and also fired the second shot seconds later because he thought other pedestrians besides himself would be in danger due to the total disregard of the driver for the safety of himself or any others nearby."

For the first shot, Officer Heimsness stated "that he saw no options because he froze and could not move," but he "acknowledged that he could have not taken the second shot."

He stated he very clearly saw the tread on the tires and the tire looked very wide to him at the time. He stated he suddenly saw the tire start rolling forward. He stated he still had his gun pointed at the driver at this time, however as the tires pulled forward he remembers thinking he had to stop the car and his life was in danger and the subject was going to run him over. He stated he remembers thinking at the time 'this is a deadly force situation.' "

Consider Heimsness' justification of the shooting in light of the quite broad exception provided in "(2) The vehicle is operated in a manner that reasonably appears deliberately intended to strike an officer or another person, and all other reasonable means of defense have been exhausted (or are not present or practical)." As Chuck Wexler correctly notes: "If it isn't a strong prohibition, then what happens is officers will put themselves in a position in which they do feel their life is in danger, and they have no choice."

For all the reasons stated above, the draft recommended policy should be amended - providing, at a minimum, the specificity/restrictiveness inherent in Seth Stoughton's suggested policy language. There are good reasons why PERF has advocated a strict policy, and why so many major city police departments have adopted strict policies on this matter - where such policies have demonstrated a long successful history of leaving everyone (civilians and officers) safer.

Response to Persons in Altered Mental States

18. All of Fyfe's Principles should be incorporated into MPD's "Response to Persons with Altered State of Mind" SOP.

Officer involved shootings could also be reduced by using a better tactical policy for dealing with people in an altered mental state. This is especially important since the vast majority of MPD officer involved

shootings involve people in an altered mental state. Either 11 or 12 of the last 13 MPD officer involved shootings were of people incapacitated by mental illness and/or chemically (by alcohol/drugs).

MPD used to have no policy at all for this (a glaring deficiency). Representative Chris Taylor drew attention to the need for such a policy. The President's Work Group report then ordered implementation of such a policy.

One of the key items the President's Work Group reviewed, and asked that the policy incorporate, was Fyfe's Principles for police interaction with people in an altered mental state.

James Fyfe (the originator of Fyfe's Principles) was an NYPD lieutenant in the 1970s, then became a professor of criminal justice, then finally returned to NYPD as Deputy Commissioner for Training in 2002. Much of his work focused on use of force. He introduced many beneficial changes in training and policy at NYPD, leading to large reductions in officer involved shootings.

Fyfe's paper "Policing the Emotionally Disturbed" from 2000 (J Am Acad Psychiatry Law 28:345-7) introduced seven key principles for minimizing officer involved shootings of people in an altered mental state. Fyfe notes:

"In New York City... police shootings have declined dramatically... however, the decrease in EDP [emotionally disturbed person] shootings may not hold true in many smaller and midsized U.S. police jurisdictions.... The major reason that the big cities have become more sophisticated than smaller jurisdictions in resolving EDP situations is a simple matter of numbers and exposure. The New York City Police Department (NYPD) responds to about 18,000 EDP calls every year, and even the small number that have gone wrong and resulted in tragedy have been enough to embarrass the organization and prompt it to action designed to help officers avoid hurting others and being hurt themselves....

The dangers and unpredictability of police encounters with EDPs are significant, but they can be reduced greatly by adherence to a few simple principles.... These principles, which can be taught and absorbed in no more than a couple of days, considerably increase the chances of resolving EDP confrontations without bloodshed... Because the techniques and strategies for resolving EDP situations are relatively simple, all police patrol officers, who are almost invariably the first police responders to such situations, should be trained in them and held accountable for following them."

Here is the President's Work Group report action item:

"Action Item 1: The Common Council hereby issues a lawful order to the Chief of Police to issue a SOP that explicitly details the goals, tactics, policies, and procedures to deal with an EDP (including those who are intoxicated). In order to do so MPD should refer to the International Association of Chief of Police's model policy Responding to Persons Affected by Mental Illness or in Crisis (see Appendix) and the NYPD Patrol Guide related to Mentally Ill or Emotionally Disturbed Persons (see Appendix).

The President's Work Group requests that MPD consider incorporating Fyfe's principles for interacting with EDPs. Those principles include 1) keeping a safe distance, 2)

avoiding unnecessary and provocative displays of force, 3) working with backup, 4) one officer should interact with the subject, others should remain quiet, 5) the officer interacting with the subject is in charge, no one else should take unplanned action, 6) make it clear officers are there to help not threaten, and finally, 7) officers should take as much time as necessary for an arrest, even hours or days if that is that is what is required."

Here is my analysis, for Representative Chris Taylor, of the policy MPD eventually came up with:

Here's the policy MPD promulgated on tactics for dealing with people in an altered mental state. MPD implemented such a policy because of an order from the Common Council, requiring it - specifically it was required by the President's Work Group report, Action Item 1. The report was issued May 12, 2017. MPD finally implemented a policy on September 15, 2017. They were about to be slammed by OIR (the outside firm conducting the review of MPD) for not having implemented a policy on this. MPD made no public announcement when they implemented the policy.

The policy isn't terrible. But it could have been a lot better. MPD did not incorporate some of the better aspects of the NYPD policy - some examples of provisions from NYPD policy which MPD chose not to incorporate:

"Establish firearms control.

a. Direct members concerned not to use their firearms or use any other deadly physical force unless their lives or the life of another is in imminent danger."

"ZONE OF SAFETY - The distance to be maintained between the EDP and the responding member(s) of the service. This distance should be greater than the effective range of the weapon (other than a firearm), and it may vary with each situation (e.g., type of weapon possessed, condition of EDP, surrounding area, etc.). A minimum distance of twenty feet is recommended. An attempt will be made to maintain the "zone of safety" if the EDP does not remain stationary."

"c. In all other cases, if EDP's actions do not constitute an immediate threat of serious physical injury or death to himself or others:

(1) Attempt to isolate and contain the EDP while maintaining a zone of safety until arrival of patrol supervisor and Emergency Service Unit personnel.

(2) Do not attempt to take EDP into custody without the specific direction of a supervisor."

"8. Deploy protective devices (shields, etc.). a. Employ non-lethal devices to ensure the safety of all present"

[NYPD makes extensive use of protective plexiglass shields, to protect against knives, clubs, pitchforks, etc., so as to avoid use of deadly force. To the best of my knowledge, MPD only uses ballistic shields. NYPD also uses a more extensive set of other protective devices - such as Kevlar stainless steel gloves, EDP bar, shepherd's crook, etc.]

"If the mentally ill or EDP is contained and is believed to be armed or violent but due to containment poses no immediate threat of danger to any person, no additional action will be taken without the authorization of the commanding officer or duty captain at the scene."

Some of these NYPD provisions do have somewhat similar analogues in the MPD policy - for example, the MPD policy does specify use of distance:

"Effective use of distance and time, when feasible

o More distance generally creates more time to react, which allows more options to be considered (e.g. less lethal munitions, tactical shield)"

But some of the provisions - for example, firearms control, taking no additional action without authorization of a commanding officer if the person is already contained, etc. have no analogue in the MPD policy. I'll note that if the NYPD policy were in place here, Michael Schumacher would probably still be alive (given the containment provision and others policy elements).

The Council asked MPD to consider incorporating Fyfe's principles (and included these principles in the report). MPD did incorporate some of them, but not others.

For example, MPD did not include principle 2:

"2) avoiding unnecessary and provocative displays of force"

[Too often, MPD tries to intimidate people into complying, which is really counterproductive when dealing with people in an altered mental state.]

MPD also did not fully incorporate Fyfe's principles 4 and 5:

"4) one officer should interact with the subject, others should remain quiet, 5) the officer interacting with the subject is in charge, no one else should take unplanned action"

The closest the MPD policy comes to this is to say: *"Have only one officer communicate with the person at a time."* Under the MPD policy, multiple officers can be talking to the person, just not at the same time. Sequential statements from multiple officers can still be confusing/agitating to someone in an altered state. And the policy does not prohibit other officers from taking unplanned action (which is more likely to lead to a mess).

MPD did not incorporate Fyfe's principle number 7:

"7) officers should take as much time as necessary for an arrest, even hours or days if that is that is what is required."

One reason I find MPD administration frustrating - they always think they know better, and thus will most often ignore expert advice (e.g. Fyfe's Principles, PERF Use of Force Guidelines, etc.) and proceed to promulgate policies that are inconsistent with best practices and evidence.

Fyfe's Principles in relation to Normal Accident Theory:

The rules formulated by James Fyfe for how police should deal with resistant emotionally disturbed persons (including those who might be armed) fit well with recommendations from normal accident theory (a theory - with considerable empirical support - of factors underlying risk of disasters).

Under normal accident theory, the risk of accidents is tied to 1. the interactive complexity of a system (more parts or more people interacting = higher risk) and 2. the degree of coupling in the system (tight coupling, with little capacity to accommodate things going wrong = higher risk). Normal accident theory was first applied to officer involved shootings by David Klinger (2005) and recently more formally by Bryan Vila et al.

Fyfe's rules:

1. Officers should keep a safe distance away from EDPs (emotionally disturbed persons) and otherwise avoid putting themselves in harm's way when handling EDPs.
[more distance = looser coupling. Better able to accommodate errors/unexpected actions]
2. Officers should avoid unnecessary and provocative displays or threats of force.
3. An officer should try to avoid confronting an EDP while alone and should always make sure that back-up assistance is called so that the EDP can be contained at the same time that bystanders are cleared away.
[clearing bystanders reduces complexity of the system, though backup officers increase complexity]
4. One officer (the talker) should be designated to talk to the EDP, and everybody else on the scene should "shut up and listen."
[reduction in complexity]
5. Officers should make sure that the talker is in charge of the scene and that nobody takes unplanned action unless life is in immediate danger.
[reduction in complexity. retain the benefit of backup officers while ameliorating the additional risk created by having more officers present]
6. Officers should make sure that the talker does not threaten the EDP, but instead makes it plain that the police want to help him or her and that the way to accomplish this is for the EDP to put down any weapons and to come with the police for help.
7. Officers should take as much time as necessary to talk EDPs into custody, even if this runs into hours or days.
[allowing as much time as needed = more slack/less pressure/looser coupling]

Some additional material related to James Fyfe:

A short summary of positions and accomplishments, posted by the COPS Office (U.S. Department of Justice).

An illuminating 2001 interview with James Fyfe, entitled "[A Blue Wall of Silence](#)" - some excerpts:

"Policing is far less dangerous than we and the police have been led to believe. About one in 8,000 officers is murdered at work every year. One cop is murdered by a motorist about once in every 135,000 person years of policing. Any construction, fishing, bartending, cab driving, fire fighting, and sanitation work are all much more dangerous than policing.

Yet, many training programs focus almost exclusively on "officer survival" and the like. This leads impressionable young officers to believe that they are patrolling Kosovo rather than US streets. This leads them to be overly aggressive, and to perceive danger whether there is none. Without going into a lot of detail, the best way to train officers to deal with the risks of the street is to present them realistically rather than to exaggerate them, and to teach officers tactics that keep them out of harm's way without offending citizens. Some agencies do that much better than others, and it shows in the numbers...

I published a study in 1979, which showed that NYPD was able to reduce the number of police shootings by imposing some realistic guidelines on officers' discretion. This eliminated shootings that were not clearly in defense of the lives of officers or other innocent persons, and had no effects on the safety of officers or the public, or on crime rates or any measure of police effectiveness. It did not eliminate all mistakes, however. Thus, the short answer is that there is little or no relationship between the number of people police shoot and how safe they or the public are. Since the most important police job is to protect life, this puts the police under a responsibility to use their guns as little as possible.....

Too many officers force unnecessary confrontations, and then have to make some split-second decision about how to get out of them without being hurt. A few e-mails ago, somebody asked about the police and the emotionally disturbed -- that's what typically happens in these cases. Ill-prepared and/or insensitive officers back an obviously disturbed man up against a wall at gunpoint and surround him. Then they are surprised when he tries to escape. But because they have surrounded him, he can only escape by running in the direction of one or more officers -- if he does this and has a knife or other weapon in his hand, they perceive themselves to be in danger, and they make a "split-second decision" to shoot him. In such cases, split second decisions are the consequence of poor tactics and insensitivity. We need to get the focus off the instant at which the cop pulls the trigger and to look more closely at how he or she got into that situation. If it was the result of bad tactics, we need to hold police accountable for taking lives....

If citizens are apathetic or divided, they have little impact on police policies, and police agencies tend to make it up as they go along. Thus, the most important control on the police is a community that lets the department know what it wants, and that it will not tolerate anything else."

Another article (from 2004) in which Fyfe is interviewed. He's talking about police procedure for dealing with people with mental health issues and makes a key point.

"Not everyone agrees that the Memphis model is the best way.

Fyfe of the New York Police Department says it wouldn't be appropriate in his city, where the police have 150,000 dealings with the mentally ill a year, compared to about 18,000 in Memphis.

The vast majority of situations that end violently begin to go awry in the first 30 or 40 seconds after police arrive, he says. Rather than train a special squad, "it is much more important to raise the level of expertise of first responders," Fyfe says.

So, two years ago, the NYPD added two chapters on dealing with the mentally ill to the textbook for new recruits and added extensive role-playing exercises to its training."

Rodriguez, Rachel

From: Gregory Gelembiuk <gwgelemb@wisc.edu>
Sent: Wednesday, December 12, 2018 6:27 PM
To: Keith Findley
Cc: Tom Brown; Rodriguez, Rachel
Subject: CRT Proposed Recommendations - Set 2
Attachments: CRT Proposed Recommendations - Set 2.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Tom, Keith, Rachel,

Here is the finalized document containing the second set of CRT proposed recommendations. There are a total of 10 recommendations in this set.

Sincerely,

Dr. Gregory Gelembiuk

DASH CAM VIDEO: Shall vs Must

Current MPD SOPs governing the operation of in-car video gives officers the discretion to record the following incidents when it should be a requirement. The SOP reads "In-car video equipment "shall" be used to record emergency vehicle operations, traffic stops, transports of persons in custody as well as interviews of subjects where other recording options are not available. "Shall" has the legal weight of "may" not "must". "Must" has the legal weight of an obligation, not an option.

https://www.faa.gov/about/initiatives/plain_language/articles/mandatory/

"What's the only word that means mandatory? Here's what law and policy say about "shall, will, may and must."

We call "must" and "must not" words of obligation. "Must" is the only word that imposes a legal obligation on your readers to tell them something is mandatory. Also, "must not" are the only words you can use to say something is prohibited. Who says so and why?

Nearly every jurisdiction has held that the word "shall" is confusing because it can also mean "may, will or must." Legal reference books like the Federal Rules of Civil Procedure no longer use the word "shall." Even the Supreme Court ruled that when the word "shall" appears in statutes, it means "may."

Bryan Garner, the legal writing scholar and editor of Black's Law Dictionary wrote that "In most legal instruments, shall violates the presumption of consistency...which is why shall is among the most heavily litigated words in the English language..."

Until recently, law schools taught attorneys that "shall" means "must." That's why many attorneys and executives think "shall" means "must." It's not their fault. The Federal Plain Writing Act

and the Federal Plain Language Guidelines only appeared in 2010."

For the following reasons, we believe officers "must" record such incidents.

Emergency vehicle operations can include incidents involving police and public interactions including detainment and arrest. In these cases, a dash cam video may capture evidence critical to an investigation of that interaction.

Traffic stops have been listed as the most dangerous of all interactions a police officer can have with a civilian. This being the case, officers are far more likely to be harmed or perhaps anxious and harmful during such an interaction. It is critically important that traffic stops be recorded via dash cam.

Vehicle transports can be dangerous or even deadly for subjects as well as officers. Again, any interaction that has a more than remote chance of resulting in an investigation should be recorded by dash cam video and/or audio if possible.

On a frequent basis, dash cam video with audio recording both exonerates and implicates officers in incidents that without video would be left to the interpretation of the officer only. During the 2014 Citizen Academy Training, MPD's very own Detective Murphy referred to video evidence as "golden" for investigations.

Current SOP:

"IN CAR VIDEO SYSTEM SOPS

OPERATION OF THE IN-CAR VIDEO SYSTEM

1. *Video recordings (including a 30 second video only pre-event) are initiated when:*
 1. *The squad's emergency lights are activated.*
 2. *The wireless microphone's record (REC) button or auxiliary (AUX) button is depressed.*

3. *The record button is depressed on the back of the front camera.*
4. *The record button is selected in the in-car video software on the MDC.*
5. *The vehicle crash sensor is triggered.*
6. *The vehicle speed trigger threshold has been exceeded.*
2. *In-car video equipment **shall** be used to record the following:*
 1. *All emergency vehicle operations.*
 2. *All traffic stops.*
 3. *All transports of persons in custody.*
 4. *All interviews as required by Wisconsin State Statutes when other established recording facilities are not available, practical, or preferred."*

Recommendation 1

Change "shall" to "must" in section 2 of the SOP to read "In-car video equipment **must** be used to record the following"

ENGAGE DASH VIDEO/AUDIO DURING STEALTH OPERATIONS

In Nov of 2012, MPD Officer Heimsness shot an unarmed man engaged in disorderly conduct in an incident that was one of MPD's most controversial both inside and outside of the department. There was no recording of the incident since Officer Heimsness failed to engage his audio recording device. An audio and/or video recording of the incident would have provided important answers to those who did not see the incident and were dissatisfied with the outcomes of the criminal and internal investigations as well as those bothered by the public response.

Recommendation 2

Dashcam video and audio mics must be manually engaged in circumstances where automatic initiation of recording is disabled i.e. lights and sirens have been turned off due to the officer's desire to be stealthy for tactical reasons.

MUTING AN AUDIO RECORDING

Current MPD SOPs governing the operation of in-car video allows officers to, at their discretion, mute their microphone during an audio recording. This amounts to editing records in real time which is unwise and potentially harmful to investigations as evidence sometimes does not present itself as such until after the fact.

"IN CAR VIDEO SYSTEM SOPS

OPERATION OF THE IN-CAR VIDEO SYSTEM

5. Officers may temporarily mute audio recording of conversations between police personnel such discussions involve strategy, tactics, or supervisor's directives."

Recommendation 3

During events that by policy require or recommend the use of recording devices, officers should be required to make complete, uninterrupted audio recordings as sometimes evidence does not reveal itself as such until after the fact. Records must not be edited in real time and be continuous. Redactions that pass the "balance test" may be applied at the time of a records request and the reason for redaction must be reasonably articulated.

TERMINATING VIDEO

Current MPD SOPs governing the operation of in-car video allows officers to stop or delete a video recording at their own or their

supervisor's discretion. Officers should have to, in their report of said incident, articulate why they or their supervisor stopped recording it.

"IN CAR VIDEO SYSTEM SOPS

OPERATION OF THE IN-CAR VIDEO SYSTEM

6. Once initiated, video and audio recordings should not be terminated until the event is complete

Except:

- 1. When a supervisor authorizes the cessation of the recording.*
- 2. When, in the officer's assessment, there is no evidentiary value in collecting further video. "*

Recommendation 4

Add to part 6 of IN CAR VIDEO SYSTEM SOPS, OPERATION OF THE IN-CAR VIDEO SYSTEM the following language:

"Officers must articulate why they or their supervisor stopped recording the event in their report of the event."

DIVERSITY TRAINING

According to a research article entitled "Why Diversity Programs Fail" in Harvard Business Review's July 2016 issue, diversity training doesn't work for the following reasons:

1. It is forced
2. it is short-term
3. It is impersonal
4. It is used as a threat

<https://hbr.org/2016/07/why-diversity-programs-fail>

"Researchers have been examining that question since before World War II, in nearly a thousand studies. It turns out that while people are easily taught to respond correctly to a questionnaire about bias, they soon forget the right answers. The positive effects of diversity training rarely last beyond a day or two, and a number of studies suggest that it can activate bias or spark a backlash."

Recommendation 5

In addition to CORE, MPD should add a volunteer, incentivized and paid continuous leadership-competency component called a "learning community" with adults and perhaps, older youth, from the public. The members of each learning community should represent a broad cross section of the socio-economic, racial, gender and ability groups that MPD typically interacts with in the community. Look to UW Madison's Leadership Institute to develop learning communities with members of the public who share a range of social identities. See below for details.

"The Leadership Institute is a unique opportunity for honing your personal leadership capacities to support the University's strategic priorities and diversity goals by participating fully as a leader within your work or educational context. Launched in 1998, LI is a nine-month long initiative where participants engage weekly in a sustained dialogue within a learning community. Through facilitated small and large group dialogues, reflective writing, readings, videos, activities and exercises, participants hone their leadership capacities to effectively engage across multiple social identities (Gender, Class, Race/Ethnicity, Ability, Age, Sexual Orientation, etc.), and to build open, dynamic, and respectful working and learning environments for all.

Over the 9 months of LI, as a participant you can expect the following outcomes:

- To fully explore your, “spheres of influence” i.e. exploring how can you make a difference?
- To acquire tools and skills to help build inclusive working/teaching/living environments;
- To effectively interact and communicate across all human differences;
- To learn and practice ways of engaging with intercultural conflict;
- To build inclusive and equitable relationships across campus and the greater Madison community;
- And to develop confidence in your personal leadership style.

Small Group Meetings

You will be part of a group of approximately 10-12 participants, including group participant facilitators, who meet weekly for 2 hours on a Thursday, 10:30-12:30, in both mixed identity group and in an affinity group across race and ethnicity. The small group meeting location will be decided by the group.

Large Group Meetings

Periodically, all participants will gather as a large group for 3 hours. All large group meetings will be held on selected Thursdays from 10:30 – 1:30.

LI Themes

Theme One: A Journey Together; A Journey Inward

Theme Two: Our Beliefs About Ourselves & Others

Theme Three: Multiple Perspectives on the Meaning of Work

Theme Four: Personal Meanings of Leadership

For more information about the program please contact:

Learning Communities for Institutional Change and Excellence
(LCICE)

183 Bascom Hall, 500 Lincoln Drive, Madison, WI 53706

E-mail: lcice@cdo.wisc.edu"

Potential expert to speak on this recommendation please contact
Seema Kapani 1 (608) 212-5539

CARING FOR OUR OFFICERS: ANNUAL PREVENTATIVE WELLNESS PROGRAM

Nothing would demonstrate support for our officers more than truly recognizing of the toll of their service by codifying and funding our concern for their health.

Recruits of the Madison Police Department must pass a wellness screening in order to be hired by MPD. This makes sense, but not as much sense as developing some form of preventative and proactive annual wellness package for the seasoned officer who has navigated repeated stressful, traumatic and often, horrific circumstances.

Officers have long suffered under the assumption that if they reveal they are struggling with mental health issues, they will be regarded as unreliable, weak, and be denied promotional opportunities.

While rates of officer suicide are challenging to track with absolute accuracy, what is known shows that officers are dying by their own hand more than in the line of duty and that the rate of officer suicide exceeds the national average.

The problem is acute enough that Congress passed the Law Enforcement Mental Health and Wellness Act of 2017 which "directs the Department of Justice, in consultation with the Department of Defense and the Department of Veterans Affairs, to develop resources to equip local law enforcement agencies to address mental health challenges faced by officers. It also makes grants available to initiate peer mentoring pilot programs, develop training for mental health providers specific to law enforcement mental health needs, and support law enforcement officers by studying the effectiveness of crisis hotlines and annual mental health checks."

A serious challenge to achieving optimal officer wellness in the state of Wisconsin is that PTSD is not recognized in Wisconsin as a work compensation injury. In 2017, a bill was introduced to remedy this issue but did not make it past the Workers Compensation Committee in the Department of Workforce Development due to opposition from representatives of the insurance industry.

A growing number of states including Minnesota are appropriately recognizing PTSD as an occupational disease. Until Wisconsin does the same, officers will continue to be shamed into suffering alone.

Currently, MPD officers may seek help on a self-referral basis but current police culture, fostered by insurance industry denial, frowns upon seeking help. Rates of PTSD, addiction, stress-related diseases, divorce, domestic violence and suicide tell us that we must absolutely change this aspect of police culture and do more for our police officers.

"If foreseeable stress-related issues are not intentionally addressed, unacceptable performance is a predictable outcome and can expose agencies to liability that in some cases could have been prevented. A yearly psychological screening and/or stress management counseling session will better prepare LEOs to cope with trauma during their career. This model of long-term care will make intervention part of routine annual care rather than depending on self-motivated LEOs. Much like traditional aspects of annual medical assessment, the goal is to ensure employees can perform their jobs effectively."

Also mentioned in this article is The Tucson Police Department's recently developed Behavioral Sciences Unit (BSU). They use "a hybrid model combining peer support and a staff psychologist, an innovative approach lauded by national police organizations. TPD's BSU is comprised of a licensed psychologist and two sergeants who meet with new employees and provide short-term remediation for officers returning to duty. The staff psychologist sees approximately 10–12 patients/employees each week through voluntary and mandatory referrals. Although the BSU is granted specific

confidentiality authority by TPD, the model still depends significantly on self-reporting (see here)."

As written earlier, while it makes sense to screen recruits prior to hiring them as LEOs, it makes twice as much sense to evaluate and support them after they've worked as LEOs. Reliance on self-reporting in a police culture that finds weakness in asking for help isn't realistic or safe. A department and the community it serves only benefits from a positive, proactive and preventative approach to officer wellness eliminates the inefficient, destructive, embarrassing and punitive proposition of addressing an officer's wellness needs after the fact.

Government bodies overseeing LEOs are increasingly recognizing the need for periodic psychological screening. For example, the Maryland General Assembly Workgroup on Public Safety and Policing recently recommended giving officers periodic psychological evaluations.

"Recommendation No. 17: MPTSC shall develop standards for mandated psychological evaluation after traumatic incidents and for law enforcement officers returning from combat deployment as well as periodic psychological evaluations for all officers as determined appropriate by the commission. MPTSC shall also amend the Code of Maryland Regulations to require that an applicant for police officer undergo a pre-employment psychological evaluation by a psychologist."

Such periodic screening is consistent with the Americans with Disabilities Act:

<http://www.eeoc.gov/policy/docs/guidance-inquiries.html>

"18. May employers require periodic medical examinations of employees in positions affecting public safety (e.g., police officers and firefighters)?

Yes. In limited circumstances, periodic medical examinations of employees in positions affecting public safety that are narrowly tailored to address specific job-related concerns are permissible.(66)

Example A: A fire department requires employees for whom firefighting is an essential job function to have a comprehensive visual examination every two years and to have an annual electrocardiogram because it is concerned that certain visual disorders and heart problems will affect their ability to do their job without posing a direct threat. These periodic medical examinations are permitted by the ADA.

Example B: A police department may not periodically test all of its officers to determine whether they are HIV-positive because a diagnosis of that condition alone is not likely to result in an inability or impaired ability to perform essential functions that would result in a direct threat.

Example C: A private security company may require its armed security officers who are expected to pursue and detain fleeing criminal suspects to have periodic blood pressure screenings and stress tests because it is concerned about the risk of harm to the public that could result if an officer has a sudden stroke.

If an employer decides to terminate or take other adverse action against an employee with a disability based on the results of a medical examination, it must demonstrate that the employee is unable to perform his/her essential job functions or, in fact, poses a direct threat that cannot be eliminated or reduced by reasonable accommodation.(67) Therefore, when an employer discovers that an employee has a condition for which it lawfully may test as part of a periodic medical examination, it may make additional inquiries or require additional medical examinations that are necessary to determine whether the employee currently is unable to perform his/her essential job functions or poses a direct threat due to the condition."

<http://digitalcommons.law.lsu.edu/cgi/viewcontent.cgi?article=6136&context=lalrev>

"The public safety exception does not require state and city-police and fire departments to enact policies that mandate current police officers and fire fighters submit to periodic medical examinations. It only makes such policies permissible. Nonetheless, prudent departments should require such examinations of their employees. The National Fire Protection Association (NFPA), a leading organization aimed at protecting the safety of firefighters, recommends that all fire departments conduct mandatory medical examinations of their members in order to identify medical conditions that affect a member's ability to safely perform essential job tasks, monitor the effects of exposure to chemicals, detect patterns of disease or injury that could indicate underlying work-related problems, and provide members with information about their current health. See National Fire Protection Association, NFPA 1582: Standard on Comprehensive Occupational Medical Program for Fire Departments §§ 7.1- 7.3 (2003). This recommendation is partly due to the increase in occurrences of on-duty heart attacks and cardiac arrests among fire fighters. See National Institute for Occupational Safety and Health (NIOSH), Firefighter Fatality Investigation Report F2003-9 (July 13, 1994), available at <http://www.cdc.gov/niosh/face200339.html> (career firefighter in Tennessee died of sudden cardiac arrest in parking lot of fire station); NIOSH Fire Fighter Fatality Investigation Report 99F-11 (May 3, 1999), available at <http://www.cdc.gov/niosh/face9911.html> (career firefighter in West Virginia died of sudden cardiac arrest during a training drill). Not surprisingly, many of these incidents occurred in fire departments that do not conduct periodic medical examinations of the fire fighters. Id. Although not required by federal law, more and more police and fire departments are requiring periodic examinations as a condition of continued employment. See Collective Bargaining Agreement Between Polk County Board of County Commissioners and Polk County Professional Firefighters, I.A.F.F., Local 3531, Article XVI, (Oct. 1, 2003-

Sept. 30, 2004), available at <http://www.polk-county.net/county-offices/firesvcs/contract.html> (fire fighters in Polk County, Florida required to undergo annual medical examinations); Agreement Between Township of Hardyton, Sussex County, New Jersey and Hardyton Township PBA Local 374, Article XIX, (Jan. 1, 2004-Dec. 31, 2006) (on file with the author) (police officers in Hardyton, New Jersey must submit to annual medical examination to insure proper physical capabilities on the job)."

<http://www.bna.com/testing-and-screening-job-applicants/>

"Although the need for disability-related inquiries and medical testing normally arises after an employee exhibits clear signs of performance or health problems, periodic examinations and other testing may be warranted for certain employees absent any indication of physical or mental limitations. The ADA authorizes periodic medical examinations of employees in positions affecting public safety, such as police officers and firefighters, if the examinations are narrowly tailored to address specific job-related concerns. If an employer decides to terminate an employee based on the results of these examinations, however, it still must demonstrate that the employee is unable to perform his or her essential job functions or poses a direct threat."

<http://www.aele.org/apa/>

"New Jersey court upholds periodic psychological testing of all police officers.

Two officers and the union challenged a 12-year old policy requiring officers of all ranks to be tested every three years. One of the officers was later directed to participate in counseling for anger management. The lawsuit, filed in state court, claimed:

1. Officers were “forced to reveal personal and private information which was unrelated to the work performance and... their fitness for duty as police officers.

2. The process violates officers’ rights of due process.

3. The screening causes “humiliation, embarrassment, emotional distress, anguish and harm to [officers’] personal reputations...”

The judge dismissed the suit. He concluded that periodic psychological screening is constitutional, provided that management provides for the privacy of officers’ files and records, and respects their right of Due Process. No appeal was taken. PBA L-319 v. Twp. of Plainsboro, #C-173-98, Middlesex Co. N.J. Super. Ct. (Unpub. 1998).”

Recommendation 6

MPD should integrate into its staff psychologist/peer support program an annual wellness support program that mandates annual mental wellness assessments with ongoing stress management counseling, restorative support and restoration practices built into police shifts. With all officers participating in this program, it's fundamentally equitable. No single officer's participation will appear out of the ordinary thus protecting them for an invasion of privacy or being ostracized.

Recommendation 7

MPD should establish a policy to ensure privacy and confidentiality of all officers as they participate in the mental wellness program.

Recommendation 8

MPD, Madison and advocates for healthy policing should, in concert, look to Minnesota's First Responder's Bill and lobby for the

continuation or creation of a state statute that recognizes PTSD as a workers-compensation injury.

INVESTIGATION AND REVIEW OF OFFICER-INVOLVED FORCE INCIDENTS

" American Bar Association's (ABA) rules on ethics for attorneys, which state that a conflict of interest exists when attorneys face a "significant risk" that their work will be affected by other responsibilities or loyalties."

It is a well-known fact that District Attorneys have a close relationship with the police departments in their districts. They rely on good relationships with local police to bring forth indictments, prosecute crimes and... to get elected. In both financial contributions and voters, police unions, associations, fraternal orders and police PACs turn out significant numbers for their state and local elections. These facts present conflicts of interest so egregious, they alone explain perfectly why District Attorneys almost never prosecute officers and must be relieved from the investigations and prosecutions of officers involved in force incidents. Evidence of the risk D.A.s face when prosecuting officers is illustrated in cases across the country.

Take the case of Baltimore's Chief Prosecutor, Marilyn Mosby, a second generation prosecutor who in April of 2015, charged 6 officers in the controversial death of Freddie Grey. What followed is every D.A.'s nightmare. With their lack of cooperation, the police department all but shut down her cases and set out to destroy her career by suing her for malicious prosecution. Additionally, since Mosby felt the police were not able to investigate themselves office, her office took over the criminal investigation. When the officers sued her, the presiding judge took away her immunity - something prosecutors are granted in order to feel safe prosecuting defendants.

"What scares me about this case is that it's a pretty strong signal from the police that prosecutors across the country should be careful about bringing charges when it comes to police misconduct... which most of them already are!" said Daniel S. Medwed, a law professor and expert on prosecutors and wrongful convictions at Northeastern University School of Law.

District Attorney Kari Brandenburg of Albuquerque, NM, also the daughter a former D.A., was the first to ever prosecute an Albuquerque police officer for an officer-involved shooting. The subjects of Brandenburg's case were 2 officers who shot a 38 year old homeless man to death after joking, on dash cam audio, about shooting "the fucking lunatic" "in the penis". With the help of the local police union, the Albuquerque police department set out to remove Brandenburg from the biggest case of her life and destroy her career which they did with great success.

"She had locked up men who shot at officers, defended officers when they faced scandal, protected officers when they killed civilians. She had gone nearly 14 years without charging a single officer for a fatal shooting. And so when she decided to charge two of them with murder in January 2015, she did not expect her longtime allies to turn on her. But indeed those longtime allies went on to orchestrate "a complete snow job against her," as former Albuquerque police Sgt. Tom Grover put it. They attacked her reputation. They stripped from her the biggest case of her career. They resisted the authority of her office. And, she told those around her, they threatened her family's safety. It was a surreal turn of events: a district attorney scared of her city's police department."

To get an idea of how a power-hungry, career D.A. stays electable, look to Omaha Nebraska's, Don Kleine. In 2007, Kleine won his campaign by promising to be "tough on crime" and to cut down on the incumbent's rehabilitative programs.

When he was elected, Nebraska state law required any officer-involved fatality to be investigated and prosecuted by a special prosecutor to eliminate the obvious conflict of interest. By 2010, Kleine had successfully lobbied to scrap that law and in the event of an officer-involved fatality, Kleine shaped his prosecutorial duties and processes around predetermined outcomes in favor of his officers.

"Before 2010, any killing by a police officer in Nebraska prompted the appointment of a special prosecutor, who could recruit three homicide detectives from outside the county to help investigate. This "removes the county attorney from the process", according to an annotation to the law, ensuring deaths were reviewed for potential wrongdoing by outsiders rather than the officers' own colleagues.

But five years ago the measure was scrapped by the state legislature following a lobbying campaign spearheaded by Kleine, who complained that special prosecutors were costing his county \$20,000 a year, and his staff "would probably do a better job"."

Here in Dane County, according to retired Madison Police Chief Noble Wray, District Attorney Ismael Ozanne has faced some of the most controversial officer-involved fatalities this city has ever seen. While this may be true, Ozanne's decisions on these cases resemble all of those preceding his tenure. A case cannot be found in which a D.A. or chief in Dane County decided an officer was in the wrong for shooting or killing someone.

One of the cases deemed controversial by Chief Wray occurred on November 9th, 2012 when Officer Stephan Heimsness failed to use his back up officer and shot and killed a severely intoxicated and visibly unarmed man named Paul Heenan. This response to a non-compliant, but also, non-fleeing man who's hands were visible and holding no weapons was an anomaly for Madison police department. The public, angry and wanting answers, asked Ozanne to order an independant investigation of Officer Heimsness because at that time, MPD was still conducting the criminal investigation of it's own officers. The public demanded impartiality and for Ozanne to look as deeply into Officer Heimsness's actions and life as they had Heenan's. Ozanne declined to officer and independent investigation and brought

no charges but promised to reopen the case should new and compelling evidence require him to do so.

Days later, a separate, internal investigation of other incidents involving Officer Heimsness revealed that prior to killing Heenan, on Sept 9th 2012, he wrote to a co-worker on the MDT computer: "I'm ready to go on a shooting spree up in dispatch". And on Oct 2 of 2012, Officer Heimsness had assisted a co-worker in taking a female officer's gun, hiding it from her and days later, lied to his superiors about it. On Oct 5th, 2012, Officer Heimsness had written to a co-worker on the MDT computer: "I'm going to kill somebody. Dispatch, coworkers, who ever," and finally, on Nov 9th 2012, he wrote to a co-worker on the MDT computer: "I'm the right cop for the wrong job"... "no witnesses, no problem". This was 2 hours before he shot and killed Paul Heenan,

These comments that best resemble those found on the social media account of a domestic terrorist stunned the city and had a civilian written them, they would have undoubtedly garnered the attention of the FBI. The comments and multiple other offenses forced the chief's hand and Officer Heimsness's resignation, but they still weren't enough to compel Ozanne to put his career in the balance by reopening the case on Officer Heimsness or even offering a fair investigation.

Current statutory law requires a criminal investigation following an officer-involved shooting or death. One requirement of that law is that the investigators submit a report of the investigation to the district attorney of the county in which the death or shooting occurred, and that district attorney must determine whether to prosecute the officer.

Statutory law 175.47 (2) allows Madison Police department to have a written policy on the investigation and review of officer-involved fatalities within their department and 175.47 (3)(c) allows them to conduct that investigation so long as it does not conflict with the criminal investigation. MPD's current policy for the internal review of officer-involved force incidents allows the chief (of the department and officers involved) to review the investigative report of the incident

and determine whether or not the officer has violated any departmental rules. In the history of Madison policing, not one case has been found where a chief determined the actions of an officer-involved in a fatality to be in violation of departmental rules.

Recommendation 9 - In line with Representative Chris Taylor's Assembly Bill 155

Madison should seek an amendment to WI state statute 175.47 (5)(a)(b), requiring that investigators of an officer-involved force incident provide the report to the chief judge of the judicial administrative district, and that judge must appoint a special prosecutor who then must determine whether to prosecute the officer. If the special prosecutor files charges against the officer, the special prosecutor shall be the prosecuting attorney in the case. In the absence of a statutory change, Madison should cite the inherent conflict of interest between the D.A. and law enforcement and request the D.A. allow the courts to appoint a special prosecutor who does not share that same or any other conflict of interest.

Recommendation 10

To increase the potential for objectivity, the appearance of impartiality and consequently, public trust, a policy should be written that requires an impartial auditor or review board to review MPD officer-involved force incidents and they should make the final determinations as to whether or not the officer violated police policy or standards.

Rodriguez, Rachel

From: Michael Cerro <mike_cerro@yahoo.com>
Sent: Wednesday, December 12, 2018 11:38 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin and members of the Madison Common Council to attend at least one Citizen's Academy and at least one police ride-along per year to understand the demands of the job.
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.
4. I support the use of body cameras. Body cameras should automatically turn on, and without interruption or the ability to counter their activation, whenever a gun is drawn out of a holster and remain on until the gun is replaced into the holster.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Madison should show increasing progressive action and increase our ratio of police to population (residents+ estimated transients) and to be a leader and be in the top 10 national average in this category within the next decade.

Thank you.

--
Ms Michael Cerro
mike_cerro@yahoo.com
4910 Goldfinch Drive
Madison, WI 53714

Rodriguez, Rachel

From: beth Neary <ejneary@wisc.edu>
Sent: Wednesday, December 12, 2018 11:28 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

I want to share some comments about the Madison Police Department.

Every day, I read about increasing crime in Madison. The recent car jacking when a dad was picking up a child from daycare and a robbery of all passengers in a car at a Walgreens are 2 events that highlight how crime is impacting day life of Madison residents. Madison police are facing a more "big city" problems unlike past years in Madison. We are asking a lot of out officers.. social worker, mentor, medication administration and psychiatric counselor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident. The Department is understaffed and underappreciated. Morale is not good in the current environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority. Public safety is priority one in a community.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. Policy makers must understand the demands of the job.
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Ms beth Neary
ejneary@wisc.edu
428 Virginia Terrace
Madison, WI 53726

Rodriguez, Rachel

From: Carmine Giannattasio <carmine1950@att.net>
Sent: Wednesday, December 12, 2018 6:38 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mr Carmine Giannattasio
carmine1950@att.net
5021 Pebblebrook Dr.
Madison, WI 53716

Rodriguez, Rachel

From: Debbie Giannattasio <Debbiegiannattasio@gmail.com>
Sent: Wednesday, December 12, 2018 6:38 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

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3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Ms Debbie Giannattasio
Debbiegiannattasio@gmail.com
5021 Pebblebrook Dr.
Madison, WI 53716

Rodriguez, Rachel

From: Norman Sannes <thedung3@gmail.com>
Sent: Wednesday, December 12, 2018 3:40 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

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3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mr Norman Sannes
thedung3@gmail.com
5345 Queensbridge Rd
Madison, Wisconsin 53714

Rodriguez, Rachel

From: Louis Loui <louisdloui@gmail.com>
Sent: Tuesday, December 11, 2018 2:02 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

I would like to take this opportunity to express my support for the Madison Police Dept. and especially our chief! They do an incredibly difficult job and currently are being bad mouthed and receiving no support from their employer. (US) Over the years I have had numerous employees, been in positions of management and raised children. The best results have always been attained by encouragement, and support. Micromanagement stifles accomplishments and growth, especially when it comes from people who have no personal experience in performing those tasks. Monday morning quarterbacks rarely have the ability to outperform those they criticize. After constant abuse by their "fans" performance rarely improves. If the team owners also made disparaging comments, why would they be motivated to over-achieve. They leave! Please begin complimenting them on their performance, rather than constant disapproval. How would the nay-sayers like to be treated this way by people who think they know their job better than they do, even if they have never done the job.

Sincerely,

Louis Loui

--

Mr Louis Loui
louisdloui@gmail.com
4529 Mallory Circle
Madison, WI 53704

Rodriguez, Rachel

From: Timothy Stanek <stanekfitchburg@aol.com>
Sent: Monday, December 10, 2018 2:28 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mr Timothy Stanek
stanekfitchburg@aol.com
2230 Branson Road
Fitchburg, WI 53575

Rodriguez, Rachel

From: Paul Schlecht <pwsbubba@hotmail.com>
Sent: Thursday, December 06, 2018 7:51 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mr Paul Schlecht
pwsbubba@hotmail.com
4818, Sherwood Road
Madison, WI 53711

Rodriguez, Rachel

From: Mary Paulson <maryapaulson@yahoo.com>
Sent: Thursday, December 06, 2018 7:58 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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Considering this, I urge you to consider the following recommendations:

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3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--

Ms Mary Paulson
maryapaulson@yahoo.com
1618B S Golf Gln
Madison , WI 53705

Rodriguez, Rachel

From: Lois Kammer <lmkammer@aol.com>
Sent: Thursday, December 06, 2018 11:55 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mrs Lois Kammer
lmkammer@aol.com
4809 SHERWOOD ROAD
MADISON, Wisconsin 53711

Rodriguez, Rachel

From: Chet Hermansen <chetherm@hotmail.com>
Sent: Thursday, December 06, 2018 8:23 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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Considering this, I urge you to consider the following recommendations:

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2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--

Ms Chet Hermansen
chetherm@hotmail.com
1745 Boyd Ave.
Madison, Wi 53704

Rodriguez, Rachel

From: LaVonne Gerber <malggerber@att.net>
Sent: Friday, December 07, 2018 6:57 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--

Ms LaVonne Gerber
malggerber@att.net
4220 Kenwood
Madison , WI 53704

Rodriguez, Rachel

From: Gabriel Clemente <giclemente@yahoo.com>
Sent: Friday, December 07, 2018 11:59 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops should be trained better. I would recommend a four year degree be required for all officers including but not limited to, deescalation, mental health care, appropriate drug response, and physical combat to be employed by more a gun is ever drawn, and more. I'll tell you right now the people, not the suburban white folks, the people of Madison don't trust the police.

We, the generation coming into power, remember when officer Kenny murdered our friend. I've personally watched the physical abuse carried out by your amateur force in the malls, schools, and in my yard.

Considering this, I urge you to consider the following recommendations:

1. Raise the standard of what it means to protect and serve Madison.
2. Disarm rookie cops and cops with a history of violence.
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our communities from a public health perspective and not from criminal one

This country is at a cross roads and the police need to stand with the needs of the people, all of them, not just the noisy rich white ones, or get out of the way.

Thank you.

--
Mr Gabriel Clemente
giclemente@yahoo.com

Rodriguez, Rachel

From: Rose Stauffer <rosebud424@att.net>
Sent: Friday, December 07, 2018 3:20 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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Considering this, I urge you to consider the following recommendations:

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3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mr Rose Stauffer
rosebud424@att.net
Madison, WI 53703

Rodriguez, Rachel

From: Beverly Ninedorf <b.ixdorf@yahoo.com>
Sent: Friday, December 07, 2018 2:08 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--

Mrs Beverly Ninedorf
b.ixdorf@yahoo.com
1829 Vahlen Street
Madison, WI

Rodriguez, Rachel

From: Diane Burgbacher <choppergramma@yahoo.com>
Sent: Friday, December 07, 2018 3:49 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Ms Diane Burgbacher
choppergramma@yahoo.com
1351 South St, Apt 21
Madison, WISCONSIN 53715

Rodriguez, Rachel

From: Tim Netzloff <bigtim4218@yahoo.com>
Sent: Friday, December 07, 2018 4:16 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mr Tim Netzloff
bigtim4218@yahoo.com
Elka lane
Madison, Wi 53704

Rodriguez, Rachel

From: Paul Fuhremann <prfii@yahoo.com>
Sent: Sunday, December 09, 2018 2:23 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mr Paul Fuhremann
prfii@yahoo.com
MADISON , Wi 53711

Rodriguez, Rachel

From: Kay Hagerty <chzhed3@sbcglobal.net>
Sent: Saturday, December 08, 2018 10:37 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Ms Kay Hagerty
chzhed3@sbcglobal.net
1402 wyldewood dr
Madison, Wi 53704

Rodriguez, Rachel

From: Tricia Thompson <mom2tali@gmail.com>
Sent: Friday, December 07, 2018 11:08 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Demonstrate respect for the time & training each officer has undertaken & support the people that daily put their lives in harms way to keep this city safe.

Thank you.

--
Ms Tricia Thompson
mom2tali@gmail.com
Susan Ln
Madison, WI 53704

Rodriguez, Rachel

From: Gary Graper <graper@tds.net>
Sent: Friday, December 07, 2018 4:00 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is in answer to your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor. I personally have had contact with a few of them as a high school teacher in classes they were in as well as a coach for sports they participated in, and I was able to see up close their qualities and interpersonal skills. I am sure that these characteristics have not changed.

They do their work exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment. Again, I see this up close since I live in a high crime neighborhood where there are multiple incidents of shots fired on a weekly basis.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Suggest to Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department that they attend at least one Citizen's Academy and at least three police ride-alongs per year, and then publicize it when they do this. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Chief Koval is the hardest working and most responsive and open police chief I have seen in Madison in my 52 years of living here.

Thank you.

--
Mr Gary Graper
graper@tds.net
6114 Barton Rd
Madison, WI 53711

Rodriguez, Rachel

From: James and Patricia Troha <p.troha@charter.net>
Sent: Friday, December 07, 2018 2:58 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

My father, John Joseph Fields, was in the second graduating class of the Madison Police Department. In those days, there was little - if no crime. He would actually joke about "Madison police officers being the most rested force" due to the fact that there was so little crime ... he would not believe what is occurring in our city today ... and neither do we, the citizens. Our city is not the safe place it once was ... the image of #1 City To Live has faded into oblivion.

Our officers are not dealing in the same environment as what existed then - they go to work each and every day not knowing whether they will come home or not to their families at the end of the day.

More importantly, over the past several years, they have been unfairly demonized and their hands tied in trying to enforce the law - it is no wonder why several quit last week and many do not seek the career as an officer. Who wants to risk their life when the current climate appears to protect the criminal more than the officer who is attempting to protect innocent citizens from harm?

All who serve on your committee should be REQUIRED to attend a session at the Citizens Academy and ride with police officers on several of their shifts as they perform their valuable service to our community in order for you to fully understand what is occurring.

Our city is facing an increasing crisis - it is obvious to everyone that it is at a breaking point. It is your responsibility to the citizens of this community to fund the Police Department in whatever the needs may be and for you to attend a session and ride with a police officer to see what the real world looks like.

--

Mx. James and Patricia Troha
p.troha@charter.net
13 Wanebo Lane
Madison, Wisconsin 53719

Rodriguez, Rachel

From: Gail Tappen <g.tappen.2014@gmail.com>
Sent: Friday, December 07, 2018 2:57 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

Please review my input on the Madison Police Department. I am a Madison native and have grave concerns about the well being of our community, including those we entrust to enforce the law.

Despite what a small, disruptive mob of harrassers would try to get you to believe, our Madison police are not out to kill anyone. Every day these public servants put their own lives in harm's way for us. Who of us would be willing to spend a day in their shoes, confronting an increasing number of repeat offenders and unpredictable substance abusers, and being on the front lines of the opioid epidemic? They deal with trauma and violence every day, at a level that has become unacceptable for a city this size (not that any level is acceptable). They endure unreasonable attacks and unfounded allegations, even from some city leaders. The fact that there are small groups of very young people harrassing constituents at public meetings and attacking citizens with impunity means we have a serious problem...and it it not the Madison Police!

I no longer feel safe in my city, even in the daytime. I do not ride certain busses and no longer use transfer points to avoid becoming a target. I am constantly on guard, even at home.

I urge you to consider the following recommendations:

1. Fund additional police officer positions to provide all of us some relief from these criminals who prey upon us.
2. Require the Mayor, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Acknowledge the stellar leadership of Chief Koval and pro-actively support our law enforcement officers. We are lucky to have them.

Public safety will not improve if our police force is overworked and overly-stressed, and suffers from poor morale. The current trend of identity politics is also unproductive and fuels division within the community, rather than unites us.

Thank you.

--
Ms Gail Tappen
g.tappen.2014@gmail.com
1730 N Sherman Ave
Madison, Wi 53704

Rodriguez, Rachel

From: Marge Bills <chuckmargebils@msn.com>
Sent: Friday, December 07, 2018 2:31 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--

Ms Marge Bills
chuckmargebils@msn.com
Woodland Way
Madison , Wi 53711

Rodriguez, Rachel

From: Emily Capicik <ecapicik@gmail.com>
Sent: Friday, December 07, 2018 1:50 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee:

I find Madison cops to be among the most finely-trained in the nation. At a time when law enforcement are expected to handle increasingly complex problems, often under intense scrutiny, Madison PD officers do this exceptionally well, fielding thousands of calls per month effectively and without incident, despite the fact that the Department is understaffed and highly stressed.

I would like you to recommend the following:

1. Urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Madison City Council, as well as any city official who has a relationship with the Madison Police Department, to attend at least three police ride-alongs per year. They will see just how well these officers handle nearly impossible workloads requiring tact, discretion and sometimes force.
3. Urge Mayor Soglin and the Madison Common Council to find ways to consistently and publicly support our cops. They really deserve it. They put their lives on the line for us.

Thank you.

--
Ms Emily Capicik
ecapicik@gmail.com
1730 N Sherman Ave
Madison, Wisconsin 53704

Rodriguez, Rachel

From: Mary Erickson <miedse2@gmail.com>
Sent: Friday, December 07, 2018 10:56 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you,

--

Mrs Mary Erickson
miedse2@gmail.com
W8052 State Road 39
Blanchardville, WI 53516

Rodriguez, Rachel

From: Cindy Hodgeman <hodgeman1@gmail.com>
Sent: Friday, December 07, 2018 10:12 AM
To: Rodriguez, Rachel
Subject: MPD Policy & Procedure Review Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Ms. Rodriguez, I would appreciate it if you could forward this on to all members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee. Thanks so much!

MPD Policy & Procedure Review Ad Hoc Committee:

I've been informed that you have solicited recommendations regarding the functioning of the Madison Police Department. I have just one:

Allow MPD to do their job!

If you needed open heart surgery, would you want a community member with no medical training to perform the procedure? I highly doubt it. How different, then, is it to have an ad hoc committee, (and Common Council) with little to no police experience "policing the police"?

As I have said at previous committee meetings, it would behoove you all to do multiple ride-alongs on various shifts with different officers in order to broaden your understanding of what our officers actually do. Observe how they handle a domestic situation, a "check person" call (which might be a suicidal individual, or an unresponsive person in a vehicle or on the sidewalk), the crowds at bar time downtown, and even a chance meeting with a citizen.

Have you all read and familiarized yourself with the complete *Code of Conduct* and the *Standard Operating Procedures*? That is some intense reading and is very educational.

Chief Koval, the remaining command staff, and every officer put blood, sweat and tears (and I mean that in the literal sense) into their job every day. They are committed to the Madison community, and should be supported.

Sincerely,

Cindy Hodgeman

Rodriguez, Rachel

From: Sam Murphy <godblessAmerica1776@outlook.com>
Sent: Friday, December 07, 2018 9:36 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor. They keep us from becoming a city like Chicago.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment. They encourage young people to pursue a career option other than the typical STEM route or teaching, if that's not what will suit them the best. As a student, I appreciate knowing that if there is an incident at my school, I can and will be kept safe with quick arrival of cops.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job? How can they appreciate cops without knowing them personally and making the effort to get to know them?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Ms Sam Murphy
godblessAmerica1776@outlook.com
Northport Drive
Madison, WI

Rodriguez, Rachel

From: John Mitchell <jwmitche@wisc.edu>
Sent: Friday, December 07, 2018 9:43 AM
To: Rodriguez, Rachel
Cc: Paulsen, Marci
Subject: Support for Madison Police

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Ms Rodriguez

I am writing to express my strong support for the Madison Police Department and all that they do to make our city a safer place. We live on the far West side and our house was broken into five years ago. The police were immediately concerned and put effort into finding those responsible. More recently, our neighborhood has had a drastic increase in car stealing, people harassing local business owners, and teenagers roaming our neighborhood and checking house and car doors for illegal entry. We, among our many elderly neighbors, are really terrified by what is occurring. Fortunately, the Madison Police Department has taken the initiative to increase our needed police protection and to meet with those of us who are concerned to develop strategies to cope with this situation. After the unsupervised homeless housing opened near us, they put significant resources in trying to control that facility and protect local residents. They have done much to try to stem the increases and to deal with the root causes of the problems of lawless youth and adults.

It is hard for me to comprehend why there is criticism of our police. They are essential to maintaining Madison as a safe place to live and work. They have a hard and dangerous job, and I hate to think how perilous our life would be if they were not there. We should be thanking them for their efforts and providing the support that they need.

I hope that these comments are helpful to your committee.

Sincerely

John Mitchell

7402 Cedar Creek Trail, Madison

Rodriguez, Rachel

From: Winnie Bade <winnie.bade@outlook.com>
Sent: Friday, December 07, 2018 5:58 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs. How can they fairly create policies without understanding the demands of the job? (I deleted "per year" as I don't think that's really necessary.)
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

A personal note: I am a former resident of Madison, and am there often enough to feel that my opinion matters. I had the misfortune to need the services of the MPD in the past, and I was incredibly impressed with the officers' professionalism, skill, and compassion. Please do not allow the loud criticism of a few drown out the quiet praise of many. Maybe you aren't perfect, but you are pretty darn awesome.

I sincerely thank you.

--
Ms Winnie Bade
winnie.bade@outlook.com
350 Meadow Crest Trl
Cottage Grove, WI 53527-8304

Rodriguez, Rachel

From: jodi murphy <jmurphy@sbcglobal.net>
Sent: Friday, December 07, 2018 2:48 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--

Ms jodi murphy
jmurphy@sbcglobal.net
madison, wi

Rodriguez, Rachel

From: Kim Richman <k.k.richman@charter.net>
Sent: Thursday, December 06, 2018 9:06 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mr Kim Richman
k.k.richman@charter.net
1313 Droster Rd
Madison , WI 53716

Rodriguez, Rachel

From: M.A. Rakow <rakow99@yahoo.com>
Sent: Thursday, December 06, 2018 6:41 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mrs M.A. Rakow
rakow99@yahoo.com
422 Presidential Lane
Madison, WI 53711

Rodriguez, Rachel

From: Patrick Machovec <pmachovic26@gmail.com>
Sent: Thursday, December 06, 2018 6:30 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--

Mr Patrick Machovec
pmachovic26@gmail.com
26 Quail Ridge dr
Madison , Wisconsin 53717

Rodriguez, Rachel

From: Paula Fitzsimmons <paulaf@charter.net>
Sent: Thursday, December 06, 2018 1:02 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: Koval, Michael; crickert@madison.com; Mayor; All Alders
Subject: Addendum to Police Ad Hoc Committee

Hi Marci,

Thanks for the help you've provided on this issue.

Is the Ad Hoc meeting on December 20th open to the public? I'd like to attend.

Additionally, I'd like to reiterate how disconcerting it is that the public information records I've received thus far are missing letters from supporters of the Madison Police Department.

Ms. Rodriguez did reply that "There were a few sent last week. I'll be honest and say I didn't see who was copied on them. I'll make sure they are included but it likely won't be done today."

Can I trust with *100 percent certainty that each and every email and letter* sent to this Committee will be recorded and considered? What assurances can I receive?

With that, I ask that you please distribute the following addendum to my original letter to the MPD Ad Hoc Committee:

In reading Chris Richert's article this morning, it appears from the outset that your Committee is very selective in whom it reaches out to for recommendations and feedback. From where I sit, it looks like you've already made up your mind and are simply looking for people to confirm your convictions. If that's not the case, then why was there seemingly not a larger effort to reach out to a more diverse pool of voices? If it is your intent, then I find this behavior appalling.

Near the end of two years of work, the Madison Police Department Policy and Procedure Review Ad Hoc Committee on Nov. 1 sent a letter to 22 individuals or groups asking them to "submit any recommendations you have regarding the Madison Police Department's Policies and Procedures to us in writing." Some of those who got the letter are out-of-state experts . . .," writes Richert.

Who, precisely, is on this list? The article says you wrote to *out of state experts* asking for recommendations. I'm perplexed that you didn't feel it necessary to consult with those who represent the *vast majority* of Madison residents supporting the Madison Police Department? Thankfully, We Support the Madison Police Department learned about this in time.

You apparently know who Mr. Gelumbiuk is, and other MPD detractors. Isn't it your job to know who, in Madison, actively *supports* are force?

"Committee co-chairman Keith Findley said he couldn't speak to why local groups and individuals haven't submitted their own recommendations but said the committee had granted Greg Gelembiuk, a frequent police critic, "an extension of time until the end of this week to get his suggestions in on behalf of the Community Response Team." Gelembiuk said his group is "highly active," with about 220 members and 22 people in its "core working group."

It's difficult to take your Committee seriously when these situations occur.

--

Paula Fitzsimmons

Rodriguez, Rachel

From: Jim Jenkins <jgjenkins5266@yahoo.com>
Sent: Thursday, December 06, 2018 11:42 AM
To: Rodriguez, Rachel
Subject: My Input re the Madison Police Department

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Ms. Rodriguez, I was a state criminal investigator and manager-of-same for over thirty years. As such I worked with police departments in almost every city in the state and many across the country. I also attended with, and presented training to, officers around the US.

With that perspective, I can say that the best-trained, most ethical and most compassionate officers I worked with in three decades came from the Madison Police Department. They stand far above the norm and serve as an example for other departments to emulate. It puzzles me that they are so harshly criticized by the people they serve. I know that as the stresses on the MPD grow, the number of good applicants they have has shrunk.

The irony of the current situation is that the thousands of applicants for each police opening on the MPD has now dropped to dozens, and with a smaller pool will come a narrower group of minds and, in the end, worse outcomes on the street. It's simple math.

I'm not a police apologist. In fact one of my roles as a criminal investigator was to investigate allegations of police corruption and brutality. I know it exists; I've seen it and helped prosecute it.

With this frame of reference, I have found the MPD to be as ethical and professional — and caring of all the people they serve — as any police department in the country. We are lucky to have them.

Thanks for considering my comments.

Jim
608-516-2912

Rodriguez, Rachel

From: James Batt <jimbatt216@gmail.com>
Sent: Thursday, December 06, 2018 10:17 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--

Mr James Batt
jimbatt216@gmail.com
6175 Mineral Point Rd Tabor Oaks, #220
Madison, WI 53705

Rodriguez, Rachel

From: James Mand <jimmand@charter.net>
Sent: Thursday, December 06, 2018 10:41 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

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They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority. This is a must now, before the city gets in a hole it can't easily dig out of.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?

I attend the Coffee with a Cop program on the Northside every month. Have a greater understanding of what police work entails. Have a great respect for their dedication to their jobs, their professionalism, and genuine caring for the citizens they protect.

As you know, there has been a dramatic increase in shots fired, car thefts, burglaries and break-ins, on the northside and all across the city. Even the west side now. This has become a daily and weekly occurrence, it has become the norm.

I am a strong supporter, and a financial backer of the Madison Mounted Horse Patrol. Know several of the officers, and have in the past. Owned horses of my own for more than 20 years.

3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops. I am tired of the anti-cop bias in this city. Of the constant attacks by radical leftist groups, posing as representatives of "minority groups." MPD has a highly diversified police force representing all minority and ethnic groups. All of the EROS officers are black or latino. MPD has the highest ratio of female officers of any department in the US, and has for the past 20 years.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--

Mr James Mand
jimmand@charter.net
49C Golf Course Rd
Madison, WI 53704

Rodriguez, Rachel

From: Laura Knoche <knoche1129@gmail.com>
Sent: Thursday, December 06, 2018 9:13 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

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3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

Laura Knoche

Ms Laura Knoche
knoche1129@gmail.com
1520 Wheeler RD, Unit F
Madison, WI 53704

Rodriguez, Rachel

From: Jennifer Krueger Favour <rednogn@icloud.com>
Sent: Thursday, December 06, 2018 6:19 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

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They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed and operating in a hostile, anti-cop environment.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Ms Jennifer Krueger Favour
rednogn@icloud.com
819 E Mifflin Street
Madison, WI 53703

Rodriguez, Rachel

From: Barbara Hundt <hundtb@ameritech.net>
Sent: Thursday, December 06, 2018 5:54 AM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Make it a requirement for Mayor Soglin, all members of the Council, as well as any city official who has a relationship with the Madison Police Department to attend at least one Citizen's Academy and at least three police ride-alongs per year. How can they fairly create policies without understanding the demands of the job?
3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Ms Barbara Hundt
hundtb@ameritech.net
1805 Elka Lane
Madison , WI 53704

Rodriguez, Rachel

From: Alejandro Arango-Escalante <arangoa79@aol.com>
Sent: Wednesday, December 05, 2018 10:08 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

They do all of this exceptionally well, fielding thousands of calls per month effectively and without incident; this is despite the fact that the Department is understaffed.

Considering this, I urge you to consider the following recommendations:

1. In order to keep up with their workload, urge Mayor Soglin and the Madison Common Council to make the funding of additional police officer positions a priority.
2. Suggest that the Mayor, all members of the Council attend at least one Citizen's Academy and at least one police ride-along. How can they fairly create policies without understanding the demands of the job?

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mr Alejandro Arango-Escalante
arangoa79@aol.com
53711

Rodriguez, Rachel

From: Vernal Bronson Sr. <vrjb1948@hotmail.com>
Sent: Wednesday, December 05, 2018 9:59 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

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3. Urge Mayor Soglin and Madison Common Council to find ways to consistently and publicly support our cops.

Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mr Vernal Bronson Sr.
vrjb1948@hotmail.com
3706 Paus St.
Madison, Wisconsin 53714-2433

Rodriguez, Rachel

From: James Franklin <jjf3nm@hotmail.com>
Sent: Wednesday, December 05, 2018 9:08 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

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Thank you.

--

Mr James Franklin
jjf3nm@hotmail.com
5214 Loruth Terrace
Madison, WI 53711

Rodriguez, Rachel

From: Dorothy Borchardt <dborchardt1@charter.net>
Sent: Wednesday, December 05, 2018 9:05 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

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Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--
Mrs Dorothy Borchardt
dborchardt1@charter.net
1717 Elka Lane
Madison, Wisconsin 53704

Rodriguez, Rachel

From: Dee Thompson <DeeThompson@charter.net>
Sent: Wednesday, December 05, 2018 8:10 PM
To: Rodriguez, Rachel; Paulsen, Marci
Cc: paulaf@charter.net
Subject: Citizen Recommendations for MPD Ad Hoc Committee

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee,

The following is per your request for community input on the Madison Police Department.

Madison cops, arguably among the most finely-trained in the nation, are operating in a more complex environment, confronting "big city" problems like an increase in shots fired, gang activity, and an unrelenting opioid epidemic. They also shoulder additional roles, like that of medic, social worker, and mentor.

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Policing is at a crossroads. Our cops are overworked, overly-stressed, and suffer from poor morale. I urge this Committee to take the above steps in an effort to change this trajectory.

Thank you.

--

Mr Dee Thompson
DeeThompson@charter.net
3701 Susan Lane
Madison, WI 53703

Rodriguez, Rachel

From: Steve Fitz <stevenf@charter.net>
Sent: Monday, December 03, 2018 9:44 PM
To: Rodriguez, Rachel; Steve
Subject: Madison Police Doing Outstanding Job But Need City's Help

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Ms. Rachel Rodriguez:

I believe the Madison Police are doing an outstanding job in challenging times, but they need more support from city leadership.

I believe city leadership is not helping when they keep police staffing levels so low that officers must constantly work overtime to cover for staffing shortages. The continuous staffing issues burn out workers sooner and contributes to low morale which increases staff turnover and exacerbates the morale issues. It's crucial that staff be able to take time off when needed to spend with their families. There are other factors that cause morale to be low, but I believe this to be the main reason.

The solution is for the city to hire additional police to cover for the additional responsibilities they have, for those retiring, the increased turnover and the new challenge of finding people who want to be police officers in Madison. City leaders should also learn why morale is suffering and work harder to address it.

City leaders also need to demonstrate better leadership and responsibility by showing increased support and trust of their police, so it trickles down into the communities. Trust builds relationships, partnerships and opens communication. The police, the communities and the city need this.

Thank you.

Sincerely,

Steve Fitzsimmons
Madison, WI

Rodriguez, Rachel

From: Jim Neustadt <jneust7510@aol.com>
Sent: Monday, December 03, 2018 6:41 PM
To: Rodriguez, Rachel
Subject: Support MPD

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Please do everything you can to support our Madison Police Department. I feel they are the most professional, educated group of public servants in our community.

Jim Neustadt
9613 Hill Creek Dr
Verona (Madison), Wi
Sent from my iPad

Rodriguez, Rachel

From: Tom Heine <tomheinellc@gmail.com>
Sent: Monday, December 03, 2018 2:28 PM
To: Rodriguez, Rachel; merrileepickett@gmail.com
Subject: MPD Study Group and report

Follow Up Flag: Follow up
Flag Status: Flagged

Hello and thank you for your work.

I was born in Madison in 1943 when the war was still raging and we were a very different City. The 265 page report of findings etc and the ongoing study of MPD by folks with a fairly narrow view point is discouraging.

I am an older adult, white, with a black god father. Our City has changed significantly and so has its Police Department. We have improved Community Policing, better training, greater sensitivity to low income and minority folks.

Unfortunately we have had an influx of residents seeking better paying jobs where there are few better paying jobs unless you have a Masters or PhD degree. This is not the City's fault or that of MPD.

I see a lot of violent crime caused by a small group of people. Teenagers stealing cars because we are 'diverting' them into programs to help not hurt them without apparent consequences. Gangs who actively deal drugs etc 24/7 and are very well organized. A DA who tries to keep up, create alternative programs and seems to be fighting a losing battle.

Into this mix you have a small City, it's City Council and Police Department. The workload has shot up for MPD yet it is criticized. The number of arrests for violent crimes has shot up and yet it is criticized. There have been one or two over reported officer shootings that have become a small community's mantra for discrimination, and so the whole department is criticized.

Our officers and their bosses are decent, hard working, well trained people. Occasionally they can make a mistake. When that is overblown and their integrity is questioned, they are called racist or we over think what needs to be done--we all lose.

I trust you and your Committee will be fair, objective and kind to a very good Police Department.

Tom Heine
5613 Varsity Hill
Madison, WI
236-9590

Rodriguez, Rachel

From: Paula Fitzsimmons <paulaf@charter.net>
Sent: Saturday, December 01, 2018 3:03 PM
To: Rodriguez, Rachel
Subject: Citizen input about Madison Police Department

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Rodriguez,

Would you kindly distribute this email to the Madison Police Department Policy & Procedure Review Ad Hoc Committee? Thank you.

To the Madison Police Department Policy & Procedure Review Ad Hoc Committee:

Per your request for community input on the Madison Police Department, I'd like to submit the following. These aren't recommendations about how our force can do their job, but rather thoughts on the current state of policing in Madison.

Our cops are not only crime fighters, protectors, and civil rights defenders. We now expect them to fill a wide range of complex societal roles, including that of medic, outreach worker, social worker, mental health crisis intervention worker, friend, and crime prevention expert.

In addition to doing more for us than ever before, police officers are now working in an overly-hostile environment that's unprecedented in recent history.

Examples include:

- * This very ad-hoc committee, whose members are largely, in my view, biased against police. I find it troubling that someone who makes a statement, for example, that he neither "condones nor condemns" the assassination of Dallas police officers is helping to make recommendations about how Madison PD should function.
- * A lack of unified support for Madison PD by members of the Common Council despite their claims stating otherwise. One example: Publicly criticizing officers involved in the Genele Laird incident and refusing to stand behind Madison PD during a time of intense public outcry - despite the fact that the officers upheld the law they swore to uphold.
- * Yet no words of support for police, for example when someone vandalized the Wisconsin Law Enforcement Memorial monument, or when dozens of *Support MPD* yard signs across Madison were vandalized with profanities.
- * Hostility displayed towards Madison PD command staff, including Chief Koval, a leader who is deeply loved and respected by his officers. Examples: Just *narrowly* approving Chief Koval's legal fees during those frivolous grievances made against him. Voting against a measure that would allow Madison PD to apply for a federal grant to increase police presence. Accusing the Chief of Police of using public tragedies to score political points.
- * Legislators attempting to micromanage how law enforcement should do their jobs, seemingly without a grasp of why they need to use force at times. How many ride-alongs have they taken? Citizens' academies attended? Speaking from my own experiences, local politicians have been no-shows at the public police meetings I've attended.
- * A call to kill officers by members of angry mob.
- * Never-ending protests and marches chastising or blaming police.

* A revolving door criminal justice system in which police work hard to protect us from offenders, yet judges and district attorneys fail at adjudication.

Moreover, fallout from the War on Cops being waged across the country is reverberating here in Madison. Cops are being ambushed in increasing numbers. Scenarios abound in which well-meaning, dedicated cops are being unfairly indicated, prosecuted, sued, and incessantly criticized by politicians, zealous prosecutors, and the public.

Our cops see all of this. What hurts more than anything is that they signed up for a job to make a difference in the community, yet in return see insults, threats, and calls for imprisonment against officers, including their own friend and colleague, Officer Matt Kenny.

These actions have collectively been damaging to our officers. Department morale is low. Officers not yet eligible for retirement are either resigning or thinking about resigning. Recruitment is hemorrhaging; in 2012, the Madison Police Department received more than 1,508 applicants, a number that has been dropping every year since, reaching this year's record low of 499.

Madison police officers do their job incredibly well, handling tens of thousands of calls effectively and without incident – and they do it with an understaffed department. These are not just my thoughts. In a survey administered by this very committee, Madison residents overwhelmingly approve of the job our cops do for us.

I hope you will take this and other positive feedback which I suspect you're receiving, into consideration when creating your final reports.

Thank you.

--

Paula Fitzsimmons

We Support the Madison Police Department

Rodriguez, Rachel

From: Dave <dave2847@charter.net>
Sent: Saturday, December 01, 2018 11:16 AM
To: Rodriguez, Rachel
Cc: paulaf@charter.net; Paul Skidmore
Subject: Fwd: Input to Ad Hoc Community Policing Committee

Follow Up Flag: Follow up
Flag Status: Flagged

Racheal-

I am forwarding the message below to this address as the one that appeared in your letter for comments to the AdHoc Police Review Committee was returned! Please check that printed address for accuracy.

Dave Glomp

Sent from my iPhone

Begin forwarded message:

From: Dave Glomp <dave2847@charter.net>
Date: November 30, 2018 at 8:00:22 PM CST
To: mpaulsen@cityofmadison.com
Subject: **Fwd: Input to Ad Hoc Community Policing Committee**

See Below- the rrodriquez2 email address did not accept my original email!

Dave Glomp

Sent from my iPad

Begin forwarded message:

From: Dave Glomp <dave2847@charter.net>
Date: November 30, 2018 at 5:21:55 PM CST
To: rrodriquez2@cityofmadison.com, mpaulsen@cityofmadison.com
Cc: Paul Skidmore <paulskidmore@tds.net>
Subject: **Input to Ad Hoc Community Policing Committee**

Dear Racheal and Marci and members of the Madison Police Department Policy & Procedure Review Ad Hoc Committee-

I am writing this email in hopes that my citizen input will arrive in time for its inclusion in discussions at your December 6th Committee Meeting.

My name is Dave Glomp and I am a 48 year resident of Madison. I have lived all of those years in the Meadowood Neighborhood on Madison's Westside. I have for the past four plus years been the police Co- Liaison for the Meadowood Neighborhood Association.

Prior to that, I served more than 3 years on the Meadowood Neighborhood Association Board of Directors. I also ran for both the Madison City Council and the Dane County Board from my area. I continue to be actively involved in the community and have testified numerous times before the City Council, and the County Board.

I provided input to representatives of the OIR early in their process of review of the MPD. I should also tell you that I attended the Madison Citizens Police Academy when I was running for office and went on several ride alongs with the MPD to get a first hand experience on what patrol officers see on their shifts.

I am an avid supporter of the MPD and all that they do to keep us, as citizens safe! When I and other like minded citizens saw the need for the creation of another police district and police station to provide better police response times , we rolled up our sleeves and worked diligently until that became a reality. Despite my support for the MPD, I always believe that any entity can and must under go review to improve itself.

Currently, I believe that the MPD is under staffed compared to other cities our size geographically, demographically, and population wise. It is my view that at the very least Madison should have two officers for every 1,000 citizens. We are currently at about 1.9 and to get to 2.0 Madison needs to add at least 27 officers. That number of more officers will only increase as Madison's annexation of the Town of Madison continues.

The net and on going results of these staffing problems are daily increases of police overtime, and times every day when due to the volume of calls for service the police and the 911 dispatch center must accept priority calls only, which is a growing disservice to citizens citywide. Police forced overtime, also has many obvious and numerous negative effects.

We are fortunate to have one of the most progressive police departments in the country which has become a model for many other cities in our country. Our Community Policing Model is copied by many and has helped many troubled areas turn things around for many of our area residents. The immersion of trained mental health professionals in the MPD ranks have allowed Madison's citizens with mental health problems to be dealt with in a very human and constructive manner.

Couple dealing with mental illness with those citizens who are dependent on drugs and alcohol and you end up with a perfect storm to quickly drain the manpower resources of the MPD. One need only look at the huge drug overdose numbers and the ever growing deaths resulting from use of drugs to see the number of hours officers are required to work to protect many of our most needy citizens.

I should also point out that Madison has a large number of special events throughout the year that add wonderful opportunities for its citizens to take part, but with that comes a growing need for police planning and services to keep everyone safe. This happens behind the scenes of these events virtually flawlessly.

Violence causing deaths in Madison and the use of firearms by those wishing to inflict harm on others as a means of settling differences is becoming a daily situation. Couple that with gang activity both adult and a growing number of youth gangs has stretched the MPD's ranks to almost the breaking point.

I urge the committee to understand one other extremely important point when reviewing the job the MPD does for its citizens. With an ever growing number of officers who are eligible for retirement by either age or years of service the MPD is nearing a crisis in terms of normal attrition.

Additionally, the number of officers who feel that they are constantly being attacked locally, statewide and nationally, their morale is at an all time low and more are resigning, as a result. You should also look at fact that the number of persons applying to become officers is rapidly dropping because of the anti police culture that has developed locally and nationally. Again, if we are currently below our peer cities in terms of manpower, more are retiring and resigning and there aren't enough to replace the current number it is only a matter of time before public safety is totally at risk.

I have done a lot of study on what I have outlined and am happy to share that info, although if you look for it it is readily apparent. Please take my comments as a positive contribution for you to consider as you continue to review the MPD. Please don't make a bad situation worse by not admitting that what I have outlined actually exists.

Thank you for this opportunity to provide input!

David Glomp

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Madison, WI. 53711

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Sent from my iPad

Rodriguez, Rachel

From: Wahl, Victor
Sent: Saturday, December 01, 2018 10:54 AM
To: Rodriguez, Rachel
Cc: Paulsen, Marci
Subject: FW: MPD Consultant's Report

Follow Up Flag: Follow up
Flag Status: Flagged

Here's one

From: Valenta, Paige
Sent: Saturday, December 01, 2018 10:52 AM
To: Wahl, Victor <VWahl@cityofmadison.com>
Subject: FW: MPD Consultant's Report

Hi Chief,

This was one response provided to me after the solicitation for input. Can you forward it to the right person? It appears as though the provided email address may not be working properly.

Paige

From: James Cortada <jcortada@umn.edu>
Sent: Saturday, December 01, 2018 10:17 AM
To: rrodriguez2@cityofmadison.com
Cc: Valenta, Paige <PValenta@cityofmadison.com>; David Makovec <dgmakovec@gmail.com>
Subject: MPD Consultant's Report

This morning I received a copy of the consultant's recommendations regarding the performance of the MPD with a request for relatively quick turnaround on responses by community leaders. After reading the report, I have several thoughts for your consideration. I am responding not as the President of the Arbor Hills Neighborhood Association's board of directors, but as an informed community leader. I also served as a manager and executive at IBM Corporation for over thirty years and so learned about how organizations the size of MPD operate, change, and are managed. I also spent over a decade while at IBM providing the kind of consulting used here to resolve operational problems in the private sector and occasionally within government agencies. One lesson that I learned looking across many industries and professions is that there are common attributes of an effective organization regardless of whether in public or private industries.

On the whole, I found the report what I would expect from a consulting firm dealing with operational matters of an organization. It was appropriate in form, description of the context in which the MPD operates, and its recommendations were specific enough that they can be implemented. The challenge is for the MPD, the board that governs it (PFC) and the City to implement it. At some future date, the community will need to take up the reporting structure of the police department. For example, living in Madison for over 30 years, and my family having had several members serve as mayors in other communities, I found--and find--it peculiar that the Chief of Police does not report directly to the Mayor of Madison. The result seems to add to the complexity of reviews and oversights of the department as a whole.

All organizations can be improved in terms of their objectives, operations, and accountability. The key to making that happen is *to align* intent, community and police values, how things are done, how people are rewarded and punished for violations of those, and what gets measured and tracked. The central tool for accomplishing that alignment lies in the institutional culture of the organization--a point hinted at by the consultants but that should be considered up front and overtly. Get the work culture right and you will get what you want in the way of performance. Defining and understanding what that culture should look like should be a central task going forward and I would recommend that senior public officials (including senior police management) define and shape that, because they are the ones who will have to implement the changes that derive from what they want. Within that context, many of the recommendations made in this report can be implemented and rationalized to all key constituencies: city government, MPD, the public, other local police departments, and possibly the US Department of Justice (which tracks some performance issues and is a major source of funding for special grants and projects, and that is brought in occasionally to investigate corruption or civil rights misbehavior of police departments around the country from time to time).

The report spoke frequently of the defensiveness of senior police officials in defending their department and I agree that this behavior needs to be rectified for all the reasons stated in the report. It can be corrosive both to the operations of the MPD and to relations with the community at large. While transparency in what it does will always be offered up as a partial solution to that, I would recommend that as part of the reform of the MPD that a more effective public reporting process be implemented. Its purposes should be to (a) garner wider respect for the MPD based on the public understanding better than it does now what police do for a living, (b) to explain more rationally why certain actions are taken by the MPD, and (c) to lobby for support that it needs. For examples, under (a) less than half the work of the MPD is involved in "cops and robbers" crime fighting; much time is spent dealing with mentally challenged citizens and the drug problem--I question how much the public understands those activities, or percent of time spent directing traffic, mitigating traffic accidents, finding lost citizens, etc.; (b) improve how it explains its practices for the use of force, what it is doing to mitigate racial profiling, explaining in a convincing manner why it does not want to use personal cameras (the public seems to want its use), etc.; and under (c) step up what it has recently done to lobby for its needs, and not just to hire more police officers. Recently the Police Chief has been commenting on the car stealing of some 60 odd juveniles--that kind of lobbying is exactly what the police should do since it takes coordinated activities by multiple agencies, schools and the courts to address this problem.

Ultimately, however, and this is not meant as a criticism of the report, the entire Madison metropolitan region and most specifically the MPD *and* the City of Madison must recognize and act accordingly with the fact that the entire region no longer is a small city. In other words, its models for how to conduct policing, and the challenges it faces today, are more like those of metropolitan areas that have closer to a million residents. Dane County is at least half way to that number and the majority of its residents are now urban and move back and forth in and out of the City in a seamless manner. How the MPD and the City learn what to do now and in the future must draw lessons from the some 100+ mid-tier sized cities in the United States and Canada. I understand that various local police departments coordinate and discussion region-wide problems--that is good--but it may be that this is insufficient, particularly if multiple non-policing agencies, schools, and county-wide courts have to participate.

Finally, and a minor point, I would like to see the recommendations listed beginning on page 228 be presented not as a near appendix but more prominently as the implementors of these move forward, and obviously organized under the 6 categories. I commend the city for commissioning this study, I commend the consultants for what they did, and I encourage implementing its recommendations while simultaneously requiring the MPD to implement a strategy, one that focuses as much on its institutional culture as it does in its operations. In my years of management and strategic consulting as manager of organizations I found one other tactic to be effective that can be used here. Divide the changes to be made into two categories: Quick Hits and Long Term Fixes. The first should be things that can be done, measured, and result in positive changes within the next 90 to 180 days--fast, easy, and obvious. That buys you time to implement the Long Term Fixes, some of which

may take 5 or more years to implement. The former buys you time from an impatient public, time that may be needed in the event that subsequent negative events occur angering the public, while going about the good work of continuous reforms. The MPD has a history of "continuous reforms" as part of its DNA, let's encourage that.

Thank you for giving me the opportunity to comment. Should you wish to discuss these issues in more detail, I will make myself available. Of course, my caveat is, I do not have experience in law enforcement, so I would come hat in hand as a well-meaning civilian that recognizes the importance of effective law and order, safety in many forms, and the need to help those in our community who are challenged to lead positive, productive lives within the context of what is expected of them.

By copy I am sending my response to the MPD Captain responsible for supporting my neighborhood in South Madison as we have an excellent working relationship with her organization and to the Vice President of the Arbor Hills Neighborhood Association who is very familiar with criminal activities in Madison and is the individual on our Board most responsible for all issues related to policing.

Regards,

James (Jim) W. Cortada
President, Arbor Hills
Neighborhood Association
jcortada@umn.edu
608-274-6382