

RECOMMENDATION xx: MPD is encouraged to relax its uniform requirement permitting personnel to appear out of uniform on duty at appropriate community events. [OIR 15]

Interacting with the public, both in law enforcement and non-law enforcement contexts, is a critical component of police work. Positive interactions build trust between the community and police and lead to more effective policing and safer communities. While most law enforcement officers wear standard, recognizable uniforms while on duty, there are occasions when more casual attire, or a “soft” uniform is appropriate. For events such as neighborhood meetings or other events that are non-law enforcement in nature, it may be appropriate for officers to appear in more casual attire.

MPD is open to relaxing its uniform requirement, but it notes that whenever officers are in the community, they must be prepared to take police action and need access to equipment that is part of the standard uniform. The Ad Hoc Committee recognizes this concern as legitimate, but also believes that when it comes to more congenial settings, MPD should try to engage the community on its terms, and that includes allowing law enforcement officers to appear out of uniform if the organizer(s) request and the context is appropriate, such as when neighborhood officers attend community meetings. For some residents, an officer wearing a uniform creates unnecessary barriers and inhibits their ability to engage positively with MPD. Wearing a standard, full uniform in certain settings can create confusion over the officer’s role—whether s/he is attending as part of the community or as part of an enforcement role. Furthermore, in other jurisdictions that allow it, many officers feel more comfortable wearing a “soft” uniform and think the more casual attire helps them better engage with and relate to their community.

Given these considerations, the Committee modified the OIR recommendation, which read “MPD should relax its uniform requirement permitting personal to appear out of uniform on duty at appropriate community events,” to “encourage” the relaxing of the uniform requirement, so as to give the MPD more discretion and the ability to address the needs of both the community and MPD.

RECOMMENDATION xx: MPD should devise a feedback loop for its criminal justice partners regarding the performance of its officers and the Department as a whole, including the District Attorney, Sheriff, Judges, Public Defenders, Juvenile Justice Administrators, Probation Officers, and Social Workers. [OIR 17]

Obtaining feedback from stakeholders serves several important functions. It can be used to improve service provision; it helps agencies determine how well they are serving their constituents and partners; it shows that agencies value the opinions of those they serve and with whom they work; and it can provide data for future decision-making about programs, policies, and practices. Toward these ends, it is important for agencies to establish a formal process for obtaining feedback, thus institutionalizing the process so it is not dependent on or subject to personalities or changes in leadership, as can happen with informal processes.

MPD has a history of seeking community input, but it has not regularly or formally solicited feedback from its criminal justice system partners—prosecutors, jail supervisors, judges, public defenders, juvenile justice administrators, probation officers, and social workers. These partners can have significant insight into the workings of MPD as an organization and into the performance of individual officers. MPD notes that formalizing a feedback process would be a challenging, time-consuming effort. However, a formalized process does not have to be complicated or challenging. OIR correctly notes that a simple email to all criminal justice partners asking just a few questions about MPD’s performance and/or that of individual officers could be done with minimal effort. Also, just because something may be somewhat burdensome is not sufficient reason to not do it. Formalizing a process that includes regularly soliciting feedback is good organizational practice and will provide MPD with valuable information about its officers, its organization, and the community it serves that it can use to improve how it operates and improve its relationships with its criminal justice partners.

In its November 2018 updated response to the OIR report, MPD noted that it had recently created a survey to obtain annual feedback from the District Attorney’s Office and expected to move forward with the survey before the end of 2018. MPD also stated that it would give further consideration to expanding the process for other partner agencies. It also noted that it had created surveys to solicit feedback on neighborhood officers and EROs and anticipated moving forward with those surveys in early 2019. The Ad Hoc Committee recognizes the importance of feedback from all partners and recommends MPD create a formalized method to solicit feedback from all partners, not just the District Attorney’s Office.

RECOMMENDATION xx: MPD should implement the Special Community/Police Task Force Recommendation to train detectives and officers in the use of trauma-informed interviewing skills. [OIR 25]

In 2014, in the wake of the Michael Brown shooting in Ferguson, Missouri, a group of Dane County community leaders formed the Special Community/Police Task Force to look at improving relationships between communities of color and law enforcement. The task force issued a report in 2015 that recommended specific areas for reform. While MPD has implemented many of the recommendations from that report, one recommendation that MPD has not implemented is training its officers and detectives in the use of trauma-informed interviewing skills.

Trauma is extreme stress that overwhelms a person’s ability to cope. It can be an event, a series of events, or set of circumstances that harms a person’s physical or emotional well-being. Trauma-informed care is an approach to engaging people with histories of trauma that recognizes the presence of trauma symptoms and acknowledges the role that trauma has played in their lives.

The International Association of Chiefs of Police has developed a trauma-informed interviewing skills training for sexual assault investigations. The intent of the training is to “better equip law enforcement to understand the complexities of sexual assault through training centered on the neurological impact of trauma, the influence of societal myths and stereotypes, understanding perpetrator behavior, and conducting effective investigations.” The philosophy behind developing trauma-informed interviewing skills is consistent with the recent emphasis on the need to conduct sensitive investigations in a way that minimizes any additional trauma to the victim that the investigation itself could unintentionally cause.

During the fall 2017 in-service training, all MPD officers received a block of training on trauma-informed care, but it did not include how to conduct a trauma-informed interview. Instead, it introduced the officers to general trauma-informed care principles, such as the widespread impact of trauma, how trauma affects individuals, and what officers can do to avoid re-traumatization.

Given the widespread occurrence of trauma and its long-term consequences, trauma-informed interviewing is a critical skill for officers to have. Other agencies, including the University of Wisconsin Police Department, have trained officers in the use of trauma-informed interviewing skills.

MPD notes that all detectives received trauma-informed interview training in the fall of 2018. However, the Ad Hoc Committee recognizes how important trauma-informed interviewing skills are to effective police work and recommends MPD and the City treat this as a high priority training and commit the resources necessary to ensure *all MPD officers* receive this critical training.

RECOMMENDATION xx: Consistent with this Report, MPD should develop formal mechanisms whereby a broader group of community stakeholders are brought into the selection process for special assignment officers, except for selection of traffic crash specialists or criminal intelligence officers. [OIR 29]

Engaging the community on how and by whom it wants to be policed is essential to building trust between the community and police. Involving stakeholders in the selection process for special assignments is an important way to obtain community support and is concordant with the first principles of community policing.

MPD has several specialized units and roles, including community policing teams, neighborhood officers, educational resource officers (EROs), mental health officers, and the Community Outreach and Resource Education (CORE) team. These are considered “closed” positions, meaning officers are selected through a competitive process and not via seniority. The current selection process often involves some form of outside stakeholder input. For example, school district administrators are involved in the selection process for EROs, and Journey Mental

Health crisis workers are involved in the mental health officer selection process. While it is important to have the viewpoints of people with subject matter expertise in the specialized areas, it is also important to have input from other stakeholders who can provide community input and insight.

MPD supports involving community members but cites the inappropriateness or infeasibility of community involvement with a few specialized positions (e.g., traffic crash specialists and criminal intelligence officers) and the lack of public interest in participation as two potential challenges to formalizing a process for more broad-based input. The Ad Hoc Committee recognizes that for the traffic crash specialists and criminal intelligence officers, broader community input is not practicable. However, it is appropriate for other special assignments that focus on community policing concepts, such as neighborhood officers and EROs, to name two. MPD's primary objection for these positions seems to be a concern that the public may not be interested in participating in the process.

The Committee believes that the MPD's concern that it will not find interested community members willing to participate in the process is not a sufficient reason for not reaching out to engage community members, since such a process has never been tried in Madison (and has been successful elsewhere). Given the interest in community/police relations in Madison (one example is the formation of the Special Community/Police Task Force referenced in OIR Recommendation 25), the Ad Hoc Committee finds it reasonable to think that community members will participate if offered the opportunity. Furthermore, if MPD cannot identify community members to participate in the process, that indicates a greater need to cultivate interest among community members to be involved in the process.

MPPOA states that it has "a long history of agreement with the idea behind this recommendation." In addition, MPD's November 19, 2018, updated response to the OIR Report references the MPPOA contract, under which "a civilian (preferably from within the department)" is included on the interview panel for specialized assignments. The Ad Hoc Committee encourages MPD to embrace this recommendation in full, bringing a broad group of community stakeholders (truly representative of the community) into the selection process.

RECOMMENDATION xx: Consistent with this Report, MPD should routinely seek input from community stakeholders and professionals regarding the performance of officers assigned to specialized units. [OIR 30]

Receiving feedback in a systemic, formalized manner from community stakeholders and professionals who have contact with and/or are being served by the officer on the officer's performance is extremely important so MPD can know how effectively the officer is performing his/her job duties; commend exemplary performance; identify, address, and remediate problematic conduct; and serve as one measure through which to determine whether to retain the specialized officer in the assignment. For example, feedback on the performance of a neighborhood officer should be solicited from the council member whose district is being

served and residents of the neighborhood. Or, for mental health officers, service providers and other professionals who have regular contact with the officers should be asked for input.

MPD expresses concern that if an officer receives no feedback, they may be evaluated adversely by MPD. But as OIR notes, “our recommendation neither suggests nor expects such a consequence.” MPD also expresses concern that this may be an onerous task and require contacting “thousands of people.” But the feedback process does not have to be complicated. It can be as simple as sending a short email to the appropriate stakeholders requesting feedback.

In its November 2018 update, MPD noted that it had created surveys to solicit feedback on neighborhood officers and EROs and anticipated moving forward with those surveys by early 2019. It is silent on how it intends to solicit feedback on the performance of officers in other specialized units. The Ad Hoc Committee recommends MPD gather feedback on the performance of all officers with special assignments.

RECOMMENDATION xx: In publishing information about “shots fired” calls, MPD should include whether the call led to an arrest, revealed corroborating information, or had no further corroboration beyond the initial call. [OIR 33]

Making information easily accessible to the community and ensuring the accuracy of that information is important to building community trust and policing effectively. This is especially important with “shots fired” calls. Many community members view these incidents as threats to themselves and indications that their community is not safe. Therefore, it is important that information about shots fired be reported in a timely and accurate manner.

By way of background, MPD has focused on publicizing reports of shots fired for the past few years. It includes them in the Chief’s daily blog entries, and they are the first item reported in the Chief’s quarterly updates to the Common Council. Sometimes these calls have no corroboration—the caller thought a shot was fired but there is no physical evidence. While it is important that people promptly report potential gunfire, and these calls should remain a priority for MPD, it is as important that the public know the results of these calls.

MPD’s initial response to the OIR report (January 31, 2018) stated that uncorroborated reports of shots fired were not included in the data released by the Department, but records of the Chief’s blog showed they were. MPD implemented a new SOP effective January 25, 2018, that provided guidance to officers on which incidents would be treated as confirmed shots fired and how to respond and investigate. It is worth noting that to treat a report as “confirmed,” MPD requires only that a single complainant who reports hearing shots is contacted and deemed “credible.”

The blog now includes a resolution of shots fired calls, providing information on whether the report resulted in an arrest, whether there was corroboration (e.g., shell casings, bullet strikes), or whether there was no corroboration. Including this information in the daily blog is a good

practice and provides the public a more accurate picture of these types of events. It might be helpful to provide more information about corroboration for the shots fired numbers published in the Chief's quarterly updates.