



Legislation Details (With Text)

**File #:** 48309      **Version:** 1      **Name:** Supporting Assembly Bill 438 Use of Force Policies and Assembly Bill 439 Use of Force Training.

**Type:** Resolution      **Status:** Passed

**File created:** 8/3/2017      **In control:** COMMON COUNCIL

**On agenda:** 9/5/2017      **Final action:** 9/5/2017

**Enactment date:** 9/8/2017      **Enactment #:** RES-17-00673

**Title:** Supporting Assembly Bill 438 Use of Force Policies and Assembly Bill 439 Use of Force Training.

**Sponsors:** Marsha A. Rummel, Samba Baldeh, Shiva Bidar, Ledell Zellers, Sara Eskrich, Michael E. Verveer

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/5/2017	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
8/3/2017	1	Council Office	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS	

**Fiscal Note**

No appropriation required.

**Title**

Supporting Assembly Bill 438 Use of Force Policies and Assembly Bill 439 Use of Force Training.

**Body**

WHEREAS, the President’s Task Force on Police and Community Relations discussed the police use of force policies in Madison; and,

WHEREAS, during the task force information gathering process, State Rep. Chris Taylor met with the members and discussed her planned legislative proposals to change use of force proposals across the state; and,

WHEREAS, Rep. Taylor highlighted several principles found in policies and procedures from other communities that she deemed important for Wisconsin communities:

- A duty to preserve life
- Deadly force as a last resort
- The principle of proportionality is the requirement to only respond at the level of threat.
- Tailored guidelines for managing resistant subjects who may be mentally ill or intoxicated.

WHEREAS, Rep. Taylor has now put forth two legislative bills, AB 438 Use of Force Policies and AB 439 Use of Force Training:

AB 438, Items to Include in Use of Force Polices. 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.

AB 439, Use of Force Training. Requires all law enforcement officers to annually complete at least eight hours of training on use-of-force options and techniques a law enforcement officer may use to de-escalate a potentially unstable situation; and,

WHEREAS, Chief Mike Koval and the Madison Police Department will continue working with the State of Wisconsin's Department of Justice to identify best practices for police use of force; support the creation of a model policy reflecting these best practices (to include an emphasis on the importance of preserving life and de-escalation techniques); and support additional scenario-based training for MPD officers,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council go on record as supporting Assembly Bill 438 Use of Force Policies and Assembly Bill 439 Use of Force Training and request that the City Clerk forward certified copies of this resolution to the Madison area legislative delegation and the members of the State Assembly Committee on Criminal Justice and Public Safety.