

2018

ACCOUNTABILITY REPORT



MADISON POLICE DEPARTMENT

MESSAGE FROM THE CHIEF



I am pleased to present you with the Madison Police Department's inaugural Accountability Report. One of our core values recognizes the need for continuous improvement, and this report is one attempt to fulfill that mission. This report provides an overview of the most critical aspects of policing:

- » Professional Standards & Internal Affairs complaint/investigation process
- » Vehicle pursuits
- » Use of force
- » Squad accidents

Improved data collection and oversight mechanisms allow us to provide more details about these key aspects of MPD operations. This report is one of many ways in which the Madison Police Department strives for transparency and accountability, and my hope is that it will help our efforts to build and improve trust with the community.



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CORE VALUES

Integrity

We are committed to performing our work with the highest degree of honesty, integrity and professionalism.

Human Dignity

We acknowledge the value of all people and carry out our duties with dignity, respect, and fairness to all. Furthermore, the Department recognizes and respects the value of all human life.

Service

We strive to deliver exceptional service in an unbiased manner.

Community Partnership

We believe that the police can only be successful in improving safety and the quality of life the community enjoys when police and community members work collaboratively to address issues of mutual concern.

Proficiency and Continuous Improvement

We are accountable to the public and ourselves for the quality of our service. We strive for proficiency in all facets of our work. We seek to continually improve ourselves and those systems in our midst and those in the community where police can effect meaningful change for better outcomes.

Diversity

We engage in continuous learning about different cultures, values and people. We promote mutual acceptance and inclusion of all.

Leadership

We acknowledge that leadership knows no boundaries and is more comprehensive than rank or title. We also recognize that being a good follower—whether sworn or civilian—is essential to our success as a Department. We value the talents, creativity, and contributions of all of our employees.

MISSION

We, the members of the Madison Police Department, are committed to providing high quality police services that are accessible to all members of the community. We believe in the dignity of all people and respect individual and constitutional rights in fulfilling this mission.





PROFESSIONAL STANDARDS & INTERNAL AFFAIRS

The Madison Police Department assigns one Lieutenant and one Sergeant full-time to the Professional Standards & Internal Affairs (PS&IA) unit. The PS&IA unit is responsible for all aspects of the internal investigation process:

- » Accepting and reviewing complaints (internal and external)
- » Investigating complaints
- » Assigning complaints to MPD commanders or supervisor for investigation
- » Ensuring appropriate documentation of all complaints and investigations
- » Reviewing vehicle crashes involving MPD vehicles
- » Reviewing MPD vehicle pursuits

PS&IA reports directly to the Assistant Chief of Police for Investigative and Specialized Services, and provides a weekly update to the Chief of Police and Assistant Chiefs of Police.

Complaint Process

Complaints about MPD personnel can be submitted in person, in writing, or online. Once a complaint is received, it is entered into an electronic tracking/monitoring software and forwarded to PS&IA for review. PS&IA will review the circumstances surrounding the complaint and either retain investigative responsibility for the complaint or delegate investigative responsibility to the supervisory staff of the involved employee. Generally, PS&IA will investigate more serious allegations while minor allegations will be assigned to the employee's supervisory staff. In the event of an allegation of criminal activity or serious misconduct, an outside agency may be requested to assist.

The assigned investigator will perform a thorough investigation to determine the facts related to the allegation. The investigation will include interviews of all relevant parties (the complainant, witnesses, and any involved officers), as well as a review of other documents (like police reports) and physical evidence (photos, video, etc.).

At the conclusion of this process, the assigned investigator will make a preliminary determination on the complaint. In most instances, there are four possible outcomes:

- Exonerated: The alleged incident occurred, but was lawful and in accordance with MPD Code of Conduct and standard operating procedures.
- Unfounded: The evidence shows that the alleged conduct did not occur.
- Not Sustained: The allegation is not supported by a preponderance of evidence.
- Sustained: A preponderance of evidence shows that the action of the employee was not consistent with MPD Code of Conduct, standard operating procedure or City of Madison Administrative Procedure Memoranda (APM).

The investigator's preliminary determination will first be reviewed by the employee's chain of command. If the commander concurs with the determination, it will ultimately be reviewed with the Chief for a final determination.

If the investigation finds a sustained violation that could result in a disciplinary sanction (a letter of reprimand, suspension, etc.), then PS&IA will schedule a pre-determination hearing with the employee. This is an opportunity for the employee to contest any factual findings or to offer any mitigating circumstances for the Chief to consider.

If, after the pre-determination hearing, the process shows that an employee violated the department's Code of Conduct or Standard Operating Procedures, the Chief of Police will consult with the Assistant Chiefs and the employee's command staff to determine the appropriate sanction. The department's disciplinary matrix provides guidance to the Chief during this process:

cityofmadison.com/police/documents/sop/PSIAdiscMatrix.pdf

In all but the most serious cases, the process is not intended to be punitive. Instead it is designed to correct behavior and ensure that MPD employees are complying with the Code of Conduct and standard operating procedures as they serve the community. Low-level violations may be addressed through verbal counseling or training.

The most serious sanctions—demotion and termination—are the exclusive authority of the Police & Fire Commission (PFC). If the Chief determines that one of these outcomes is required, the department must file a complaint before the PFC. In some instances, the employee will resign from the department before the investigation can be concluded with a final disposition.

PS&IA releases quarterly summaries of investigations that result in discipline. These summaries are available here:

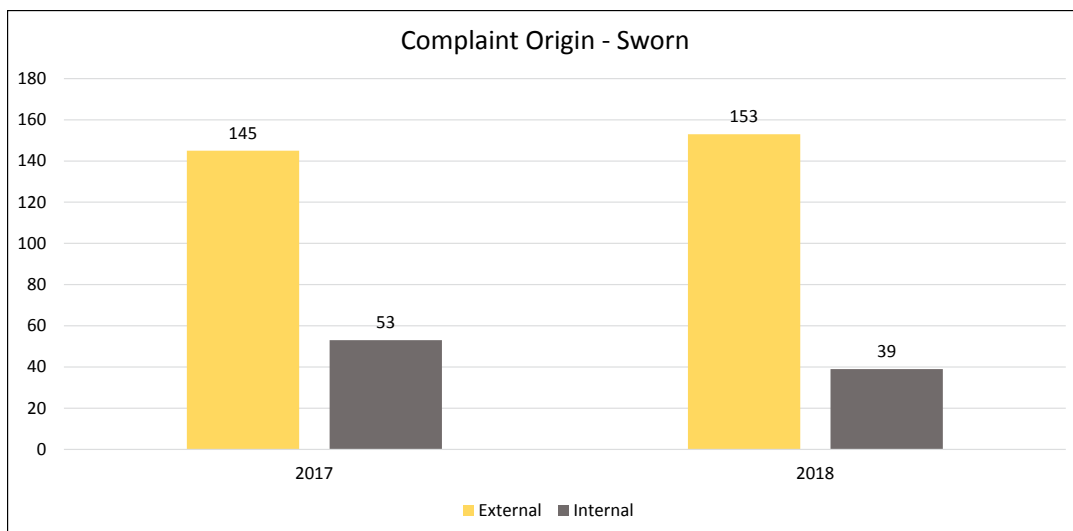
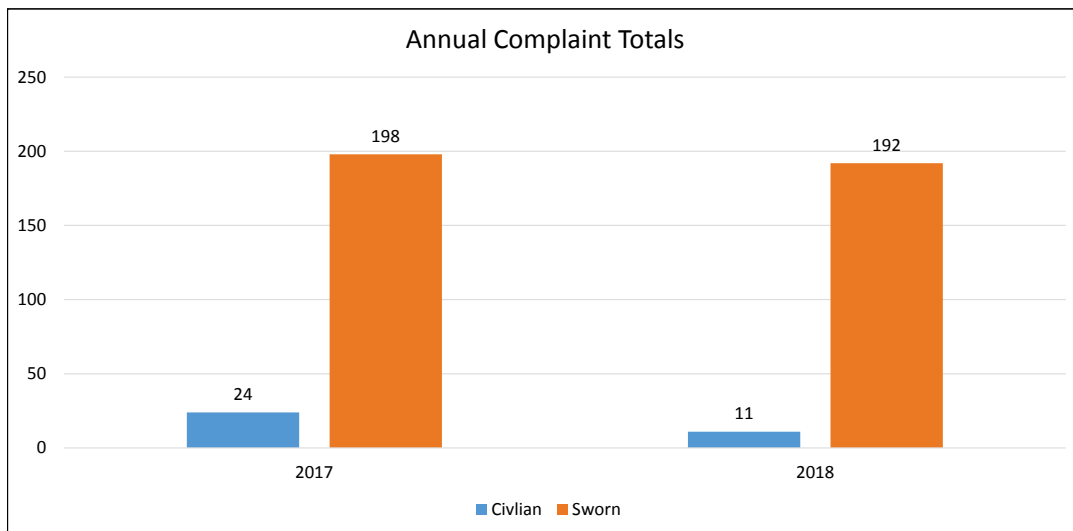
cityofmadison.com/police/PSIA

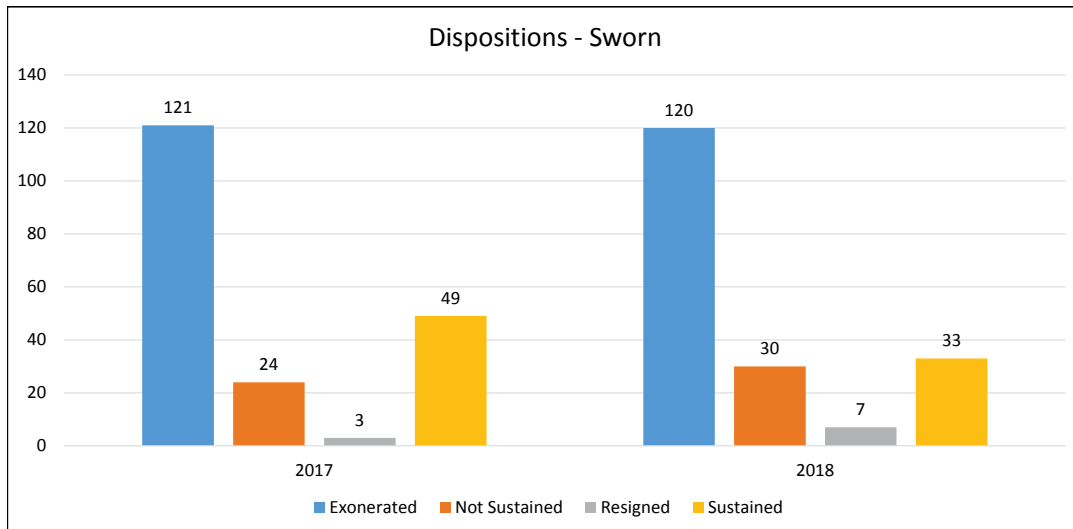
At the conclusion of externally-generated complaint investigations, MPD will reach out to the community member who brought the complaint forward to advise them of the disposition. When appropriate, the department will invite complainants to view video (if relevant) as part of this contact.

This investigative process is governed by MPD standard operating procedure:

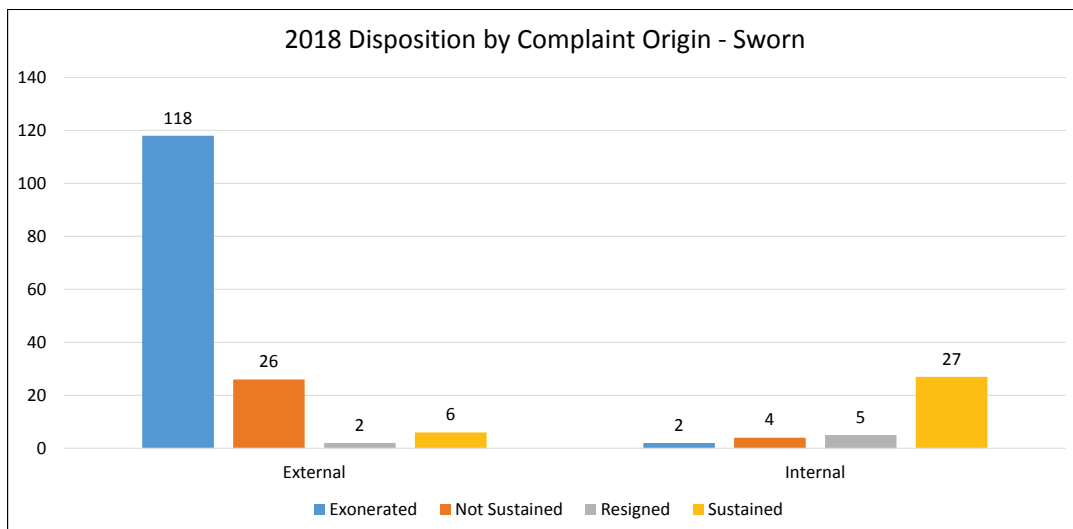
cityofmadison.com/police/documents/sop/PSIAcomplaintInv.pdf

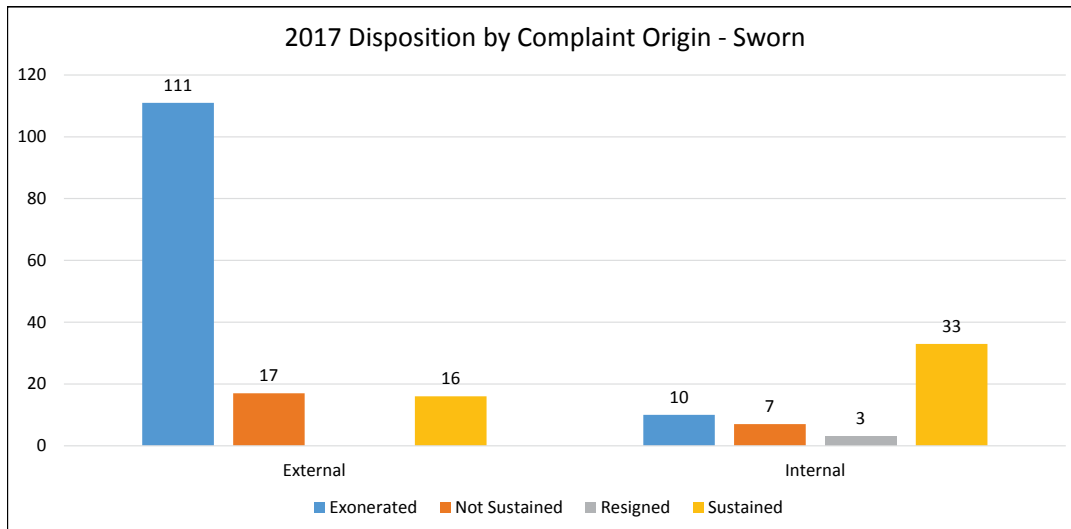
The following charts reflect complaint information for 2017 and 2018:





As indicated above, some employees will resign or retire prior to the resolution of a PS&IA investigation, precluding a final disposition of the case. The resignation/retirement may or may not be directly related to the investigation. While seven cases in 2018 had a “resigned” disposition, three of the cases were related to one employee.



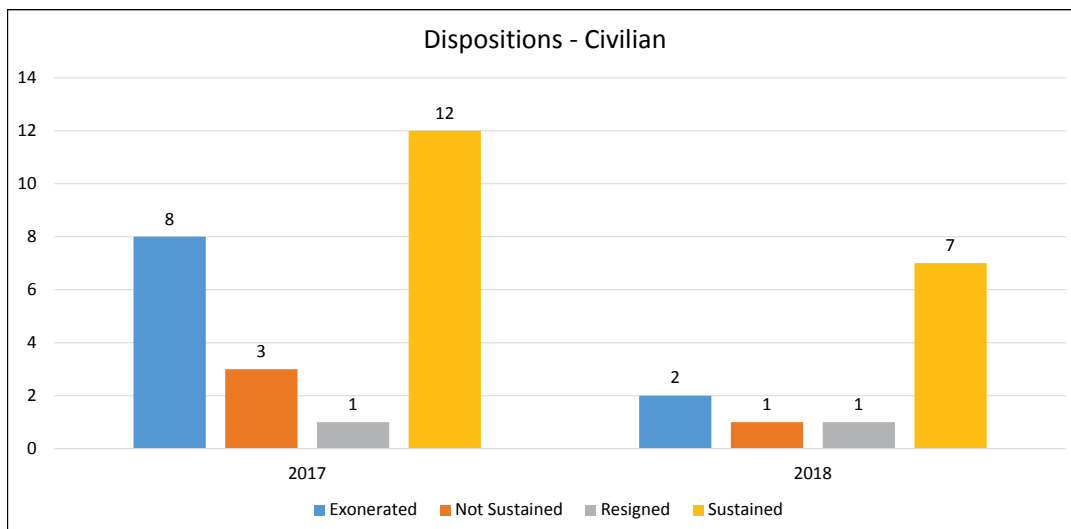
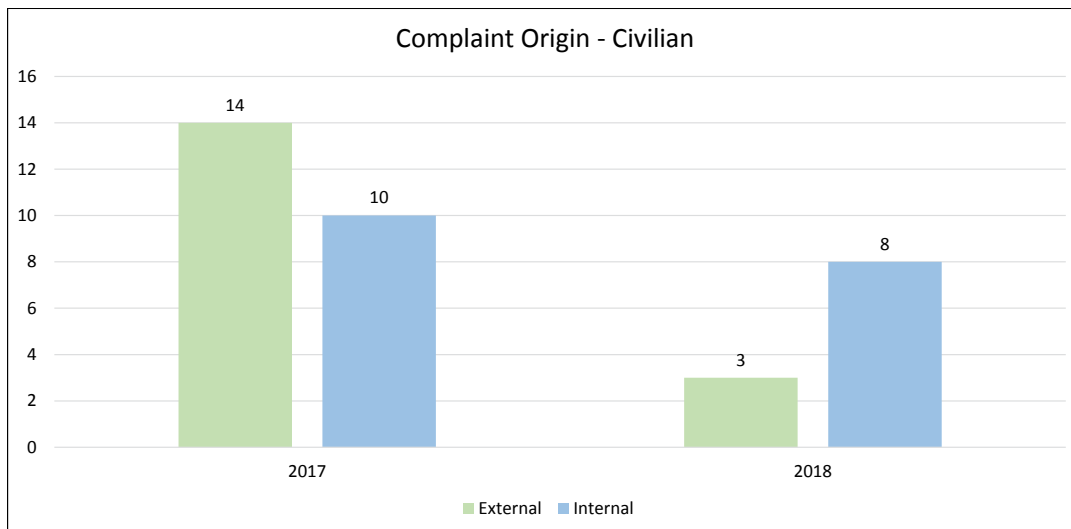


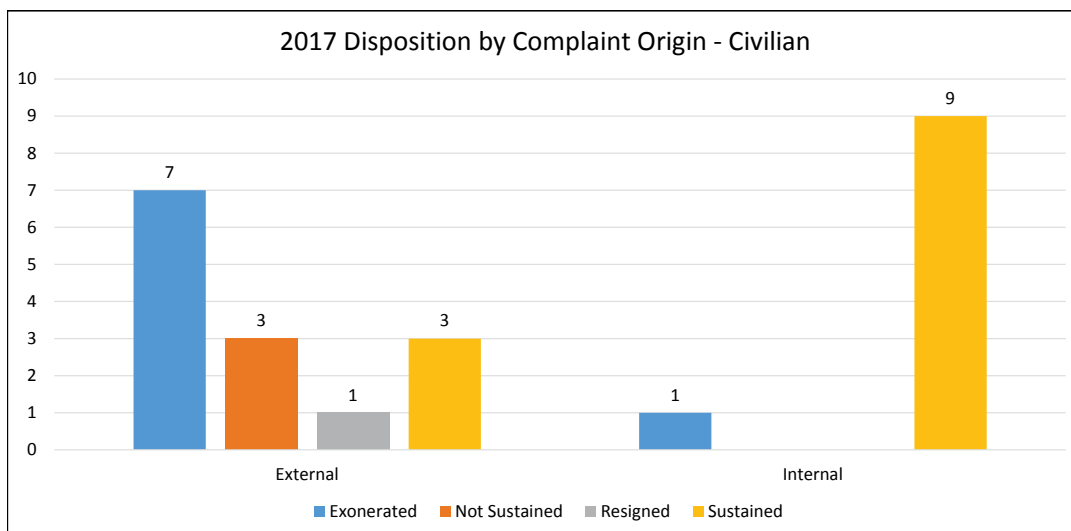
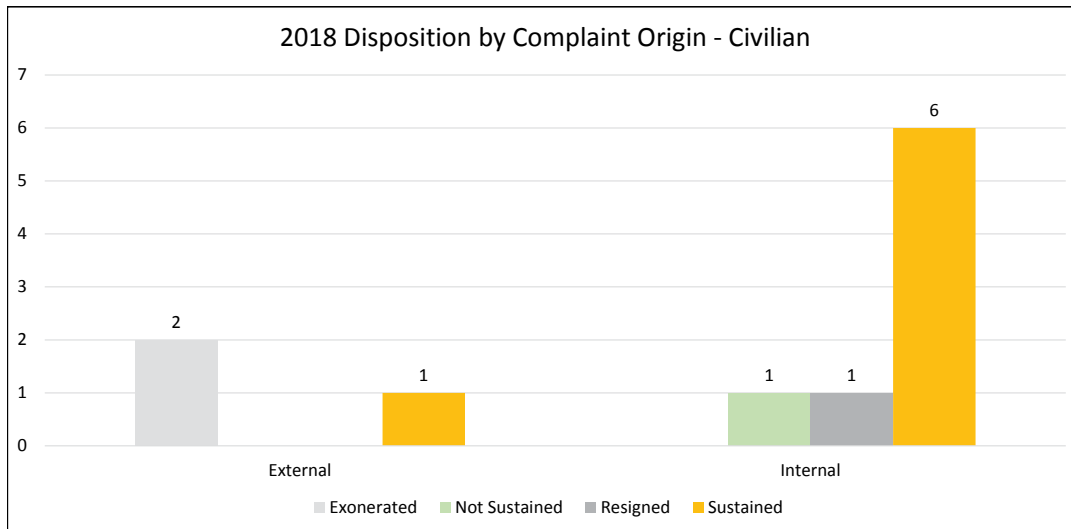
Sustained violations, sworn employees:

Violation	2017	2018	Total
APM 3-9 Appropriate Use of Computer Network Resources	2	0	2
Code of Conduct - Absence from Duty	4	4	8
Code of Conduct - Courtesy Respect and Professional Conduct	4	1	5
Code of Conduct - Insubordination	0	1	1
Code of Conduct - Notification Required of Law Enforcement Contact	1	0	1
Code of Conduct - Performance of Duties	3	8	11
Code of Conduct - Truthfulness	0	2	2
Code of Conduct - Unlawful Conduct	0	1	1
Code of Conduct - Vehicle Operation	4	0	4
SOP - Domestic Abuse	1	0	1
SOP - Emergency Vehicle Operation Guidelines	1	3	4
SOP - Firearms Safety	0	2	2
SOP - Handling of Evidence Contraband Found or Lost Property	3	0	3
SOP - In-Car Video System	5	7	12
SOP - Interviews of Crime Victims	1	0	1
SOP - Overtime Guidelines	2	1	3
SOP - Police Vehicle Parking	1	0	1
SOP - Police Weaponry	1	1	2
SOP - Property Handling	1	1	2
SOP - Records Inspection and Release	0	2	2
SOP - Reporting	6	2	8
SOP - Restricted Duty	0	1	1

Violation	2017	2018	Total
SOP - Telestaff Requirements	1	0	1
SOP - Traffic/Parking Enforcement and Crash Investigation	5	0	5
SOP - Use and Care of City-Owned Property	4	1	5
SOP - Use of Force Data Collection	3	1	4
SOP - Use of Non-Deadly Force	0	1	1
Grand Total	53	40	93

* Some complaints/investigations involve more than one allegation





Sustained violations, civilian employees:

Violation	2017	2018	Total
APM 2-22 Rules of Conduct	1	0	1
APM 2-31 Leave of Absence Without Pay	0	1	1
APM 2-33 #A2 Insubordination	1	1	2
APM 2-33 #A3 Rules of Conduct	3	0	3
APM 2-33 #A4 Failure to Provide Accurate and Complete Information	1	0	1
APM 2-33 Rules of Conduct	1	0	1
APM 3-9 Appropriate Use of Computer Network Resources	2	0	2
Code of Conduct - Absence from Duty	3	3	6

Violation	2017	2018	Total
Code of Conduct - Courtesy Respect and Professional Conduct	1	1	2
Code of Conduct - Insubordination	2	0	2
Code of Conduct - Notification Required of Law Enforcement Contact	0	1	1
Code of Conduct - Performance of Duties	1	0	1
Code of Conduct - Truthfulness	1	0	1
Code of Conduct - Unlawful Conduct	0	1	1
SOP - Telestaff Requirements	0	1	1
Grand Total	17	9	26

* Some complaints/investigations involve more than one allegation



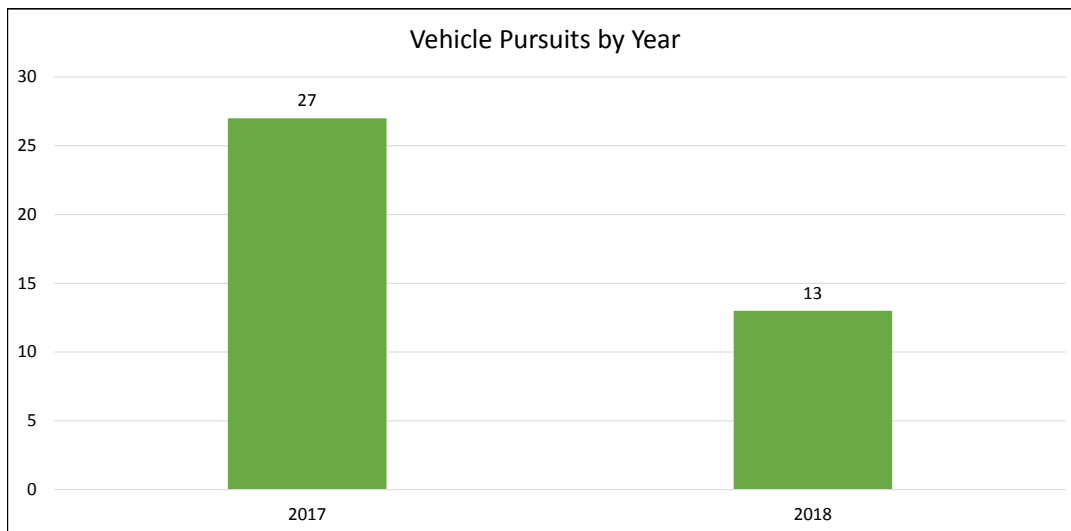
VEHICLE CRASHES & PURSUITS

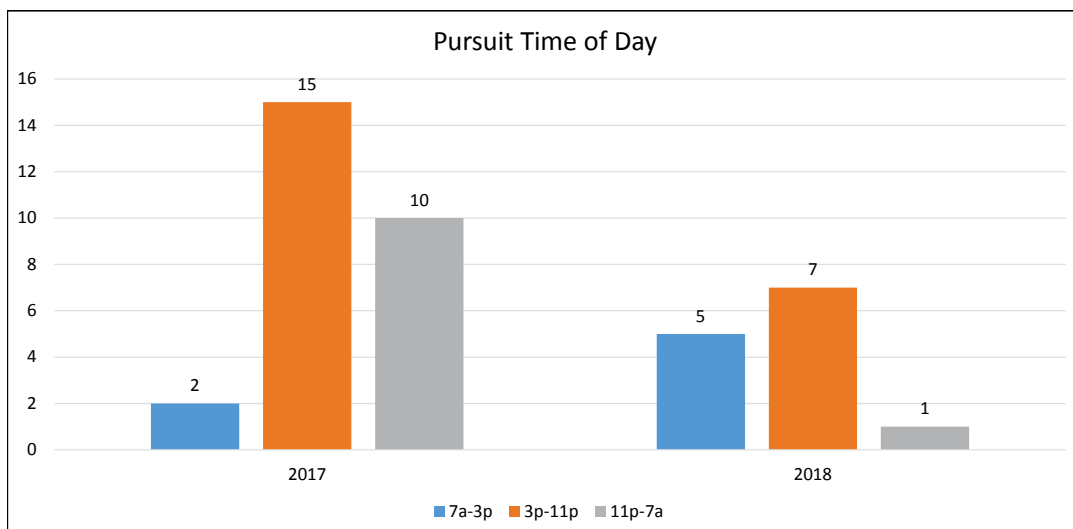
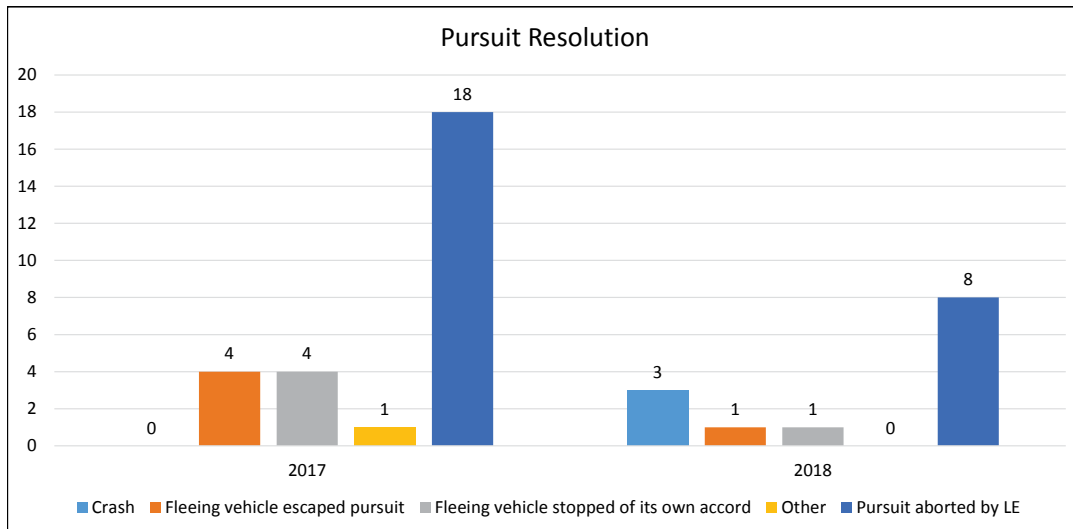
Emergency vehicle operations represent one of the most critical functions of any police agency. Officers must operate vehicles in all conditions while responding to emergencies. Safe driving is an expectation for all MPD employees and is emphasized in training and policy. The Chief of Police and Assistant Chiefs are updated on all MPD vehicle pursuits and crashes on a weekly basis.

All Wisconsin law enforcement agencies are required to report vehicle pursuit data to the State Department of Transportation annually. As part of this reporting and documentation process, every vehicle pursuit that an MPD officer is involved in goes through a thorough internal review process. This review includes:

- » An initial review by a field supervisor
- » Review by the employee's commanding officer
- » Review by the department's lead instructors/subject matter experts in emergency vehicle operation
- » Review by the Assistant Chief of Police for operations

This review process can result in coaching, additional training, or referral of the incident to PS&IA for further investigation.



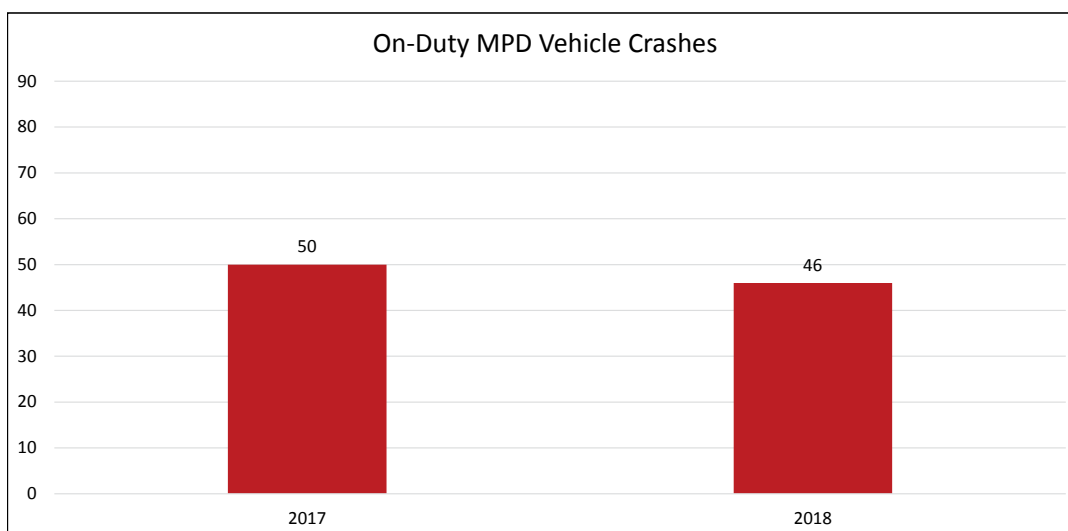


In 2015, the department modified its standard operating procedure governing emergency vehicle operation, significantly restricting the circumstances under which officers are authorized to engage in vehicle pursuits. This has resulted in a reduction in the number of pursuits officers are involved in, and corresponding reductions in injuries and property damage resulting from vehicle pursuits.

Any on-duty vehicle crash involving an MPD employee (sworn or civilian) must be investigated by a supervisor before going through an internal review process. This process includes:

- » Review by the employee's commanding officer
- » Review by the Vehicle Operations Review Committee
- » Review by PS&IA
- » Review by the Captain of Traffic & Specialized Services

When the accident was determined to be the fault of the employee, and when no mitigating circumstances are present, a citation may be issued or the employee may face internal sanctions (or both).



MPD employees were determined to be at fault in about 22% of these on duty crashes. For perspective, MPD has about 600 employees (sworn and civilian). For many of these employees, their “office” is a vehicle, and they are driving all or most of each workday. In fact, MPD employees drive more than **2.5 million miles** a year while on duty. Much of this driving is done under challenging circumstances, responding to emergencies in all weather conditions.

USE OF FORCE

In 2016, MPD established a full-time Use of Force (UoF) Coordinator position. The UoF Coordinator is an MPD sergeant with significant background and expertise in police use of force training and evaluation.

Any time an MPD employee uses any type of force, they are required to document their actions in an MPD police report. In addition, if an officer uses recordable force, they are required to meet with a supervisor to review the incident and have the force use documented in a database. This process allows the department to analyze trends and patterns in how officers are using force. Recordable force is defined in SOP to include takedowns, active countermeasures, OC spray, impact weapons, hobble (leg) restraints, Tasers, K9 apprehensions, less lethal projectiles and use of deadly force.



The MPD UoF Coordinator also reviews each incident involving the application of recordable force. This review assesses all aspects of the incident, to include report quality, decision-making, tactical deployment, use of de-escalation strategies, etc. Any incident that appears to reflect conduct not in compliance with MPD's Code of Conduct or standard operating procedures is referred to PS&IA for investigation. Coaching, training or other remediation are also utilized to improve officer and agency performance.

MPD officers use force rarely. This chart compares annual calls for service to incidents involving the use of recordable force:

	2017	2018
Calls for service*	144,586	143,359
Citizen contacts where recordable force was used	231	217
Percentage	0.16%	0.15%

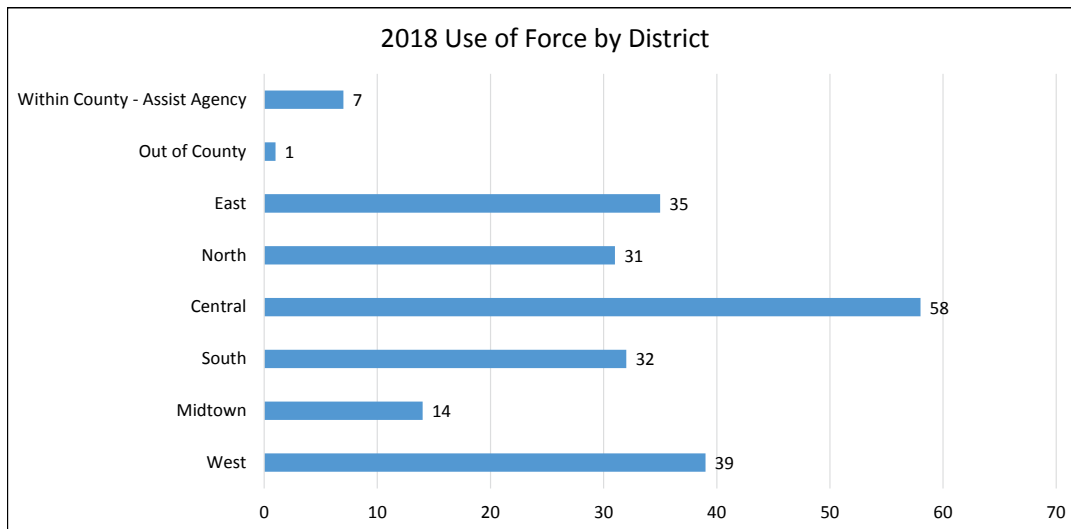
* This figure is limited to calls for service involving response of a sworn employee

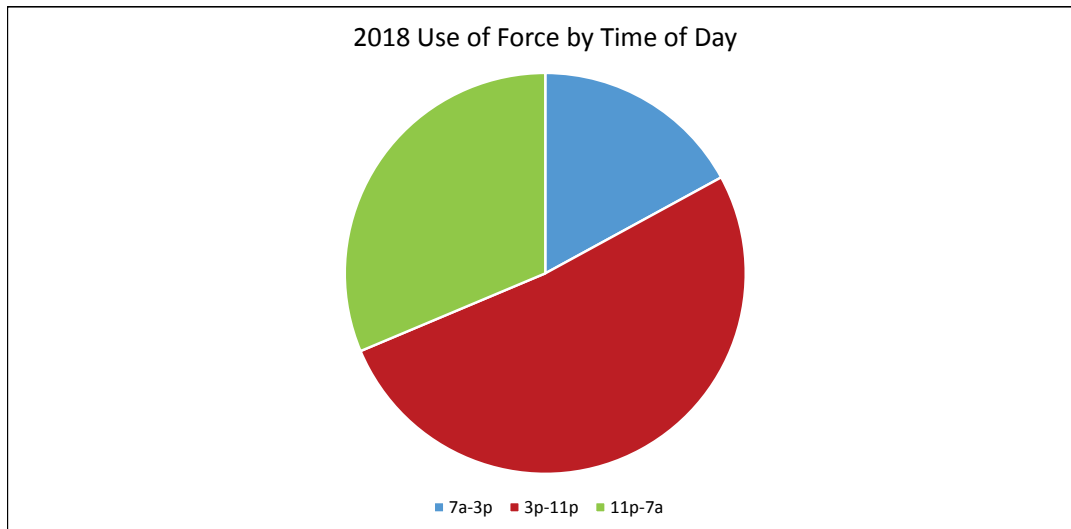
Use of force by type:

	2017	2018
Decentralization/Takedown	176	175
Active Counter Measures	78	73
Taser Deployment	22	27
Hobble Restraints	31	36
OC Spray Deployment	17	9
Baton Strike	1	1
K9 Bite	0	0
Firearm Discharged Toward Suspect	0	1
Impact Munition	4	2
Total	329	324
Firearm Discharged to Put Down a Sick or Suffering Animal (**all wild animals, injured or ill)	62	38

* Note that some incidents where force was used involved more than one type of force application, so the totals of the two charts will not match.

2018 MPD use of force details:





About 20% of MPD's 2018 use of force incidents stemmed from officer-initiated activity; 80% resulted from community-generated calls for service. PS&IA investigated thirteen complaints that involved use of force in 2018. Ten of these were external complaints and three were generated internally.

MPD is comprised of about 70% male officers and about 30% female officers. Officers using force in 2018:

	Q1	Q2	Q3	Q4	Total	%
Male	55	68	57	58	238	88%
Female	8	9	6	10	33	12%
Total	63	77	63	68	271	100%

Subjects who had force applied by MPD in 2018:

	Q1	Q2	Q3	Q4	Total	%
Male	43	40	36	40	159	73%
Female	11	20	15	12	58	27%
Total	54	60	51	52	217	100%

MPD is comprised of about 80% white officers and about 20% minority officers. Officers using force in 2018:

	Q1	Q2	Q3	Q4	Total	%
Asian	1	2	1	0	4	1.5%
African-American	6	8	4	5	23	8.5%
Hispanic	8	11	7	7	33	12.2%
Native American	0	1	0	1	2	0.7%
Other	0	0	0	1	1	0.4%
Caucasian	48	55	51	54	208	76.8%
Total	63	77	63	68	271	100%

Subjects who had force applied by MPD in 2018:

	Q1	Q2	Q3	Q4	Total	%
Asian	0	0	0	0	0	0%
African-American	26	23	29	25	103	47.5%
Hispanic	4	1	2	4	11	5.1%
Native American	1	1	0	1	3	1.4%
Other	2	1	0	0	3	1.4%
Caucasian	21	34	20	22	97	44.7%
Total	54	60	51	52	217	100%

Influencing factors in 2018 use of force incidents:

	Q1	Q2	Q3	Q4	Total	%*
Alcohol	17	15	9	17	58	27%
Drugs	7	6	8	1	22	10%
Alcohol & Drugs	8	7	9	13	37	17%
Other	14	18	14	15	61	28%
Total	46	46	40	46	178	82%

* Percentage of total use of force incidents for the year.

MPD use of force incidents compared to MPD arrests:

	Arrests		Incidents Involving Use of Recordable Force*		%	
	2017	2018	2017	2018	2017	2018
Sex:						
Male	5,766	5,657	185	136	3.21%	2.40%
Female	2,460	2,348	46	45	1.87%	1.92%
Unknown	2	0	0	0	0.00%	0.00%
Race:						
Asian	168	100	3	0	1.79%	0.00%
African-American	3,618	3,871	107	88	2.96%	2.27%
Native American	49	49	0	3	0.00%	6.12%
Other	141	130	4	3	2.84%	2.31%
Caucasian	4,252	3,855	117	87	2.75%	2.26%
Total	8,228	8,005	231	181	2.81%	2.26%
Hispanic**	561	495	8	9	1.43%	1.82%

*Not all use of force incidents result in an arrest or charge. These figures reflect only those use of force incidents that resulted in an arrest so they will not match total use of force incidents.

** "Hispanic" is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD's records management system. The arrest figures above are based on that data; each arrest and use of force incident involving a person with a Hispanic ethnicity will also have a race indicated above and reflected in MPD's crime reporting.

2018 MPD use of force by incident type:

	Takedown	Active Counter- measures	OC Spray	Hobble Restraints	Taser Deployment	Baton	Impact Munition	Firearm Discharged at Person
Accident – Hit & Run	1	0	0	0	0	0	0	0
Accident - Injuries	0	0	0	1	0	0	0	0
Adult Arrest	32	15	2	3	3	0	0	0
Assist EMS/Fire	2	0	0	1	2	0	0	0
Assist Police	3	1	0	0	1	0	0	0
Attempt to Locate	2	0	0	0	0	0	0	0
Attempted Suicide	0	1	0	0	0	0	0	0

	Takedown	Active Counter-measures	OC Spray	Hobble Restraints	Taser Deployment	Baton	Impact Munition	Firearm Discharged at Person
Battery	9	8	1	1	0	0	0	0
Burglary – Nonresidential	1	0	0	0	0	0	0	0
Burglary – Residential	1	1	0	0	0	0	0	0
Check Person	17	9	1	4	3	0	0	0
Conveyance – Alcohol	2	0	0	0	0	0	0	0
Conveyance – Mental Health	0	0	0	0	2	0	0	0
Damage to Property	0	0	0	0	0	0	0	0
Death Investigation	0	0	0	0	1	0	0	0
Disturbance	31	13	4	7	8	0	1	0
Domestic Disturbance	16	14	0	7	4	0	0	0
Drug Investigation	4	0	0	0	1	0	0	0
Drug Overdose	1	1	0	0	0	0	0	0
Emergency Detention	1	0	0	0	0	0	0	0
Fight Call	7	0	1	1	0	1	0	0
Intoxicated Person	2	3	0	0	0	0	0	0
Juvenile Arrest	5	0	0	2	0	0	0	0
Liquor Law Violation	1	0	0	0	0	0	0	0
OMVWI	7	0	0	1	0	0	0	0
Person with a Gun	1	1	0	0	0	0	1	0
Probation/Parole	1	0	0	1	0	0	0	0
Reckless Endangerment	1	0	0	0	0	0	0	0
Retail Theft	3	3	0	0	0	0	0	0
Road Rage	3	0	0	2	0	0	0	0
Runaway Juvenile	1	0	0	0	0	0	0	0
Stolen Auto	4	0	0	0	0	0	0	0
Suspicious Person	1	1	0	0	0	0	0	0
Suspicious Vehicle	1	0	0	0	0	0	0	0
Theft from Auto	2	0	0	0	1	0	0	0
Threats Complaint	2	0	0	1	0	0	0	0
Trespass	3	1	0	1	0	0	0	0
Unwanted Person	1	0	0	2	0	0	0	0
Violation of Court Order	1	0	0	0	0	0	0	0
Weapons Offense	5	1	0	1	1	0	0	1

AUDITS

The department engages in a number of regular audits to ensure appropriate compliance with the Code of Conduct and standard operating procedures. Systems/process/inventories that are regularly audited include:

- » City email
- » Mobile Data Computer (MDC) communications
- » Squad video/audio
- » Property/evidence
- » Training aids
- » Federally regulated materials
- » Recordable force database entries

Code of conduct or standard operating procedure violations identified as part of an audit are forwarded to PS&IA for investigation.

TRANSPARENCY

MPD is committed to transparency, and routinely publishes a variety of information about department operations. Examples include:

- » Crime data
- » Arrest data
- » Traffic stop data
- » Use of force data
- » Personnel demographics/diversity data

This data is released quarterly, and is consistent with recommendations from the President's Task Force on 21st Century Policing:

cityofmadison.com/police/data

The Chief also releases a quarterly update for the Common Council. That update includes some of the 21st Century Policing data, with additional detail. The report also outlines changes to department standard operating procedures:

cityofmadison.com/police/data/cc-updates.cfm

Finally, MPD releases quarterly summaries reporting disciplinary actions. These summaries include sustained complaints that result in disciplinary action:

cityofmadison.com/police/PSIA



MADISON POLICE DEPARTMENT

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