

CITY OF MADISON  
**INTRA-DEPARTMENTAL**  
CORRESPONDENCE

**DATE:** April 19, 2022

**TO:** All Alders

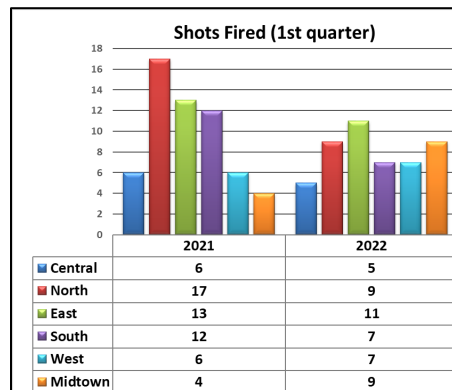
**FROM:** Shon F. Barnes, Chief of Police

**SUBJECT:** Quarterly Report

This document provides an update on selected MPD topics for the first quarter (January, February, and March) of 2022. **Please consider the data included in this update as preliminary and subject to modification.**

**Significant Incident Types**

*Shots Fired* – there were forty-eight (48) shots fired incidents in the City from January 1<sup>st</sup> through March 31<sup>st</sup> (2022). This is a **17%** decrease from the first quarter of 2021. Twenty-nine (29) shots fired incidents were reported during the 4pm – midnight period; thirteen (13) were reported during the midnight – 8am time period; and six (6) were reported during the 8am – 4pm time period.

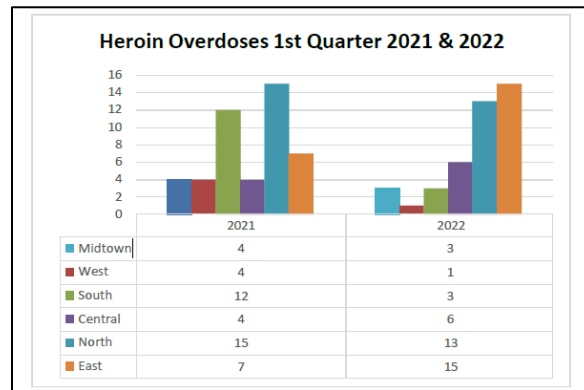


	1 <sup>st</sup> Quarter	2 <sup>nd</sup> Quarter	3 <sup>rd</sup> Quarter	4 <sup>th</sup> Quarter	Total
Property Damage	16				
Subjects Struck by Gunfire*	9				
Accidental Discharge	0				
Self-Inflicted (intentional)	4				
Casings Recovered	179				

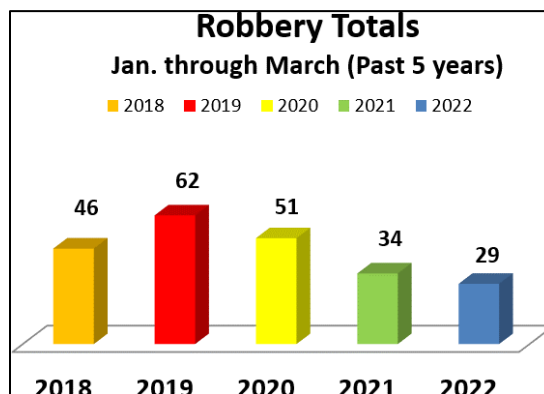
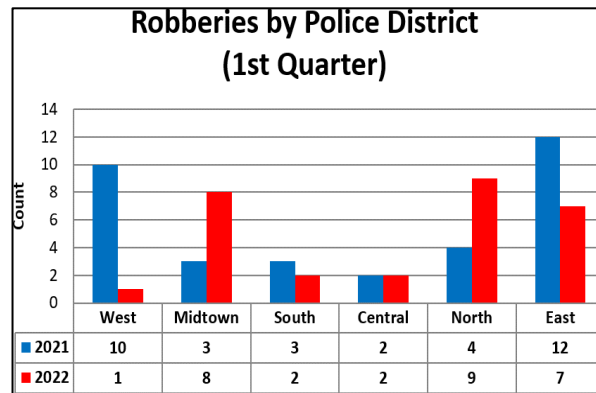
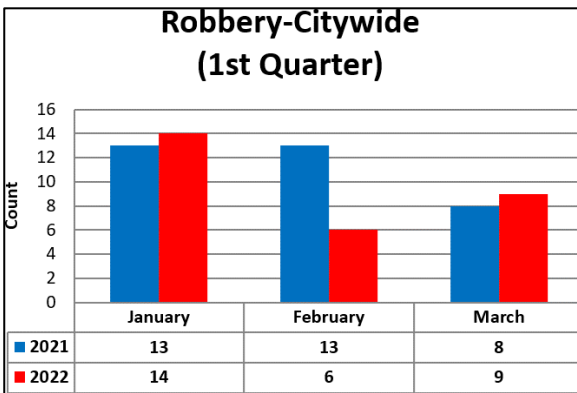
\*Excludes accidental discharge & self-inflicted

*Heroin Overdoses* – MPD responded to forty-one (41) known heroin overdoses during the first quarter of 2022. This is a 13% decrease from the first quarter of 2021. Note that these figures refer to known overdoses...it is likely that many overdoses are occurring without any report to MPD or MFD.

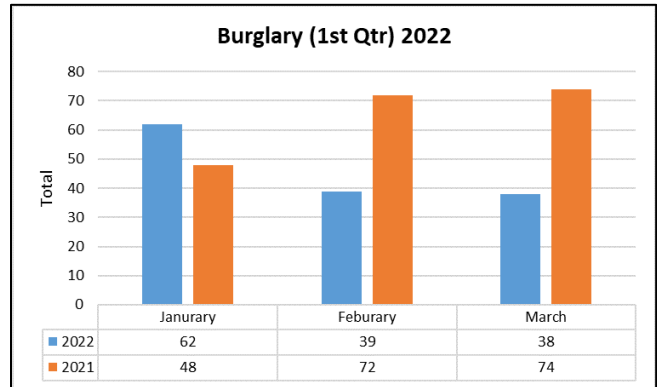
There were six (6) overdose deaths during the first quarter of 2022. This is a 50% increase from the first quarter of 2021 where we had four (4) overdose deaths. [note that these figures only include overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].



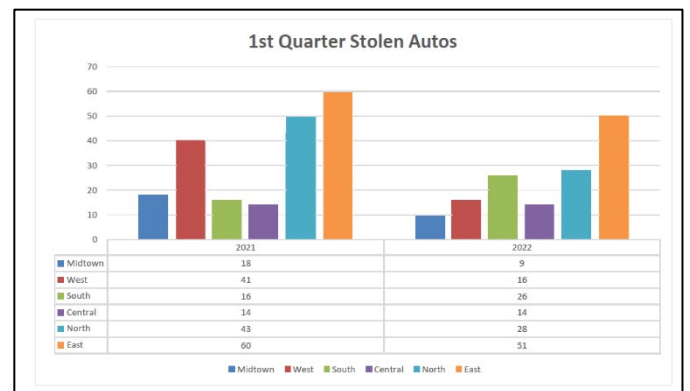
*Robberies* – Twenty-nine (29) robberies occurred in the City during the first quarter of 2022. This is a 15% decrease from the first quarter of 2021.



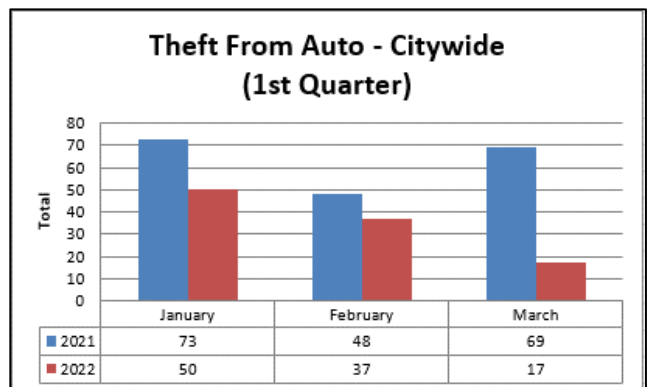
*Burglaries* – MPD responded to 139 burglaries during the first quarter of 2022. This is a 14% decrease from the first quarter in 2021.



*Stolen Autos* – MPD investigated 144 stolen autos during the first quarter of 2022. This is a 25% decrease from the first quarter in 2021.



*Thefts from Vehicles* – MPD investigated 104 thefts from vehicles during the first quarter of 2022. This is a 45% decrease from the first quarter in 2021.



## Arrest Data

First quarter arrest data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	1,125					
Female	403					
Unknown	1					
<b>Total</b>	<b>1,529</b>					
Race	Q1	Q2	Q3	Q4	Total	%
Asian	17					
African-American	725					
Native American	13					
Other	30					
Caucasian	744					
<b>Total</b>	<b>1,529</b>					
Hispanic*	104					

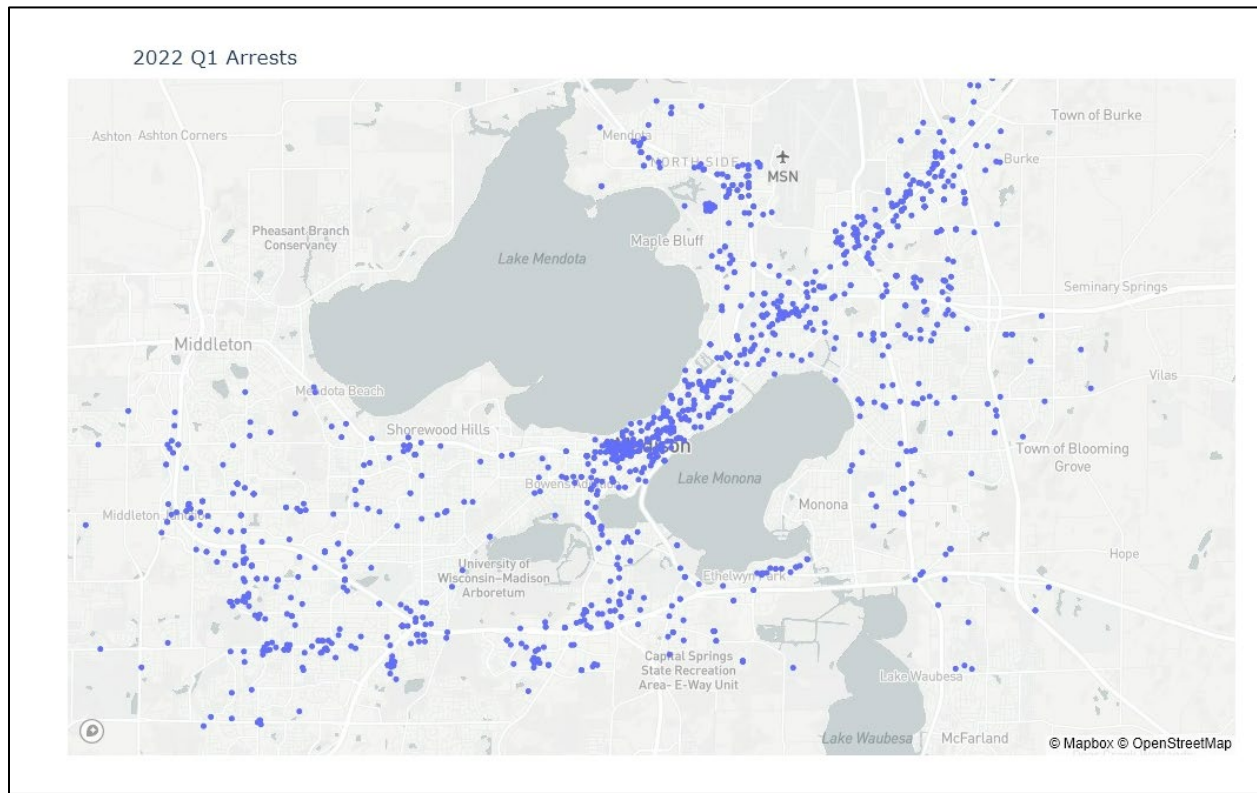
\*"Hispanic" is not a racial designator used for UCR/IBR crime reporting purposes. However, it is an ethnicity collected and tracked in MPD's records management system, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD's crime reporting.

IBR Arrest Charges						
Group A Offenses	Q1	Q2	Q3	Q4	Total	%
Animal Cruelty	0					
Arson	1					
Assault Offenses	345					
Bribery	0					
Burglary	29					
Counterfeiting/Forgery	10					
Damage to Property	95					
Drug/Narcotic Offenses	139					
Embezzlement	6					
Extortion	0					
Fraud Offenses	24					
Gambling Offenses	0					
Homicide Offenses	3					
Human Trafficking Offenses	0					
Kidnapping/Abduction	20					
Larceny/Theft Offenses	117					
Motor Vehicle Theft	50					
Pornography/Obscene Material	6					
Prostitution Offenses	2					
Robbery	17					
Sex Offenses, Forcible	18					
Sex Offenses, Non-Forcible	0					
Stolen Property Offenses	8					
Weapon Law Violations	49					
Group B Offenses	Q1	Q2	Q3	Q4	Total	%
Bad Checks	2					
Curfew/Loitering/Vagrancy Violations	0					
Disorderly Conduct	509					
Driving Under the Influence	93					
Drunkenness	0					
Family Offenses, Nonviolent	9					
Liquor Law Violations	74					
Peeping Tom	0					
Runaway	0					
Trespass of Real Property	80					
All Other Offenses	940					
<b>Total</b>	<b>2,646</b>					

\* More than one charge may be connected to an arrest.

Note that the first table reflect persons arrested, and the second table reflects charges. Some arrested persons are charged with multiple offenses, so the totals will not match.

First quarter arrests reflected geographically:



Comparison of 2021 to 2022 first quarter arrest data:

Sex	2021 (Q1)	2022 (Q1)
Male	980	1,125
Female	310	403
Unknown	0	1
<b>Total</b>	<b>1,290</b>	<b>1,529</b>

Race	2021 (Q1)	2022 (Q1)
Asian	21	17
African-American	683	725
Native American	10	13
Other	24	30
Caucasian	552	744
<b>Total</b>	<b>1,290</b>	<b>1,529</b>
<b>Hispanic*</b>	<b>90</b>	<b>104</b>

\*"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, in addition to race. These arrest figures are based on that data. Each arrested person with a Hispanic ethnicity will also have a race indicated (from the above options) and reflected in MPD's crime reporting.

## Use of Force Overview

During the first quarter of 2022, MPD officers responded to 29,785. In that time, there were sixty-four (64) citizen contacts in which officers used recordable force during the encounter. Each of these force incidents was reviewed for compliance with MPD standard operating procedures.

Description	Q1	Q2	Q3	Q4	Total
Calls for Service	29,785				
Citizen Contacts Where Force Was Used	64				
% of CFS Where Force Was Used	0.21%				
<b>Force</b>					
Decentralization/Takedown	57				
Active Counter Measures	11				
Taser Deployment	11				
Hobble Restraints	6				
OC (i.e. Pepper) Spray Deployment	3				
Baton Strike	0				
K9 Bite	0				
Firearm Discharged Toward Suspect	1				
Impact Munition	1				
Specialty	0				
<b>Total</b>	<b>90</b>				
Firearm Discharged to Put Down a Sick or Suffering Animal	7				

\*Please refer to the MPD SOP on use of force data collection for the definition of recordable force and distinction between reportable and recordable use of force:

<http://www.cityofmadison.com/police/documents/sop/UseOfForceData.pdf>

First quarter use of force data by MPD district and time of day:

District*	Q1	Q2	Q3	Q4	Total	%
West	6					
Midtown	9					
South	7					
Central	15					
North	10					
East	16					
Out of County	0					
Within County - Assist	1					
<b>Total</b>	<b>64</b>					

Time of Day/Patrol Shift	Q1	Q2	Q3	Q4	Total	%
<b>1<sup>st</sup> Detail (7am – 3pm)</b>	14					
<b>3<sup>rd</sup> Detail (3pm – 11pm)</b>	30					
<b>5<sup>th</sup> Detail (11pm – 7am)</b>	20					
<b>Total</b>	<b>64</b>					

Comparison of first quarter 2021 with first quarter 2022 use of force data:

Force	2021 (Q1)	2022 (Q1)
Decentralization/Takedown	49	57
Active Counter Measures	6	11
Taser Deployment	7	11
Hobble Restraints	4	6
OC (i.e. Pepper) Spray Deployment	0	3
Baton Strike	0	0
K9 Bite	1	0
Firearm Discharged Toward Suspect	1	1
Impact Munition	1	1
Specialty (SWAT/SET)	0	0
<b>Total</b>	<b>69</b>	<b>90</b>

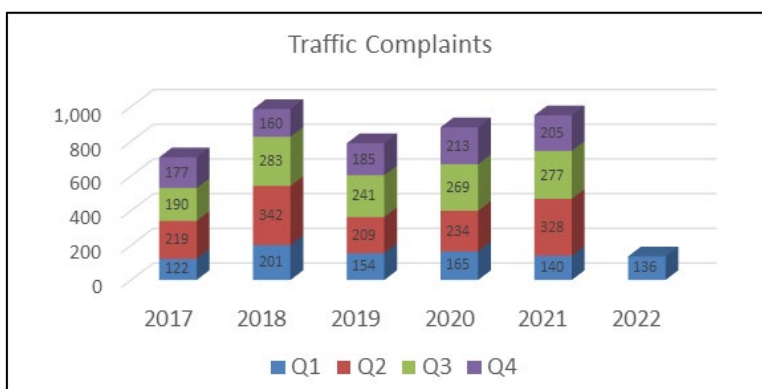
### Restorative Justice Data (1<sup>st</sup> Quarter, 2022)

12-16 Year Old Youth Data from YWCA	17-25 Year Old Data from CRC
<b>Total referrals: 28</b> Opted-in: 18 Opted out: 3 Neither 7 (these referrals are new enough where they have not met the opt-in/out deadline)  <b>Offenses:</b> Armed w/Pellet Gun: 4 Battery: 8 Damage to Property: 1 Disorderly Conduct: 11 Resist/Obstruct: 1 Theft (2 Retail, 1 Regular): 3	<b>Total referrals: 52</b>  <b>Offenses:</b> Battery: 5 Disorderly Conduct: 27 Damage to Property: 8 Obstructing: 2 Retail Theft: 11 Theft: 2

### Traffic

#### Traffic Complaints –

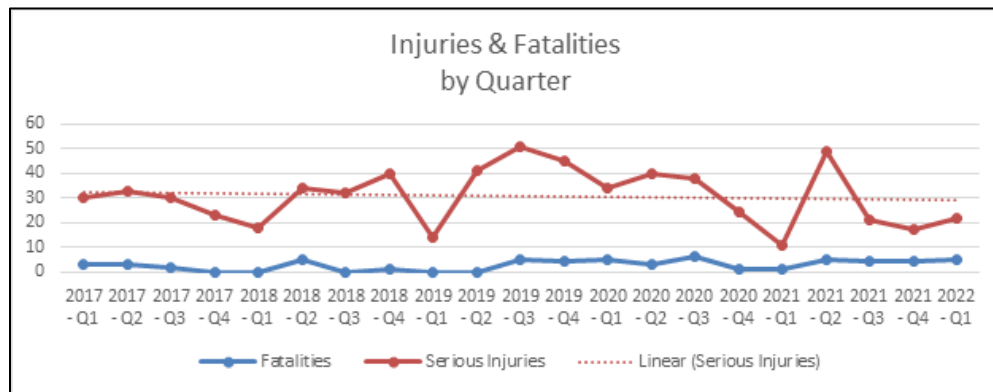
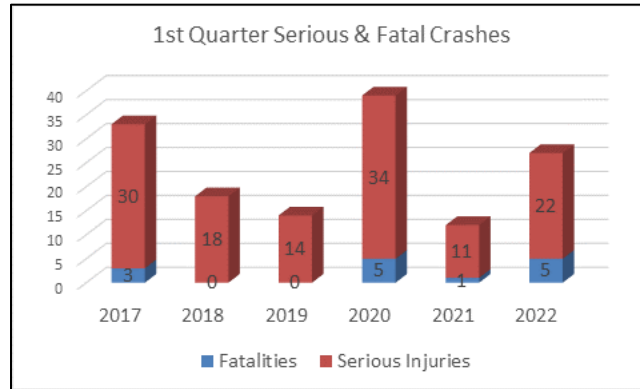
Community members may submit a traffic complaint or concern to the Madison Police Department by utilizing [online submissions](#) or calling the speeders hotline (608-266-4624). Since 2017, there are an average of 841 traffic complaints submitted to MPD annually, and 156 complaints on average in the 1<sup>st</sup> quarter. In the 1<sup>st</sup> quarter of 2022, MPD received 136 traffic complaints, a 13% decrease from our average.





## Serious/Fatal Crashes

The Madison Police Department investigates traffic crashes that result in approximately 131 serious injuries and 10 fatalities each year. In the 1<sup>st</sup> Quarter of 2022, MPD investigated crashes resulting in 5 fatalities (1.8 average/year) and 22 serious injuries (21.4 average/year).



Factors involved in most serious or fatal crashes remain relatively consistent each year. Pedestrian or bicyclist involvement in the crash results in the highest percentage of crashes with serious or fatal injuries. Driver factors that lead to serious or fatal crashes include impaired driving through the use of drugs and/or alcohol, speeding, and failure to use restraint devices.

	Historical Averages	2022 Quarter 1
Speed	24%	39%
Alcohol/Drug	26%	39%
Seatbelt	23%	23%
Distracted	10%	10%
Pedestrian/Bike	32%	32%

## Enforcement

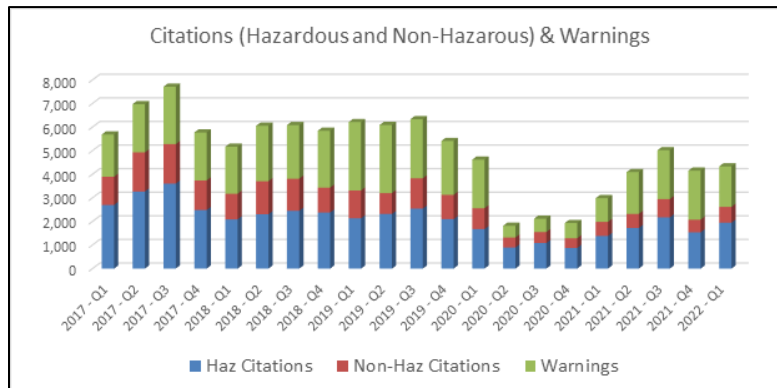
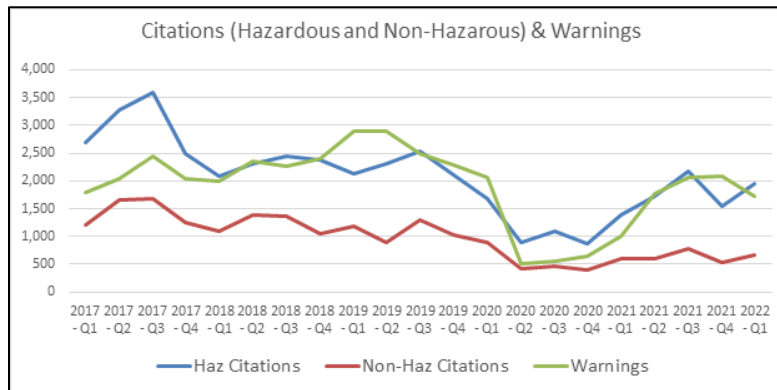
Overall traffic citations include those issued by MPD personnel pursuant to traffic stops and crash investigations, those issued by Traffic Enforcement Safety Team (TEST) personnel, and those issued during traffic grant overtime deployments. MPD has four primary goals in traffic enforcement:

1. Focus on Hazardous Moving Violations

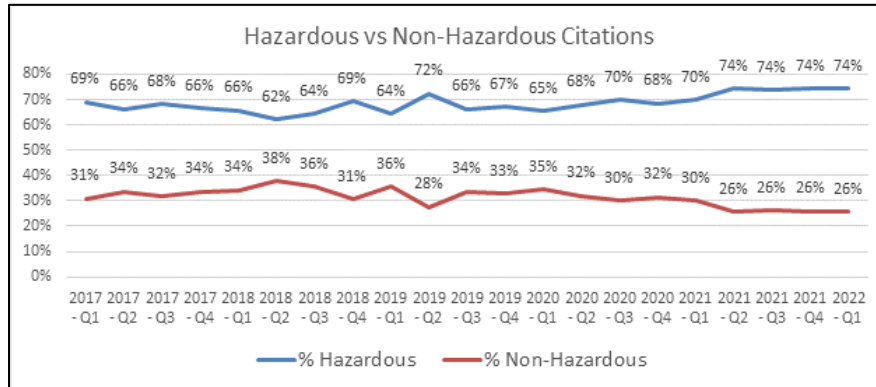
- a. De-emphasize non-hazardous violations and support alternative outcomes (i.e. warnings)
  2. Focus on High Injury Network
  3. Supporting school zone safety
  4. Responsive to citizen complaints

Annually, MPD issues, on average, approximately 20,015 citations and warnings (average of 4 previous years). In 2021, MPD issued approximately 16,256 citations and warnings.

	1 <sup>st</sup> Quarter Average 2017-21	1 <sup>st</sup> Quarter 2022
Hazardous Citations	1,996	1,949
Non-Hazardous Citations	990	669
Warnings	1,948	1,716



MPD's #1 traffic goal is to focus on hazardous moving violations and to de-emphasize (supporting warnings or other non-citation outcomes) for non-hazardous violations. This goal was added at the beginning of 2021 after considerable research into the racial and economic disparate outcomes of non-hazardous violations such as registration, vehicle equipment, and driver's license status citations. Prior to 2021, MPD averaged an approximate 2:1 ratio of hazardous to non-hazardous citations. In 2021, MPD has increased that ratio to almost 3:1 and has reduced the percentage of non-hazardous citations (as compared to hazardous citations) approximately 6%. MPD continues to maintain an approximate 3:1 ratio.



## Training

The final steps of our hiring process are in motion and selected applicants will be presented to the PFC for consideration in March. Approved candidates will receive conditional job offers with our Academy slated to begin in late May.

Our training officers are busy teaching instructor schools in a multitude of state certification topic areas. The instructors we train are MPD officers who in turn provide training at both our pre-service academy (recruits) as well as during our annual 24 hours of in-service training.

All MPD employees completed 8 hours of annual district training this quarter and we are now beginning 16 hours of spring in-service training which will be completed in the 2<sup>nd</sup> quarter.

## SOP Updates

A number of MPD SOPs were updated during the quarter. Copies showing the changes are attached to this memo as an appendix. Note that all MPD SOPs are reviewed regularly, with the most critical SOPs being reviewed annually. This process typically results in additional SOP changes/updates.

MPD posts drafts of new/revised SOPs on our website before final implementation, to allow for public review and comment.

## Defense Logistics Agency/Law Enforcement Support Office (10-33 program)

MPD did not acquire any property through DLA/LESO during the first quarter of 2022.

## Priority/emergency call response

During the first quarter, there were fifty-nine (59) instances where MPD's patrol response was limited to emergency and priority calls. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the City.

The fifty-nine (59) instances occurred on forty-four (44) dates (some days required limited call response multiple times); this means that at some point on about **49%** of the days during the first quarter MPD patrol response was limited. The fifty-nine (59) instances spanned about **174.6** total hours of limited call response, an average of 3.0 hours per instance. In terms of total hours during the first quarter, MPD patrol response was limited to emergency and priority calls about **8%** of the time.

## Promotions

**2022 – First Quarter Promotions**

Lieutenant Kelly Beckett to Captain  
Detective Justine Harris to Lieutenant  
Police Officer Micaela Magsamen to Investigator

**Discipline/compliments (links to quarterly PS&IA summaries)**

<https://www.cityofmadison.com/police/documents/psiaSummary2022JanMar.pdf>

<https://www.cityofmadison.com/police/documents/psiaRecognition2022JanMar.pdf>

## Updated/New SOPs for MPD: January-March, 2022

Arrest, Incarceration and Bail – Adults: 01/14/2022

Arson Investigations: 01/24/2022

Back-Up: 01/14/2022

Changes to Code of Conduct and Standard Operating Procedure: 03/21/2022

Deadly Force – Use Of: 01/14/2022

Evidence-Based Problem Orienting Policing: 03/28/2022 (New SOP)

Guidelines for Case Assignment and Management: 01/24/2022

Investigations of Incidents Involving Shots Fired: 01/03/2022

Major Case Investigations: 01/03/2022

Non-Deadly Force – Use of: 01/14/2022

Patrol Leave Requests: 01/03/2022

Response to Persons with Altered State of Mind: 01/14/2022

Search Warrant Service: 01/03/2022

Sexual Assault Investigations: 01/14/2022

Special Events Team Field Extrication Team: 01/24/2022

Special Events Team Grenadiers: 01/24/2022

Special Events Team Medic Platoon: 01/24/2022

Stops and Frisks: 01/14/2022

TIME System Use and Dissemination of Records: 03/04/2022

Vehicle Use, Assignment, and Maintenance: 01/14/2022

Workplace Telestaff Requirements: 03/30/2022



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



**Arrest, Incarceration, and Bail - Adults**

Eff. Date ~~12/21/2020~~ 01/14/2022

## Arrest Authority

The basic authority for police officers to make arrests derives from Wisconsin State Statute 62.09(13) which makes it a duty for a peace officer to arrest with or without a warrant and with reasonable diligence to take before the court every person found<sup>1</sup> in the city engaged in any disturbance of the peace or violating any law of the state or ordinance of such city.

This authority to arrest is further broadened by Wisconsin State Statute 968.07, which states:

1. A law enforcement officer may arrest a person when the officer:
  - a. has a warrant commanding that such person be arrested; or
  - b. believes, on reasonable grounds,<sup>2</sup> that a warrant for the person's arrest has been issued in this state; or
  - c. believes, on reasonable grounds, that a felony warrant for the person's arrest has been issued in another state; or
  - d. has reasonable grounds to believe that the person is committing or has committed a crime.<sup>3</sup>
2. A law enforcement officer making a lawful arrest may command the aid of any person, and such person shall have the same power as that of the law enforcement officer.

## Enforcement Action Outside of Jurisdiction

Wisconsin State Statute 175.40 empowers a law enforcement officer to take enforcement actions outside of ~~his or her~~ the officer's territorial jurisdiction, within the state of Wisconsin, under certain circumstances. This standard operating procedure (SOP) outlines the circumstances under which Madison Police Department (MPD) officers may intervene while outside of the territorial jurisdiction of the City of Madison and the actions that may be taken.

This SOP applies only to those MPD officers who are on duty at the time the incident. This SOP does not apply to officers who are off-duty or acting under a mutual aid request.

1. MPD officers shall take intervention or enforcement action when:
  - a. The officer is on duty and on official business outside of the City of Madison, but within the State of Wisconsin; and
  - b. The officer would be authorized to take action if the incident occurred in the City of Madison; and
  - c. The officer is acting in response to:
    - i. An emergency situation that poses a significant threat to life or of bodily harm; or
    - ii. An act the officer reasonably believes is a felony.
2. MPD officers may take enforcement action including making arrests and issuing citations:

<sup>1</sup> "Found" or "in the officer's presence" means when officers receive knowledge of the commission of an offense in their presence through any of their senses, or by inferences properly drawn from the testimony of the senses. Usually the officer sees or hears, or both. Following learning that an offense is being committed, the officer must still make good use of the sense of sight in order to identify the specific person committing the offense, arrest the guilty person, and identify same at a later date in court.

<sup>2</sup> "Reasonable grounds" and "probable cause" are used interchangeably and justify an arrest without a warrant when: an officer in good faith believes that a crime has been committed; that the person in question committed it; and when the officer's belief is based on grounds which would induce an ordinarily prudent and cautious person, under the circumstances, to believe likewise. Mere "suspicion" alone is never sufficient to authorize an arrest without a warrant.

<sup>3</sup> "Crime" is conduct that which is prohibited by State law and punishable by fine or imprisonment or both. Conduct punishable only by forfeiture is not a crime.

- a. On the entire width of boundary highways and on the entire area of boundary intersections for any violation of either the state criminal code or any City of Madison ordinance.
  - b. When in fresh pursuit of a person suspected of having committed a violation of either the state criminal code or any City of Madison ordinance in the City of Madison.
3. Determining appropriate enforcement action includes the following considerations:
  - a. This SOP authorizes MPD officers to act as if they were within the territorial jurisdiction of the City of Madison.
  - b. When acting under this policy, the officer shall comply with all MPD regulations, policies, and procedures.
  - c. The officer shall consider a number of factors when determining the nature and extent of intervention action to be taken. These factors include, but are not limited to, the following:
    - i. The nature and particular circumstances of the situation;
    - ii. The level of threat presented;
    - iii. Availability of appropriate equipment and personnel;
    - iv. Officer-Subject factors based on a tactical evaluation;
    - v. The officer's assignment and whether taking action will significantly compromise that assignment;
    - vi. Other tactical considerations;
4. Range of appropriate action(s) includes the following:
  - a. In the case of an emergency situation that poses a significant threat to life or of bodily harm, an officer shall take immediate intervention action to prevent such harm or stabilize the situation, or both. The action may include the following:
    - i. Any combination of stopping, detaining, or arresting a suspect;
    - ii. The use of force sufficient to control the situation and in compliance with MPD SOPs;
    - iii. Rendering aid and assistance to victims;
    - iv. Identifying and interviewing victims, witnesses, and suspects;
    - v. Assisting local law enforcement agency as requested; or
    - vi. Taking other action that would be authorized under the same circumstances if the events had occurred in the City of Madison.
  - b. When encountering a situation that the officer reasonably believes constitutes a felony, he or she the officer may:
    - i. Take immediate intervention action as outlined above; or
    - ii. Notify a local law enforcement agency for appropriate intervention.
      - (1) In determining the appropriate response, the officer shall consider the immediacy and level of threat presented by the crime.
  - c. Under this guideline, an officer may elect to report the incident to local authorities and serve as a witness in a property crime, or the officer may elect to intervene with appropriate force and make an arrest in the case of a personal crime that poses a significant threat to life or of bodily harm.
  - d. An officer is not required to take intervention action, even in the case of violent felonies, when doing so will either compromise the officer's current assignment or when circumstances present an unreasonable risk of escape of prisoners in the officer's custody. In such cases, the officer shall, at a minimum, immediately notify local authorities and take whatever action possible while maintaining the security of any prisoners.
  - e. When an officer takes action in a circumstance that poses a significant threat to life or of bodily harm, he or she the officer shall:
    - i. Notify the local law enforcement authority as soon as practical;
    - ii. Assist and cooperate with local law enforcement agencies;
    - iii. Notify his or her the officer's supervisor, or the Officer in Charge (OIC) as soon as practical; and
    - iv. Upon return to the City of Madison, complete a detailed report of the incident and action taken.
  - f. When in fresh pursuit outside of the City of Madison for an offense committed in the City, an officer may take action as if the officer were in the City. In doing so, the officer shall:

- i. Comply with MPD regulations, policies, and procedures;
  - ii. Notify the local law enforcement agency and assist that agency in the investigation of any offenses that occur in that jurisdiction;
  - iii. Notify ~~his or her~~ the officer's supervisor or the OIC; and
  - iv. Complete reports of the incident as required by MPD policy.
- g. When acting on boundary highways or in boundary intersections, an officer is not required to make any notification or take action other than that which is required if the incident occurred entirely within the City. This does not prevent the officer from informing the adjoining jurisdiction as a matter of professional courtesy.

## Arrest Screening/Bail

It is the policy of the MPD to have the Officer in Charge (OIC) or a designee screen each arrest before the person is incarcerated.

In view of the fact that the purpose of an arrest is to bring the arrested person before the court to answer to a violation, detention in jail until the next session of court is a lawful act by a police officer. However, as a matter of normal practice, certain procedures have been established that in some cases permit the release of the ~~prisoner~~ arrested person before the next session of court.

Bail can be set only by a judge and may be set by a judge endorsing the amount of bail on a warrant at the time of issuance, at the arraignment in court, or by endorsing and issuing a bail schedule in advance.

## Felonies

All persons arrested on felony charges will be incarcerated and with reasonable diligence be taken before the court where only a judge may establish bail.

## State Statute Misdemeanor Citations

An officer arresting a person for a misdemeanor charge may elect to incarcerate the arrested person in the Dane County Jail, or may issue a misdemeanor citation without transporting the person to the Dane County Jail or to the City County Building (CCB). The arresting officer shall issue a misdemeanor citation only if the following criteria apply:

1. The arrested person is positively identified.
2. The arrested person currently resides in Wisconsin.
3. It appears the arrested person will not continue the behavior forming the basis for the charge.
4. The arrested person poses no apparent threat to persons or property.
5. The arrested person does not have a history of failing to appear at court dates for previous offenses.
6. The offense does not fall under the definition of domestic abuse, as defined by Wisconsin State Statute 968.075(1)(a).

If the above criteria apply, the arresting officer may also convey the arrested person to the Dane County Jail to be booked and released. If the above criteria do not apply, the arrested person will be incarcerated in the Dane County Jail. Any deviations from this policy must be approved by a supervisor.

If the arrested person refuses to sign the citation, the officer shall inform the person of the court date and time, and that court appearance is mandatory. The officer shall document these facts in ~~their~~ a police report.

## City Ordinance Violations (Non-Traffic)

### CITATION

Most City Ordinance violations are processed by the issuance of a municipal citation. Officers shall obtain a case number for each incident resulting in the issuance of a citation. The deposit amounts to be used for City



Ordinance violations have been established by the **City of Madison** Common Council and are indicated by ordinance number in the bail schedule pages.

In instances where a citation is appropriate, officers should, in most cases, release the person after the citation has been issued. **Officers shall not email the citation to the person(s).** An incident report must be completed when the citation resulted from a citizen's complaint or when there is not enough room on the citation to describe the circumstances of the violation.

## PHYSICAL ARREST

A custodial arrest of a person found in violation of a City Ordinance is appropriate when a citation has been issued, but:

1. The person involved refuses to cease behavior which is in violation of ordinance; or
2. The officer cannot positively identify the violator; or
3. The violator has no permanent address; or
4. The violator is an out-of-state resident.

## Traffic Violations (City Ordinance or State Statute)

If a person is arrested without a warrant for the violation of a traffic regulation, the arresting officer shall issue a uniform traffic citation. In most cases, the arrested person should then be released.

A custodial arrest for a traffic violation is appropriate when a citation has been issued, but:

1. The officer cannot positively identify the violator; or
2. The violator has no permanent address; or
3. The violator is an out-of-state resident; or
4. The offense is Operating a Motor Vehicle While Intoxicated (OMVWI) related.

Any person physically arrested for a traffic violation, pursuant to this SOP, may be conveyed to the CCB or to the Dane County Jail. There are times when the arrested person may be taken to a medical facility (for a blood draw) and then released to a responsible party from the hospital.

The arrested person shall be released if they **person**:

1. Makes a deposit under Wisconsin State Statute 345.26 (driver posts on the citation); or
2. Complies with Wisconsin State Statute 345.24 (Officer completes the Release to a Responsible Party form).

A traffic violator who presents a guaranteed bond certificate (as provided for in Wisconsin State Statute 345.61) shall be released from the scene of the stop, provided that the card is not expired, the bail is covered by the guaranteed amount, and the charge is not listed as an exception on the card.

## Traffic Warrant Service Guidelines

Persons served warrants who are unable to post bail or who are served bench warrants will be processed in accordance with MPD guidelines, including **the officers completing** required reports and forms.

1. When a possible traffic or ordinance warrant contact is made, **officers will** always check with the Public Safety Communications Center Data Terminal Operator to ascertain if the warrant is active.
2. When Court Services personnel are unavailable, the opportunity to post required bail will be afforded. A receipt will be issued for all bail collected. If subject is unable to post, jail booking is required.
3. If bail is posted on a warrant and defendant wishes a court date, the officer will contact the court officer for the next available court date within two working days. Receipt should state that defendant wishes to appear in court.

4. Advise the Public Safety Communications Center Data Terminal Operator of identity of person served with the warrant to ensure removal from the MAPD Wanted Person File.

#### WHEN SERVING A WARRANT PROCEDURE

1. Read warrant to defendant.
2. If paying, place money, receipt, warrant, and jacket in CCB ticket slot.
3. If defendant is taken to the Public Safety Building, place warrant and jacket in warrant tray.

#### PROCESSING PHYSICALLY ARRESTED ADULTS

1. Appropriate Booking Forms must be completed prior to processing an arrested person into jail.
2. Prior to transporting an arrested adult to jail, officers shall search the person as a routine security measure to ensure that weapons/contraband are not introduced into the jail environment.
3. When processing an arrested adult or 17 year old:
  - a. Conveyance should be made directly to the Dane County Jail UNLESS the arrest is one which requires additional processing, e.g., an intoximeter, an interrogation, a strip search, to obtain a City of Madison arrest warrant, an extended consultation with OIC reviewing charges.
  - b. Arresting officer should contact OIC via the telephone to approve charges and establish bail.
  - c. The OIC will confirm that the arrested person has been asked medical condition questions and, where appropriate, direct officers to convey the ~~prisoner~~ **the arrested** to a medical facility for attention and medical release.
  - d. The arresting officer will ensure completion of booking forms to include specific charges and established bail if approved and will present this to jail booking deputies along with the completed Probable Cause (PC) Affidavit.
  - e. When an arrested person must be medically treated prior to incarceration, officers must complete a Dane County Jail medical clearance form and attach the same to their report. After leaving a medical facility, officers will convey the arrested person to the Dane County Jail.
  - f. When an arrested person is taken to a detoxification facility prior to being taken to jail, the report shall be completed prior to the end of shift. The Booking Forms and PC Affidavit will be placed in the locked file cabinet at Detox. Officers shall complete the release notification form and leave that form with the nurse at Detox.
  - g. Copies of the Booking Forms received at the jail are to be returned to the CCB for transfer to Data Control.
  - h. Seventeen-year-olds arrested only for ordinance violations shall not be incarcerated in the Dane County Jail.
  - i. Arresting officers will ensure the appropriate entries are made into the SharePoint Arrest log.
  - j. In the event that SharePoint is unavailable, the arresting officer will obtain a paper form from the OIC and will complete this paper form. The OIC will then forward that paper form to Records.
4. All reports dealing with an arrested person must be ~~done~~ **completed** prior to ~~the officer~~ **the officer** going back into service (exception: OIC approval).

Original SOP: 12/14/2015  
(Reviewed Only: 12/26/2017, 01/30/2019)  
(Revised: 04/02/2018, 01/15/2020, 12/21/2020, **01/14/2022**)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Arson Investigations

Eff. Date 01/03/2020  
01/24/2022

### PURPOSE

To provide investigative resources for arson-related investigations. These resources will be available at a district's request for any fire/arson related investigations.

### MISSION

Madison Police Department Arson Detectives and Investigators will work closely with Madison Fire Department's (MFD) Fire Investigation Team (FIT) investigative personnel in the investigation of fire/arson related incidents. MPD and MFD personnel will work collaboratively to investigate into the cause and origin of fires, to collection of evidence and process scenes processing, to interviewing of suspects and witnesses, and to preparing cases for prosecution.

### PROCEDURE

Upon receiving any of the following calls for service, an officer(s) and a supervisor will be dispatched to the scene and/or victim's location:

1. Structure fire;
2. Vehicle fire;
3. Tampering with fire safety equipment;

The supervisor at the scene shall work with MFD command to determine if additional investigative resources are needed from either/both MFD and/or MPD.

If MFD advises they are dispatching an MFD Fire Investigator to the scene, the scene supervisor shall notify the MPD Officer in Charge (OIC) and advise of the circumstances surrounding the incident. Scene supervisors should also advise the OIC of any requests by MFD for additional MPD resources, beyond scene management/control.

Whenever a fire incident results in loss of life, significant injury, or property damage, or the cause of the fire appears intentional, the following notification is required:

- During normal working hours, contact the Detective Lieutenant or other command staff of the district where the incident occurred.
- If outside normal working hours, contact the on-call Detective Lieutenant.

Detective resources will be assigned per normal case assignment or call-in procedures. The request for assistance from an arson detective may be based upon immediately known circumstances (such as loss of life or significant property damage) or may be made once the primary detective has determined the need and relayed that request through their district Detective Lieutenant or the on-call Detective Lieutenant. Any Arson Detective assigned a case outside of their district, or normal work assignment, should notify their direct supervisor as soon as practical. A current list of all Arson Detectives shall be maintained by the Arson Lieutenant and made available in the OIC's office.

## PERSONNEL

The Arson Lieutenant shall maintain an active list of Arson Detectives. Detectives who have attended, or plan on attending the Wisconsin International Association of Arson Investigators (IAAI) Basic Fire Investigation training, or substantially equivalent training, are eligible to be an 'active' Arson Detective. Each year the list of Arson Detectives will be updated utilizing a supervisory input form.

All Investigators shall maintain a level of proficiency in their basic skills in order to adequately assist in the collection of evidence and processing of crime scenes. However, the Forensic Services Unit shall also maintain a minimum of two investigators with advanced training related to arson investigations. These investigators may be assigned to assist any designated Arson Investigation as the Lead Investigator or to serve in an advisory capacity.

All Arson Detectives/Investigators will be assigned to the Fire/Arson Investigative Task Force.

While there is no cap on the number of Investigators or Detectives that may become Arson qualified, support of their immediate supervisor and a commitment to attend the requisite training within 6 month of selection is expected.

The Arson Lieutenant will be a Lieutenant designated by the Captain of Investigative Services.

## TRAINING/STANDARDS

All designated Arson Detectives and Investigators shall successfully complete, at a minimum, the WI IAAI Basic Fire Investigation course. Any Arson Detective/Investigator who does not currently possess the WI IAAI Basic Fire Investigation training will need to complete this training no later than Dec 31, 2018.

In addition, each Arson Detective/Investigator shall complete at least 8 hrs of continuing training in arson-related investigations every two years. It is up to each Arson Detective/Investigator to maintain their own level of training. Training requests related to Arson Investigations should be routed through each Detective/Investigator's immediate supervisor the same as other training requests.

The designated Arson Lieutenant shall review the training records of all Detectives/Investigators assigned to the Arson Investigation Task Force on a bi-annual basis, beginning on/near Jan 1, 2020. Detectives/Investigators who fail to maintain the required level of training will lose their designation.

## EQUIPMENT/SAFETY EQUIPMENT

A limited supply of turnout gear may be made available on an as-needed basis. Detectives and Investigators will not be expected to enter scenes that present an active fire hazard.

The Arson Lieutenant will maintain a supply of PPE to include boots, coveralls, gloves, half-face respirators, eye protect and hardhats. The PPE will be made available upon request.

Original SOP: 05/09/2018  
(Revised: 01/03/2020, 01/24/2022)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Back-Up

Eff. Date: 01/15/2020  
01/14/2022

### Purpose

To outline the guidelines for Madison Police Department (MPD) utilization of back-up. Back-up refers to any additional commissioned personnel assigned to a call for service or other self-initiated activity beyond the primary officer responsible for handling the situation. The Madison Police Department believes that, under certain circumstances, multiple officers on a scene may increase the safety of all involved. The MPD also believes that a delay in initial contact could possibly lead to negative outcomes and therefore the decision to await backup should be a balancing test that which accounts for the totality of the circumstances.

### Procedure

Consistent with the dDepartment's Core Values, the members of the Madison Police Department-is are committed to valuing and preserving human life. The protection and preservation of all human life – including the lives of individuals being taken into custody – is the dDepartment's fundamental objective and the primary duty of all MPD employees. The dDepartment is also committed to resolving conflicts through the use of communication skills, crisis intervention, and de-escalation tactics when feasible. De-escalation tactics and techniques are actions used by officers, when safe and without compromising law enforcement priorities, that seek to reduce the likelihood of the need to use force during an incident and to increase the likelihood of a positive resolution.

The number of officers on scene may increase the available force options and may increase the ability to reduce the overall force used. Accordingly, officers shall not disregard backup, if so assigned by dispatch, prior to arrival at the scene and assessment of the situation. Supervisors are expected to routinely monitor calls for service to ensure these guidelines and protocols are being followed. It is realized, however, that it may be occasionally necessary, when circumstances dictate, for a supervisor to direct a course of action outside these guidelines.

An officer should await back-up or proceed with back-up present or immediately available, if feasible, under the following circumstances:

- When approaching an individual whom they reasonably anticipate may be taken into custody (criminal suspects, potential chapter 51 protective custody/emergency detention, etc.)
- When officers reasonably anticipate the need to use force to temporarily detain persons as part of an investigatory stop
- When responding to incidents involving violence or the threat of violence
- When responding to incidents involving firearms or other weapons (use, display, or threat)
- When conducting follow-up or interviews in spaces where officers are expected to be disarmed by facility regulations (e.g. secured psychiatric ward), where responding officers may be delayed by access control or unfamiliar layouts, or where radio communications may be poor (e.g. schools, underground parking). This does not include secure law enforcement or correctional environments, such as a jail.

Instances where it is not feasible to await back-up may include, but are not limited to, circumstances with an imminent risk of bodily harm (to officer or to member of the public citizen), suspect flight or escape flight, etc.

When responding to any type of incident, officers should be aware of factors that might result in limited backup availability (being in an area with poor radio communications, during peak workload times when officers are not available, etc.).

Original SOP: 09/15/2017

(Reviewed Only: 12/26/2017)

(Revised: 01/15/2020, 01/14/2022)



**CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE**



**Changes to Code of Conduct and Standard Operating Procedures**

Eff. Date ~~08/31/2021~~ 03/21/2022

## Code of Conduct

The Code of Conduct is based on the values of the Madison Police Department (MPD) and thus it is anticipated that little change will be necessary. Any member of the MPD may recommend a change to the Code of Conduct. The changes must be in writing and show the edits from the most current edition of the Code of Conduct. The written request should be directed to the Assistant Chief of Support and Community Outreach.

It shall be the responsibility of the Assistant Chief of Support and Community Outreach on the behalf of the Chief, to follow-up on any proposal, and to complete any needed action.

## Standard Operating Procedures (SOP)

### SOP REVIEW

All SOPs shall be subject to regular review. The Administrative Assistant to the Chief will initiate the process no later than November 1 of each year. SOPs due for review will be sent to a lead Captain (generally the process owner) to conduct the review. Any revisions to the SOP are due back the Chief's office by December 31 of that year.

By February 1 of the following year, the SOP revision process shall be completed, with the posting of the most current SOP and date of revision to the current departmental reference site.

SOPs will be reviewed annually, every other year, or every three years:

Annual Review	Every Other Year	Every Three Years
Active Shooter Incidents	Arson Investigations	Alder Notification
Arrest, Incarceration & Bail – Adults	Back-Up	Cellular Telephones – Use of
Arrest, Incarceration & Bail – Youth	Bomb Threats	Changes to Code of Conduct and Standard Operating Procedures
Barricaded Person Incidents	Court Overtime	City-County Building Access - Non-Business Hours
Canine Use	Guarding Prisoners	City Owned Property - Use and Care
CFS Dispatch Guidelines	Guidelines for Case Assignment and Management	Civilian Hiring Process
Civil Actions Against Police Department Employees	Hours Worked	Cold Case Review Team
Crime Scene Response	In-Car Video System	Community Rooms
Critical Incident Stress Management	Interactions with Transgender and Gender Non-Conforming Individuals	Custody of Newborn
Deadly Force - Use of	Interviews of Crime Victims	Departmental Awards and Recognition
De-Escalation	Intoxicated and Incapacitated Persons	Dignitary Protection
Demonstrations & Assemblies	Investigation of Cases Involving Officers as Victims of Serious Crimes	Donation of Vacation and Compensatory Time – <del>Civilian</del> <b>Process</b>
Detox, JRC Jail and Probation and Parole Responses and Conveyances	Investigation of Incidents Involving Shots Fired	Drug Recognition Expert
Digital Forensics	Language Access Services	Employee Assistance Program
Domestic Abuse	Missing Child	Funerals and Ceremonies of LEO
Emergency Vehicle Operations Guidelines	Mutual Aid Requests and Enforcement Action Out of Jurisdiction	Identification of MPD Employees

Annual Review	Every Other Year	Every Three Years
Enforcement of Immigration Laws	Naloxone - Narcan – Protocol	Incident Review Process
Enforcement of Marijuana Laws	Overtime Guidelines	Interns Application and Acceptance Process
Evidence-Based Problem Oriented Policing	Overtime Protocols for Police Report Typists	Landlord Tenant Unwanted Guest Criminal Trespass
Foot Pursuits	Patrol Leave Requests	HR218, LE Officer Safety Act - LEOSA - for Former Madison Police Officers
General Duties and Expectations of Employees	Patrol Staffing Hold Guidelines, Special Events and Special Assignment Scheduling	Life Threat Emergency at Facility Public Windows
Handling of Evidence, Contraband, Found, or Lost Property	Personal Appearance	Lost and Abandoned Property
Handling of Informants	Police Weaponry	Mendota Mental Health Institute Response
Hostage Situation Incidents	Precautionary Measures and Significant Exposure to Infectious Pathogens	Military Leave
Identification Procedures	Preserve the Peace	Mobile Data Computers - Use of
Interactions with Youth	Probation and Parole Searches	Mounted Patrol Use
Labor Disputes and Picketing	Recording Suspect Interviews	MPD Locker Rooms
Line of Duty, Life-Threatening Injury or Death of an Employee	Reporting Procedure	News Media Relations
Major Case Investigations	Restricted Duty	Off-Duty Officer Responsibilities
Mental Health Incidents and Crises	Retail Theft	Outside Employment
Non-Deadly Force - Use of	Social Media - Investigative Use	Personnel File Contents and the Process for Accessing these Records
Notification of Commanding Officers	Social Media – Non-Investigative Use	Police Motorcycles
Officer Involved Deaths and Other Critical Incidents	Social Media - Off Duty Use	Police Vehicle Parking
PSIA Complaint Investigation	Special Events Team Extrication Team	Political Activity
PSIA Discipline Matrix	Special Events Team Grenadiers	Pre-Employment Candidate Files
PSIA Electronic Complaint File Management System	Special Events Team Medic Platoon	Replacement of Lost, Stolen or Damaged Equipment
Records Inspection and Release	SWAT Body Worn Cameras	Requesting Additions or Changes to Approved Uniform and Equipment Lists
Response to Persons with Altered State of Mind	System Audits	Sex Offender Notifications
Robberies in Progress and Silent Robbery Alarms	Third Party Database Use and Dissemination	Soliciting and Receiving In-Kind or Cash Donations and Applying for Grant Funding
Search Warrant Service	TIME System Use and Dissemination of Records	Special Duty
Searches	Traffic Parking and Crash Investigation	Stolen Vehicle Reporting Guidelines
Sexual Assault Investigations	Uniform Standards	Tours, Visitors, and Ride-Alongs
Stops and Frisks	Workplace Safety	Tuition Reimbursement and Educational Incentive (MPPOA)
Supervision and the Early Intervention System		U Visa Program Participation
Threats of Targeted or Mass Casualty Violence		Uniform Accounts
Unmanned Aircraft Systems		Update of Payroll Status for Promoted Employees
Use of Force Data Collection		Vehicle Escorts
Use of Tire Deflation Devices		Vehicle Use, Assignment, and Maintenance



Video and Audio Surveillance		WI Prescription Drug Monitoring
Video Evidence Retrieval		Workplace Telestaff Requirements

## MID-YEAR ADJUSTMENTS

Any member of the MPD may recommend a change to any SOP or recommend creating a new SOP. The changes must be in writing and show the edits from the most current edition of the SOP. The written request should be directed to the Administrative Assistant to the Chief. Members of the public may also suggest changes or provide feedback on existing SOPs.

## PROCESS FOR CHANGES

For potential changes, either at the annual review or per a recommendation, the SOP must have the edits visible on the current version. If the recommendations are for major substantive process changes, the drafts will be scheduled for a review at the Field or Support level. Final draft review will be sent to the Management Team in writing for feedback. Minor changes will only be reviewed with a draft showing mark-ups sent to the Management Team.

Once edits have completed the internal review process, public/community input on the changes will be solicited. Any input/feedback received will be shared with the Chief prior to final approval of the changes.

Changes that are time-sensitive may be implemented prior to the formal input process.

Non-substantive changes to an SOP (such as edits to grammar, punctuation, or word usage) that do not have an operational impact are not required to go through the formal change process.

It shall be the responsibility of the Administrative Assistant to the Chief, acting as a delegate to Assistant Chief of Support and Community Outreach, to follow-up on any proposal, and to complete any needed action.

Nothing in the Code of Conduct or Standard Operating Procedures is intended to create an enforceable legal right or private right of action.

Original SOP: 04/08/2015

(Reviewed Only: 03/01/2016, 01/09/2017)

(Revised: 01/20/2017, 03/08/2018, 08/27/2018, 01/30/2019, 09/09/2019, 01/03/2020, 10/12/2020, 08/31/2021, 03/21/2022)



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### Deadly Force – Use of

Eff. Date: 11/02/2020 01/14/2022

#### Purpose

Consistent with our Mission and Core Values, the Madison Police Department (MPD) is committed to valuing and preserving human life. The protection and preservation of all human life – including the lives of individuals being taken into custody – is the MPD's fundamental objective and the primary duty of all MPD employees. The application of deadly force is a measure of last resort, only to be employed when an officer reasonably believes all other options have been exhausted or would be ineffective.

The MPD is committed to resolving conflicts through the use of communication skills, crisis intervention, and de-escalation tactics, when feasible. Officers may only use that force which is objectively reasonable, and only in furtherance of a legitimate, lawful objective. "Objective reasonableness" is a test based on the totality of the circumstances. *Graham v. Connor*, 490 U.S. 386 (1989). Officers will only apply force in a manner consistent with MPD's Code of Conduct, SOP, and training.

As used in this Standard Operating Procedure (SOP), deadly force refers to the intentional use of a firearm or other instrument that creates a high probability of death or great bodily harm.

#### DE-ESCALATION

Whenever safe and feasible, officers will attempt to utilize de-escalation tactics and techniques in a manner consistent with the De-Escalation SOP.

#### DUTY TO INTERCEDE

Any officer present and observing another officer using excessive force, or engaged in unlawful conduct, or in violation of the Madison Police Department's Code of Conduct has an affirmative obligation to intercede and to report, without regard for chain of command or experience of the personnel involved. An officer shall intervene, only if circumstances are such to safely do so and if the force in question is clearly beyond what is objectively reasonable under the circumstances. Any officer observing the use of excessive force shall notify an uninvolved supervisor as soon as practicable. No officer may be discharged, disciplined, demoted, or otherwise discriminated against because the officer intervened to prevent what they believed was excessive force or reported or is believed to have reported what they believed to be excessive force.

#### DEADLY FORCE AUTHORIZED

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:

1. To protect another person or persons from what is reasonably believed to be an imminent threat of death or great bodily harm.
2. To protect the officer from what is reasonably believed to be an imminent threat of death or great bodily harm.
3. To prevent the escape of a fleeing subject when all of the following are present:

- a. The officer has probable cause to believe that the person has committed or has attempted to commit a felony involving the use or threatened use of deadly force.
  - b. The officer reasonably believes the subject presents a continuing imminent risk of great bodily harm or death to the officer or another subject if not immediately apprehended.
4. To protect the officer or another from an animal which an officer reasonably believes may cause great bodily harm if not immediately controlled, or to end the suffering of an animal gravely injured or diseased after considering public view, safety, and other reasonable dispositions.

As used in this SOP, the word “imminent” means “about to happen.” An imminent threat is an immediate threat.

### **VERBAL WARNING**

Before using deadly force, officers shall, if reasonably possible, identify themselves and order the subject to desist from unlawful activity.

### **DEADLY FORCE IS NEVER AUTHORIZED**

Deadly force is never authorized:

1. As a warning shot.
2. From a moving vehicle, unless deadly force is justified and the consequences of not acting to stop the threat outweigh the risk created by the use of deadly force.
3. At a moving vehicle unless:
  - A. A person in the vehicle is threatening the officer or another person with deadly force by means other than the vehicle; or
  - B. 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), which includes moving out of the path of the vehicle. To prevent the threat of being struck by a vehicle, officers should avoid intentionally putting themselves in the path of any moving vehicle, and when such positioning is unavoidable, move out of the vehicle's path as soon as practical.
4. When its use unreasonably risks the lives of innocent bystanders.

### **PROHIBITED TECHNIQUES**

The following techniques create a substantial likelihood of death or great bodily harm and are prohibited (except if deadly force is authorized and all other reasonable means of defense have been exhausted or are not present or practical):

1. Intentional punching or striking of the throat/trachea.
2. Intentional continued restriction of the carotid neck arteries.
3. Intentional application of pressure to the windpipe or throat with an arm or other object.

**AFTERCARE**

Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with ~~his or her~~ the officer's training to any individual who has visible injuries, complains of being injured, or requests medical attention.

**INVESTIGATION OF THE USE OF DEADLY FORCE**

See Madison Police Department Standard Operating Procedure regarding "Officer Involved Critical Incidents".

Original SOP: 03/23/2015

(Revised: 03/26/2015, 05/26/2016, 07/10/2017, 12/06/2017, 03/01/2019, 01/15/2020, 11/02/2020, 01/14/2022)

(Reviewed Only: 12/22/2016, 01/11/2021)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Evidence-Based Problem Oriented Policing

Eff. Date: 03/28/2022

### Purpose

The purpose of this standard operating procedure is to provide guidance for evidence-based Problem-Oriented Policing (POP).

Evidence-based policing considers research, evaluation, analysis, and the scientific process.

Herman Goldstein, and American criminologist and Professor at the University of Wisconsin Law School, developed POP in 1979. POP is a model 1979 that asserts that law enforcement needs to be proactive about preventing crime instead of only being focused on responding to it.

Combining evidence-based policing and POP allows practitioners to gather high-quality, accurate information to tailor an approach to problem ensuring that performance falls into line with community, agency and mission expectations.

### Problem-Solving Approach

Most calls for service fit into one of three categories: individual incidents, patterns, or problems. The problem-solving approach is intended to address identified short-term and long-term problems. Problems are more complex and persistent than individual incidents and patterns. Due to their complexity, solving problems often requires police to draw not only on criminal law, but also rely on other municipal and community resources. Within the Madison Police Department (MPD) organization, once a problem is identified, commanders are responsible for organizing and directing resources toward a solution.

Commanders should use the SARA model (Scanning, Analysis, Response, Assessment) for problem-solving. The SARA model consists of four steps:

#### Scanning

- Identifying recurring problems of concern to the public and to the police
- Identifying the consequences of the problem for the community and for the police
- Prioritizing those problems
- Developing broad goals
- Confirming that the problems exist
- Determining how frequently the problem occurs and how long it has been taking place
- Selecting problems for closer examination

#### Analysis

- Identifying and understanding the events and conditions that precede and accompany the problem.
- Identifying relevant data to be collected
- Researching what is known about the problem type
- Taking inventory of how the problem is currently addressed and the strengths and limitations of the current response
- Narrowing the scope of the problem as specifically as possible
- Identifying a variety of resources that may be of assistance in developing a deeper understanding of the problem
- Developing a working hypothesis about why the problem is occurring

Response

- Brainstorming for new interventions
- Searching for what other communities with similar problems have done
- Choosing among the alternative interventions
- Outlining a response plan and identifying responsible parties
- Stating the specific objectives for the response plan
- Carrying out the planned activities

Assessment

- Determining whether the plan was implemented (a process evaluation)
- Collecting pre- and post-response qualitative and quantitative data
- Determining whether broad goals and specific objectives were attained
- Identifying any new strategies needed to augment the original plan
- Conducting ongoing assessment to ensure continued effectiveness

**Procedure**

- Once a problem has been identified by district/unit command, a district/unit commander will complete SARA Planning Form A. At the conclusion of the problem-solving effort, or after at least 90 days, a district/unit commander will complete SARA Assessment Form B. Also see Problem- Oriented Policing Initiatives below.
- Commanders will request a case number from dispatch to assign to each Problem-Solving initiative.
- All SARA planning forms, operational plans, Incident Command System (ICS) documents and reports shall be completed under the original problem-solving case number. Planning forms, operational plans and ICS documents shall electronically submitted/scanned into the Law Enforcement Records Management System (LERMS) for documentation purposes.
- Patrol officers responding to the problem, will use the assigned problem solving case number to capture their activities to resolve the problem.
- If the response to a problem requires the use of a shared Community Policing Team (CPT) or resources outside of the district/unit, the requesting commander will bring the request to the appropriate lieutenants' meetings to coordinate the use of shared resources. CPT and district personnel requests should be made at the Operations Lieutenants' meetings; specialty team personnel requests should be made at the Detective Lieutenants' meetings.
- CPTs may play a significant role in many problem-solving efforts. CPT members are expected to regularly document their work on the problem through the completion of standard police reports and the use of the Computer Aided Dispatch (CAD) records. Units are expected to reassign themselves to the original Problem-Solving case number for tracking purposes.
- Commanders are responsible for tracking all progress on the problem they have identified. This includes reviewing and monitoring completed police reports associated with the problem, tracking time officers/units spend on solving the problem and completing a final assessment. This assessment is completed on a final SARA problem-solving template and will be electronically submitted/scanned into LERMS for record management.
- District / unit captains are responsible for approving problem-solving initiatives in their district or purview.

## Problem-Oriented Policing Initiatives

The safety of community members and of police is of paramount importance. Deliberate planning coupled with written communication of goals, strategies, and tactics reduces uncertainty and increases opportunities for success. Additionally standardized record keeping creates organizational efficiencies and enhances efforts to recreate activities.

All pre-planned initiatives involving 10 or more officers shall have a completed Operational Plan, an ICS 202 and an ICS 204. These forms should all be completed under the original problem-solving case number and shall be electronically submitted/scanned into LERMS for records management.

All initiatives with pre-planned overtime shall be approved by an Assistant Chief prior to the implementation of the initiative.

Notification of the initiative prior to the implementation of the operational plan shall include the following:

- OIC
- Dispatch
- On duty patrol supervisor (if available)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Guidelines for Case Assignment and Management

Eff. Date ~~02/18/2019~~ 01/24/2022

Purpose

This procedure establishes **Madison Police Department (MPD)** standards for assigning cases for follow-up. These should be viewed as guidelines; deviation may be appropriate based on the circumstances of a particular case/incident.

Violent Crimes Unit – VCU	Assignment Criteria
Homicide or Attempted Homicide	<ul style="list-style-type: none"><li>All cases excluding child deaths (Sensitive Crimes specialty), traffic related homicides/fatalities, and overdose deaths.</li><li>Officer involved shootings where a suspect/victim/uninvolved citizen is deceased will be investigated by <b>Department of Criminal Investigations (DCI)</b>/other outside agency with assistance of the Officer Involved Critical Incident Team.</li><li>A District Detective will be assigned to work with the assigned traffic specialist in cases of vehicular homicide, if requested by the Traffic Section.</li></ul>
Firearms Violations	<ul style="list-style-type: none"><li>Cases involving the discharge of a firearm that result in injury, that intentionally target another (even if no injury), or that result in damage to buildings/vehicles will generally be <b>handled by assigned to VCU</b>.</li><li>Other firearm related cases will generally be <b>handled by assigned to</b> the District of occurrence. These include suicide, clearly accidental discharges with no criminal charges, and incidents lacking evidence of an intended target.</li><li>All shots fired cases will initially be routed to VCU for review.</li></ul>
Violent Pattern Felonies	<ul style="list-style-type: none"><li>Includes robberies, armed home invasions, and weapons offenses; will be <b>handled by assigned to VCU</b> as resources permit.</li><li>Cases that do not meet the criteria of “violent pattern felonies” will be referred to the District.</li><li>Cases may be reviewed on a <b>case-by-case case-by-case</b> basis <b>of if</b> additional circumstances exist.</li></ul>
Kidnapping	<ul style="list-style-type: none"><li>Will <b>take assign</b> all cases unless they fall under <b>the Wisconsin Department of Justice</b> Child Abduction Response Team (CART) guidelines or are familial custody disputes.</li></ul>
High Profile Cases/Special Circumstances	<ul style="list-style-type: none"><li>Assigned to VCU at Chief’s discretion.</li></ul>

Burglary Crimes Unit – BCU	Assignment Criteria
Burglary	<ul style="list-style-type: none"><li>All cases will be reviewed by the <b>BCU</b> Detective Sergeant for assignment/follow-up.</li></ul>

Special Victims Unit – SVU	Assignment Criteria
Infant/Child Death Investigation	<ul style="list-style-type: none"><li>All cases where the death was unrelated to either the use of firearms or an adult victim homicide.</li></ul>
Sexual Assault of a Child	<ul style="list-style-type: none"><li>All cases involving children will be assigned. SVU will take cases depending upon available resources; District will be responsible for all others.</li></ul>



Physical Abuse of a Child	<ul style="list-style-type: none"> <li>Will <b>take assign</b> cases that involve significant injury, based on available resources.</li> <li>All other cases will be assigned to a District Detective on a case-by-case basis depending on circumstances (depth/quality of Patrol investigation, presence of injuries, ages of involved parties, etc.).</li> </ul>
Child Neglect	<ul style="list-style-type: none"> <li>Will <b>take assign</b> cases that involve significant injury, based on available resources.</li> <li>All other cases will be assigned to a District Detective on a case-by-case basis depending on circumstances (depth/quality of Patrol investigation, presence of injuries, ages of involved parties, etc.).</li> </ul>
Internet Crimes Against Children (ICAC)	<ul style="list-style-type: none"> <li>Will <b>take assign</b> all tips vetted through DCI.</li> <li>May proactively work cases as time and resources allow.</li> </ul>
<b>Child Protective Services (CPS)</b> Screen-Out Reports	<ul style="list-style-type: none"> <li>SVU Supervisor will review all CPS screen-out reports forwarded to MPD and will make <b>an assignment</b> determination on appropriate disposition.</li> <li>Disposition includes assigned follow-up by Patrol, District Detectives or SVU Detectives.</li> <li>If no follow-up is needed, SVU Supervisor or SVU Detectives will generate a case number for the CPS report and enter report contact information into MPD <b>Law Enforcement Records Management System (LERMS)</b> under case incident type "CPS Information".</li> </ul>
Other <b>sensitive cases</b>	<ul style="list-style-type: none"> <li>Assigned to SVU at Chief's discretion.</li> </ul>

Case Type – Districts	Assignment Criteria
Reckless Endangering	<ul style="list-style-type: none"> <li>If an arrest has been made, will be assigned only if follow-up is needed.</li> <li>If suspect is at large and injuries resulted, case will be assigned to a Detective.</li> <li>If suspect is at large and is unknown, case will be assigned if unusual circumstances are present or if a review of the case indicates solvability (witnesses, physical evidence, etc.).</li> <li>If suspect is at large and is known, case will be assigned to a Detective.</li> <li>VCU will be responsible for any cases in which a firearm was discharged or an officer is the victim; <b>See above</b>.</li> </ul>
Robbery	<ul style="list-style-type: none"> <li>If an arrest has been made, will be assigned only if follow-up is needed.</li> <li>If suspect is at large and injuries resulted, case will be assigned to a Detective.</li> <li>If suspect is at large and is unknown, case will be assigned if unusual circumstances are present or if a review of the case indicates solvability (witnesses, physical evidence, etc.).</li> <li>If suspect is at large and is known, case will be assigned to a Detective.</li> <li>VCU will be <b>responsible for assigned</b> cases in which it is determined there is a pattern.</li> <li>Communication between VCU and the District will occur before any cases currently be investigated by the District are <b>turned over assigned</b> to VCU; <b>See above Violent Pattern Felonies</b>.</li> </ul>
Extortion	<ul style="list-style-type: none"> <li>Will be assigned to a Detective on a case-by-case basis, depending upon the circumstances.</li> </ul>

Death Investigation	<ul style="list-style-type: none"> <li>Will be assigned to a Detective if unusual circumstances exist.</li> <li>Non-suspicious deaths involving elderly, persons with medical issues, or obvious suicides will not be assigned.</li> <li>Deaths involving infants/children will be assigned to SVU.</li> <li>All <b>overdose (OD)</b> deaths will be assigned, even if there are no obvious investigative leads, as a liaison for the family and to dispose/return any property related to the case. Degree of investigative follow-up will be based on solvability and other case factors.</li> <li>Task Force will be notified of all OD deaths investigations. If follow-up occurs, will work with District assigned Detective to provide investigative resources.</li> </ul>
Officer Involved Critical Incident	<ul style="list-style-type: none"> <li>See Officer Involved Critical Incident SOP.</li> </ul>
Missing Adult	<ul style="list-style-type: none"> <li>Will be assigned to a Detective on a case-by-case basis if unusual circumstances exist (i.e. missing person is endangered, presence of unusual behavior, etc.).</li> <li>Will be assigned to VCU if it is determined that the subject is a victim of foul play.</li> </ul>
False Imprisonment	<ul style="list-style-type: none"> <li>If an arrest has been made, will be assigned only if follow-up is needed.</li> <li>If suspect is at large and is unknown, case will be assigned to a Detective.</li> <li>If suspect is at large and is known, case will be assigned if unusual circumstances are present (injuries, continuing threat, etc.).</li> </ul>
Threats	<ul style="list-style-type: none"> <li>Assigned only if unusual circumstances are present (victim is a public figure, continuing/repeated threats, etc.).</li> </ul>
Weapons Violations	<ul style="list-style-type: none"> <li>May be assigned to a Detective if a firearm or other weapon was displayed or other unusual circumstances are present.</li> <li><del>All cases in which a firearm was discharged will be assigned to VCU. See above.</del></li> <li>All shots fired cases will initially be routed to VCU for review.</li> </ul>
Battery	<ul style="list-style-type: none"> <li>Cases will only be assigned to a Detective if unusual circumstances are present or victim is elderly or a vulnerable adult.</li> <li>Cases may be returned to Patrol/<b>Neighborhood Police Officer (NPO)</b> for additional follow-up if needed.</li> </ul>
Substantial/Aggravated Battery	<ul style="list-style-type: none"> <li>If an arrest has been made, will be assigned only if follow-up is needed.</li> <li>If suspect is at large and is unknown, case will be assigned if unusual circumstances are present or if a review of the case indicates solvability (witnesses, physical evidence, etc.).</li> <li>If suspect is at large and is known, case may be assigned to a Detective/Patrol or NPO for additional follow-up.</li> </ul>
Arson/Fire Investigation	<ul style="list-style-type: none"> <li>Assignments will be made in conjunction with the Arson Lieutenant or at the request of <b>Madison Fire Department (MFD) personnel</b> and/or the Detective Lieutenant.</li> </ul>
Sexual Assaults (1st, 2 <sup>nd</sup> , and 3rd Degrees)	<ul style="list-style-type: none"> <li>All cases will be assigned to a Detective, even if an arrest has been made, as most will require additional follow-up.</li> <li>Cases involving sexual activity between juveniles will be assigned based on <b>District Attorney's (DA's)</b> office prosecution criteria.</li> <li>All cases involving children will be assigned. SVU will <b>take assign</b> cases depending upon available resources. District will be responsible for all others; <b>See above.</b></li> </ul>
Sexual Assault (4th Degree)	<ul style="list-style-type: none"> <li>Cases will only be assigned to a Detective if unusual circumstances</li> </ul>

	<ul style="list-style-type: none"> <li>are present.</li> <li>May be returned to Patrol/NPO for follow-up.</li> </ul>
Physical Abuse of a Child	<ul style="list-style-type: none"> <li>Will be assigned to a District Detective on a case-by-case basis depending on circumstances (depth/quality of Patrol investigation, presence of injuries, ages of involved parties, etc.).</li> <li>Cases involving serious injury will be assigned to SVU, based on available resources. See above.</li> </ul>
Child Neglect	<ul style="list-style-type: none"> <li>Will be assigned to a District Detective on a case-by-case basis depending on circumstances (need for follow-up, presence of injuries, ages of involved parties, etc.).</li> <li>Cases involving serious injury will be assigned to SVU, based on available resources. See above.</li> </ul>
Lewd & Lascivious	<ul style="list-style-type: none"> <li>May be assigned to a Detective on a case-by-case basis, depending upon good suspect information, solvability factors, or serial/pattern cases.</li> </ul>
Stalking	<ul style="list-style-type: none"> <li>May be assigned to a Detective on a case-by-case basis depending on circumstances (depth/quality of Patrol investigation, potential for continuing threat/behavior, etc.).</li> </ul>
Domestic Cases	<ul style="list-style-type: none"> <li>Felony domestic cases involving intimate partners will be assigned.</li> <li>Cases may be assigned to a Detective if unusual or extreme circumstances exist (i.e. repeat offenders).</li> <li>Intimate partner domestic cases may be assigned to a Detective or NPO to re-contact the victim as a resource.</li> <li>At-large suspect information will be provided to Patrol/Community Policing Team (CPT)/NPO personnel.</li> </ul>
Court Order Violations	<ul style="list-style-type: none"> <li>May be assigned to a Detective on a case-by-case basis depending on circumstances (depth/quality of Patrol investigation, potential for continuing threat/behavior, etc.).</li> </ul>
Enticement	<ul style="list-style-type: none"> <li>Will be assigned to a Detective.</li> <li>Cases involving special circumstances (i.e. pattern offenses) will be reviewed with the SVU Lieutenant.</li> </ul>
Missing/Runaway Juvenile	<p>Will be assigned to a Detective if any of the following are present:</p> <ul style="list-style-type: none"> <li>The juvenile has a mental/physical disability that could subject him/her the juvenile to risk.</li> <li>The juvenile is under the age of 12.</li> <li>There is any indication that the juvenile's missing status is involuntary.</li> <li>The juvenile is part of a custody dispute.</li> <li>The juvenile's missing status is unusual or unexpected.</li> <li>The juvenile has been missing more than one week.</li> <li>Juvenile has a history of sexual abuse (i.e., at risk for human trafficking).</li> <li>Will otherwise be assigned a Patrol officer.</li> </ul>
Animal Abuse or Suspicious Death	<ul style="list-style-type: none"> <li>Will be assigned to a Detective on a case-by-case basis, dependent upon solvability factors and available investigative resources.</li> </ul>
Stolen Vehicles	<ul style="list-style-type: none"> <li>Assigned to a Patrol eOfficer for five working days unless unusual circumstances or a pattern are present.</li> </ul>
Annoying Phone Calls	<ul style="list-style-type: none"> <li>Not assigned to a Detective unless unusual or extreme circumstances are present.</li> </ul>
Theft From Auto	<ul style="list-style-type: none"> <li>Predominately a Patrol responsibility.</li> <li>May be assigned to a Detective if a suspect is identified and/or patterns develop.</li> </ul>
Retail Theft	<ul style="list-style-type: none"> <li>Not assigned to a Detective unless unusual circumstances or a</li> </ul>

	pattern are present.
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Crimes Against Officers (Battery to PO, Significant Exposure, Felony Resisting)	<ul style="list-style-type: none"> <li>Will be assigned to a Detective.</li> </ul>
Financial Crimes (Credit Card/Internet Fraud, Worthless Checks, Counterfeit Currency, Embezzlement, Forgery)	<ul style="list-style-type: none"> <li>Will be assigned to a Detective on a case-by-case basis, dependent upon solvability factors and available investigative resources.</li> <li>Generally, a minimum loss of \$5,000, actually suffered by victim, is needed for assignment. Exceptions may be made for special circumstances (elderly victim, etc.)</li> </ul>

When the case assignment guidelines provide discretion, or when considering deviating from them, the following factors should be considered:

- Solvability Factors:
  - A reliable victim or witness is available
  - A suspect has been named or identified
  - A workable description of the suspect has been recorded via video or from an eyewitness statement
  - Significant information about the suspect(s) location has been recorded (local resident or longtime customer, etc.)
  - The suspect has been previously seen at the scene of the crime
  - A suspect vehicle that contains a partial plate or unique physical characteristics is reported to law enforcement
  - Stolen property that is traceable to the owner (cell phone, serial numbers, photos of the property, etc.)
  - A significant or distinctive modus operandi (M.O.)
  - Useable physical evidence (deoxyribonucleic acid (DNA), fingerprints, bullet casings, etc.)
  - Seriousness or type of crime and value of loss
- Additional factors that could lead to a case assignment in the event the case lacks few or any solvability factors:
  - Cases that have a major impact on the community.
  - Cases that have a linked M.O. that occurred outside the jurisdiction.
  - Management decision to have the case investigated.

### **Case Load Management**

Detective Lieutenants and/or supervisors shall check in with detectives assigned to them at a minimum of on a quarterly basis. The purpose of the check in is to discuss individual cases currently assigned to the Detective and for the Detective Lieutenant and Detective to work cooperatively to achieve optimal performance.

- The following should be discussed during the check-in:
  - Caseload and individual case management
  - Review cases that have been open for six months or longer
  - Evaluate work product that is incomplete or needs improvement
  - Address any performance issues
  - Identify training needs or training opportunities
  - Mentor inexperienced Detectives and provide feedback
  - Give positive feedback and acknowledge good work

### **Management of All Active Homicide Cases**

- Oversight of all homicide cases will stay with the district or section originally assigned. Depending on the circumstances, the case may be reassigned to a different district, section, or detective. Oversight of the case will still be the responsibility of the district or section originally assigned.
- A homicide case may be reviewed by the Cold Case Review Team (see Cold Case Review SOP)

### **Management of Evidence Associated with Assigned Cases**

- Upon assignment, all evidence associated with the case will receive a final disposition date based on the statute of limitations associated with the crime being investigated. Property eClerks will make an entry into LERMS of the disposition date.
- Property eClerks will continue to send property disposition notifications to the Detective assigned to the case and the District Detective Lieutenant at three month intervals.
- If after three months a case is still active, the assigned Detective should make a notification to the property room indicating the case is still open.
- A list of evidence with cases that have disposition dates beyond the statute of limitations will be sent to the Detective Lieutenant of the Detective assigned the case for final disposition.
- Detective Lieutenants will be expected to meet with the assigned Detective and determine an appropriate disposition for evidence that remains in the property room beyond the statute of limitations.

### **Management of Cases Previously Assigned to a Retiring or Promoted Detective**

Detective/Investigative Lieutenants will complete the following upon notification of retirement or promotion of investigative personnel under their command:

- Ensure all open cases currently assigned to investigative personnel are either closed or reassigned
- Make certain all open homicide cases are organized and prepared in a standardized manner that ensures a smooth transition to the newly assigned detective
- Visibly inspect all desks, lockers, squads, and storage areas to ensure they contain no unresolved cases, evidence, or property
- Detectives, who that announce their retirement intentions or are promoted out of the rank of Detective, should immediately meet with their Detective Lieutenant and discuss a timetable for the disposition of evidence associated with their cases
- Detective Lieutenants should contact the pProperty rRoom sSupervisor and have a list created which identifies all property associated with the retiring Detective's cases
- The retiring Detective will immediately need to begin the process of determining a disposition for all property and continue the process until all property has a disposition
- Detective Lieutenants should schedule monthly/weekly meetings with the Detective to assess the progress of case dispositions assigned to the retiring Detective
- The goal should be for all property to receive a disposition a month prior to retirement. At the one month prior to retirement mark, Detective Lieutenants should meet with the retiring Detective and discuss any cases that remain open due to an appeal, case status, or pending court action
- Evidence stored in the property room past the retirement date of the case Detective should have a future review date in place for the eventual disposition of evidence associated with the case
- Detectives who give a two week notice should be removed from active case work and spend the remaining two weeks doing property dispositions
- All electronic case files under the control of the retiring Detective should be purged or moved to records

Original SOP: 06/08/2017

(Combination of Management of Cases Assigned by Follow-Up SOP and New SOP Guidelines for Case Assignment and Management: 06/08/2017)

(Revised: 01/25/2018, 02/18/2019, 01/24/2022)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



## Investigation of Incidents Involving Shots Fired

Eff. Date ~~01/15/2020~~ 01/03/2022

### Purpose

To provide guidelines and expectations for the Madison Police Department (MPD) response to incidents of possible shots fired.

Incidents involving possible shots fired will be treated as a confirmed shots fired incident if any of the following are present:

- A. A confirmed person struck by a bullet or otherwise injured as a result of an intentional firearm discharge by another.
- B. Recovery of shell casings or other physical evidence confirming the discharge of a firearm.
- C. Property damage resulting from a bullet strike.
- D. A single complainant reporting shots fired who is contacted and determined to be credible; this can include shots heard by an officer.
- E. Multiple complainants reporting shots fired who are not available for contact, but the circumstances of the incident and reports demonstrate that a firearm was discharged.
- F. A person struck by a bullet or otherwise injured as a result of an accidental firearm discharge (self or another).
- G. A person injured from an intentional, self-inflicted firearm discharge.

Incidents reported as shots fired but not meeting the above criteria or otherwise demonstrating the confirmed discharge of a firearm should be investigated as appropriate. Confirmed shots fired incidents will be investigated in accordance with this procedure.

### Initial Response

- Respond to the area in a safe manner and check for injuries, property damage, or other evidence of recent possible gun fire. Render aid to any injured parties and request Madison Fire Department (MFD) paramedics if needed.
- Attempt contact with all witnesses/complainants. Fully document all appropriate witness/complainant information (names, addresses, phone numbers, etc.).
- Collect any physical evidence – including shell casings – and process in accordance with MPD evidence collection procedures. If shell casings are recovered, document the location where they were recovered, as well as the caliber(s) and brand(s).
- For cases involving property damage, injury, or evidence of targeted shooting, request Request a Forensic Services Unit (FSU) Investigator as needed to photograph damage or otherwise process scene.
- Contact a supervisor and the Office in Charge (OIC) to inform them of the incident. All shots fired incidents should be included in the daily OIC notes/shift summary.
- In cases involving injury, refer to the Major Case and Notification of Commanding Officers standard operating procedures (SOPs).
- In cases involving injury, property damage, or evidence of targeted shooting, a supervisor will respond to the scene and complete an overview/summary report.
- A report must be completed on all shots fired incidents prior to the end of shift. Categorize the incident as involving a firearm discharge: select the appropriate Incident Type (generally Weapons Offense – Shots Fired, unless a different incident type is more appropriate) and by selecting “Weapons – Shots Fired” as a Modus Operandi in the Mobile Field Report/LEADS. Route report to Criminal Intelligence Section (CIS).

## Investigative Follow Up

- All reports of shots fired incidents will be completed prior to the end of shift and routed to the Violent Crime Unit (VCU) for initial review/assignment.
- VCU will ensure that the appropriate District command staff (Detective Lieutenant) is notified of the incident. VCU will generally have responsibility for assignment and investigative follow-up for shots fired incidents involving injury, intentional targeting of a person (if no injury), or damage to buildings/vehicles. Districts will generally have responsibility for assignment and investigative follow-up for shots fired incidents involving suicide, clearly accidental discharges with no criminal charges, and incidents lacking evidence of an intended target. The Investigative Services Lieutenant who oversees VCU will coordinate with the appropriate District on deviations from this or assignment of other shots fired cases.
- FSU will triage all casings to determine appropriate candidates to enter into the National Integrated Ballistic Information Network (NIBIN) system in a timely manner.
- ~~All shell casings recovered will be submitted to the WSCL for NIBIN analysis. Property room staff will be responsible for this transfer (except for major cases; the assigned detective will be responsible for arranging transfer of casings to WSCL).~~
- All recovered firearms will be reviewed by FSU for consideration of test firing for entry into the NIBIN system. Firearms will be swabbed prior to test firing. FSU and case detectives will work together to determine if further analysis needs to be completed on the firearm prior to test firing.
- ~~All firearms recovered in connection with a criminal case/investigation (including found firearms that appear operable) will be submitted to WSCL for NIBIN analysis. An assigned detective will be responsible for the transfer of recovered weapons.~~
- CIS will track all shots fired incidents.

Original SOP: 01/25/2018

(Revised: 05/02/2018, 01/15/2020, 01/03/2022)





CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Major Case Investigations

Eff. Date ~~09/20/2018~~ 01/03/2022

**Violent Crime Unit (VCU) Major Cases**

**INITIAL CONTACT/ASSIGNMENTS**

Upon receiving any of the following calls for service, the nearest available officer and supervisor will be dispatched to the scene and/or victim's location:

1. Homicide or attempted homicide
2. Any death that is not attended by a physician
3. Any serious injury and/or condition where there is reason to suspect the injury/condition was caused by the act or omission of another or the cause is unknown
4. Any death or serious injury involving a motor vehicle (MV) where there is intent to injure or kill (MV accidents, however negligent, will be investigated in accordance with the Investigation of Motor Vehicle Crashes Involving Serious Injury or Death procedure)
5. Any weapons violation believed to have just occurred or in progress

The supervisor at the scene shall ensure that the Officer in Charge (OIC) is notified and advised of the circumstances surrounding the incident.

When a major case, typically a homicide (or attempted homicide that might require a Command Post (CP)) has occurred, the OIC or field supervisor should:

- If normal VCU working hours, contact the VCU Detective Sergeant directly.
- If outside normal VCU working hours, the Lieutenant of Investigative Services should be called per current practice.

If the Lieutenant of Investigative Services determines the case will likely fall within the scope of VCU responsibility, the VCU Detective Sergeants should be contacted. If the Lieutenant of Investigative Services is unavailable, one of the off-duty VCU Detective Sergeants should be contacted. If the Investigative Services Lieutenant or Sergeants are unavailable, the Investigative Services Captain should be contacted. If it is unclear whether the incident should be investigated by VCU or by the District where the incident occurred, the Investigative Services Captain and District Captain of the district where the incident occurred should be contacted to discuss the circumstances and determine the appropriate assignment.

The Officer in Charge will ensure the notifications are made to the following per current protocol:

- Madison Police Department (MPD) Chiefs
- Assistant Chiefs
- District Command staff

If the determination is made that the incident is a major case requiring a command post, the VCU will have overall responsibility for managing the incident and the command post. Generally, a command post should be established—and an incident considered a major case—if it is a serious offense requiring significant coordination of investigative resources. The District Captain, Assistant Chief of Investigative and Specialized Services, and Assistant Chief of Operations should be contacted as soon as reasonable.

The need for a Command Post in other types of crimes where the VCU is the primary investigating unit is possible and that decision can be made on a case specific basis by unit supervisors.

The decision to establish a Command Post should be made after consulting with a Detective Sergeant of the Violent Crime Unit, or the Investigative Services Lieutenant. If neither of these are available, the Investigative Services Captain should be contacted.

The Investigative Services Lieutenant is responsible for determining what resources are needed and for ensuring that those resources are contacted. The Investigative Services Lieutenant and VCU Detective Sergeant will be responsible for designating a lead detective. The Investigative Lieutenant should consider utilizing detectives from other specialized units, such as the Burglary Crime Unit (BCU), as well as detectives from the affected district, to supplement VCU detectives. One district detective should needs to be assigned as the primary district detective who will be imbedded in the VCU until it is mutually agreed upon for him/her that detective to return to their district.

## COMMAND POST

A command post will be set up to direct the overall operation of the investigation. The Investigative Services Lieutenant will select the location of the command post based on the needs of the case (typically the appropriate district station). The Command Post will be run out of this district, ideally for the first 24-48 hours (as the investigation dictates); then, if it is necessary for the CP to continue operations after this time, the CP will be transferred to the Central District Incident Command Room.

While the needs of cases vary, it is recommended that the command post be staffed as follows (in an effort to maintain consistency within Command Posts):

- Investigative Lieutenant (overall incident commander); if the Investigative Services Lieutenant is unavailable, this position should be filled by another Commander (generally a district Detective Lieutenant)
- VCU Detective Sergeant
- Criminal Intelligence Section (CIS) Personnel (One Supervisor and/or one Officer)
- Logistics Officer, if needed
- Command Post Assistant or Investigative Support Officer (if needed)

Back up to the following personnel should be as follows:

- Investigative Lieutenant should be relieved by the District Detective Lieutenant
- VCU Detective Sergeant should be relieved by the other VCU Detective Sergeant or the BCU Detective Sergeant
- If the other VCU Detective Sergeant or the BCU Detective Sergeant is not available, this role can be filled by the District Detective Lieutenant if it is determined necessary

## RESPONSIBILITIES

### Investigative Captain

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- Make appropriate notifications, as needed:
  - Chiefs
  - District Command
  - District Attorney's (DA's) office (if appropriate and in all homicide cases)
- Ensure Investigative Lieutenant has necessary resources
- Keep Chief and Assistant Chiefs apprised of investigation
- Communicate with budget MPD Finance Section office staff for Association of Madison Police Supervisors (AMPS) overtime implications

### Investigative Lieutenant and Detective Sergeant

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- Overall management of the case
- Identify Lead and Scene Detectives
- Make investigative assignments:
  - Designate lead detective
  - Designate lieutenant (if needed/available) and detective to oversee each scene
  - Coordinate investigative response to hospitals (if appropriate)

- Designate detective to serve as liaison to victim families
- Coordinate MPD detectives presence at autopsy (if appropriate)
- Work with District Detective Lieutenant to designate primary district detective assigned to VCU
- Identify and coordinate other investigative tasks, as needed
- Communicate and coordinate efforts with the Scene Lieutenant
- Communicate and coordinate efforts with CIS Supervisor
- Communicate and coordinate efforts with Case Lead Detective
- Communicate with the OIC
- Communicate with Command Staff
- Designate case as “Extraordinary” for TeleStaff/payroll purposes, if appropriate
- Communicate with MPD Finance Section budget office staff for case number cost accounting
- Facilitate the release of information to MPD personnel through briefing and other police agencies
- Collaborate with the Public Information Officer (PIO), case detective, Investigative Captain, and District Captain on case press releases
- Communicate with District Attorney staff and case detective
- Review reports for investigative leads
- Management of Violent Crimes Unit VCU personnel (assignments, monitoring hours worked, etc.)
- Managing overtime and arranging relief for Investigative personnel
- Evaluate need for support staff, such as Gang and Neighborhood Crime Abatement Team (GNCAT), Neighborhood Resource Officers (NRO)/Neighborhood Police Officers (NPO), additional detectives, etc.
- Notify Property Room staff and evaluate needs, if applicable
- Create and prioritize a task list of work to be done
- Organize and lead briefings and debriefings of case investigators
- Organize and coordinate case information
- Ensure phone calls made to the command post are answered and information recorded
- Evaluate need for a detective to be assigned to family members (victim, suspect, witness, etc.)
- Arrange for special equipment or needs of the investigation
- Ensure that a timeline is started and kept up to date
- Oversee report completion and process (see below)
- Brief incoming commander when being relieved
- Make sure log is maintained
- Manage the “to do list”

### Lead Detective

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- Provide input to case lieutenant on investigation, assignments, etc.
- The lead detective should have an opportunity early in the investigation to view the crime scene
- The lead detective should have an opportunity to view critical evidence prior to it being secured/packaged
- Participate and provide direction during evidence processing discussions between command post, Forensic Services Unit (FSU) lab personnel Lab, and on-scene forensic and investigative personnel
- Coordinate needs with Property Room staff, if applicable
- Generally, remain in command post to maintain overall perspective on case and investigation
- Lead detective may assist in significant investigative tasks (suspect interview), if appropriate
- Co-lead or backup lead should generally assist with investigation and not remain in command post, unless relieving lead detective
- Review all incoming information by participating in briefings and de-briefings of investigative staff
- Review incoming reports for investigative leads
- Monitor Task lists/tips and prioritize for assignment
- Coordinate questions used in canvassing
- Monitor and provide input on information released to the media/public

- Assist case lieutenant in briefing the District Attorney
- Work closely with assigned Assistant District Attorney

### District Command Staff

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- Provide assistance to Investigative Detective Lieutenant, as needed
- Work with Investigative Captain to make necessary notifications
- Maintain familiarity with case and investigation
- Assist with notifications (Management Team, Alders, etc.), if needed
- Assist in the press releases
- Ensure that MPD Peer Support has been notified of the incident
- Plan any necessary patrol debriefings
- Coordinate with VCU on the sharing of information internally

### CIS Personnel

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Upon request from the Violent Crime Unit, CIS will respond directly to the Command Post as soon as possible. CIS will immediately provide one CIS Supervisor (if needed) and one CIS Officer in the Command Post for the first 72 hours. If special circumstances are present, VCU Commanders can extend CIS assignment beyond the 72 hours.

The CIS Supervisor and/or Officer will:

- Communicate with and assist the Investigative Lieutenant
- Evaluate and ensure that adequate CIS resources are called-in (i.e. additional CIS Officers/~~Gang Unit/Crime stoppers/SIU~~ Investigative Support Officer)
- Ensure that the Electronic Log Sheet is set-up for assigned staff to make log entries
- Establish and post the "CIS Requests To Do List" to best determine CIS request priorities

## Non-VCU Major Cases

### INITIAL CONTACT/ASSIGNMENTS

When a major case has occurred and it has been determined the Violent Crime Unit will not be primary investigating unit, the OIC or field supervisor should initially make contact with the Detective Lieutenant from the district in which the incident occurred, if the incident occurs during normal working hours. During off-hours, the on-call Detective Lieutenant should be contacted. If the determination is made that the incident is a major case requiring a command post, the Detective Lieutenant from the district in which the incident occurred should be contacted; ~~he or she~~ **this Detective Lieutenant** will have overall responsibility for managing the incident. Generally, a command post should be established – and an incident considered a major case – if it is a serious offense requiring significant coordination of investigative resources. The District Captain **of the district where the incident** occurred and **the** Assistant Chief of Operations should be contact as soon as reasonable. Factors to be considered when determining whether an incident should be considered a major case and whether a command post should be established include:

- Is the offense a homicide, attempted homicide, in-custody death, Officer-Involved **shooting critical incident**, serious serial crime, or any other serious crime?
- Did the incident result in a severe level of injury (death, great bodily harm, hospitalization)?
- Is there a danger to the community?
- Are there a large number of suspects/contacts involved?
- Does the incident/investigation involve multiple jurisdictions?
- Are there multiple tasks to be prioritized and immediately assigned that, if not addressed quickly, would harm the investigation or result in danger to individuals or the community?
- Are there a significant number of investigative personnel involved in the investigation requiring immediate briefing and assignment?

- Is there a Commander available to run the Command Post?

The absence of some or all of these factors does not negate the need for a Command Post in other circumstances, but commanders will want to consider which additional resources would be needed for less serious cases.

If the Detective Lieutenant from the district in which the incident occurred is not available, a Detective Lieutenant from another district should be contacted as indicated (if no Detective Lieutenants are available, other command staff should be contacted):

- West backs up Midtown / Midtown backs up West
- Central backs up South / South backs up Central
- North backs up East / East backs up North

The Detective Lieutenant is responsible for determining what resources are needed, and for ensuring that those resources are contacted, and for designating a lead detective. Generally, detectives should be contacted/assigned in this order:

- District detective from appropriate assigned specialty related to incident
- District detective with appropriate skills/experience related to incident
- Out-of-district detective from appropriate assigned specialty related to incident
- Out-of-district detective with appropriate skills/experience related to incident

These should be viewed as guidelines; they may be deviated from if circumstances warrant, but the tasks still need to be completed.

## COMMAND POST

A command post will be set up to direct the overall operation of the investigation. The case Lieutenant will select the location of the command post based on the needs of the case (typically the appropriate district station of district where the incident occurred).

The case Lieutenant will generally be the Detective Lieutenant assigned to the district where the crime occurs, or, in his/her that Detective Lieutenant's absence, the back-up Detective Lieutenant. While the needs of cases vary, it is recommended that the command post be staffed as follows:

- Case Detective Lieutenant (overall incident commander)
- Case Lead Detective
- CIS Personnel (one supervisor and/or one officer)
- Logistics Officer (if needed)
- Command Post Assistant or Investigative Support Officer (if needed)

## RESPONSIBILITIES

### Case Detective Lieutenant or Case Commander

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- Overall management of the case
- Identify Case and Scene Detectives
- Make investigative assignments:
  - Designate lead detective and co-lead (if appropriate)
  - Designate lieutenant (if needed/available) and detective to oversee each scene
  - Coordinate investigative response to hospitals (if appropriate)
  - Designate detective to serve as liaison to victim families
  - Coordinate MPD detectives presence at autopsy (if appropriate)
  - Identify and coordinate other investigative tasks, as needed
- Communicate and coordinate efforts with the Scene Lieutenant, if needed/available
- Communicate and coordinate efforts with CIS Supervisor

- Communicate and coordinate efforts with Case Lead Detective
- Communicate with the OIC
- Communicate with Command Staff
- Make appropriate notifications, as needed:
  - Chiefs
  - District Command
  - DA's office (if appropriate and in all homicide cases)
- Communicate with MPD Finance Section budget office staff for case number cost accounting
- Designate case as "Extraordinary" for TeleStaff/payroll purposes, if appropriate
- Facilitate the release of information to MPD personnel through briefing and other police agencies
- Collaborate with the PIO, case detective, and District Captain on case press releases
- Communicate with District Attorney's office staff with case detective
- Review reports for investigative leads
- Management of personnel (assignments, monitoring hours worked, etc.)
- Managing overtime and arranging relief for staff
- Evaluate need for support staff
- Notify Property Room staff and evaluate needs, if applicable
- Create and prioritize a task list of work to be done
- Organize and lead briefings and debriefings of case investigators
- Organize and coordinate case information
- Ensure phone calls made to the command post are answered and information recorded
- Evaluate need for a detective to be assigned to family members (victim, suspect, witness, etc.)
- Arrange for special equipment or needs of the investigation
- Ensure that a timeline is started and kept up to date.
- Oversee report completion and process (see below)
- Brief incoming commander when being relieved
- Keep Chief and Assistant Chiefs apprised of investigation
- Make sure log is maintained
- Manage the "to do list"

### Lead Detective

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- Provide input to case lieutenant on investigation, assignments, etc.
- The lead detective should have an opportunity early in the investigation to view the crime scene
- The lead detective should have an opportunity to view critical evidence prior to it being secured/packaged
- Participate and provide direction during evidence processing discussions between CP, FSU lab personnel Lab, and on-scene forensic and investigative personnel
- Coordinate needs with Property Room staff, if applicable
- Generally, remain in command post to maintain overall perspective on case and investigation
- Lead detective may assist in significant investigative tasks (suspect interview), if appropriate
- Co-lead or backup lead should generally assist with investigation and not remain in command post, unless relieving lead detective
- Review all incoming information by participating in briefings and de-briefings of investigative staff
- Review incoming reports for investigative leads
- Monitor Task lists, tips and prioritize for assignment
- Coordinate questions used in canvassing
- Monitor and provide input on information released to the media/public
- Assist case lieutenant in briefing the District Attorney
- Work closely with assigned Assistant District Attorney



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**District Command Staff**

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- Provide assistance to Case Detective Lieutenant, as needed
- Maintain familiarity with case and investigation
- Assist with notifications (Management Team, Alders, etc.), if needed
- Assist with coordination of internal information sharing
- Ensure that MPD Peer Support has been notified of the incident
- Notify MPD Finance Section of Major Case
- Assist in the press releases

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**CIS Personnel**

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Upon request from the District, CIS will respond directly to the Command Post as soon as possible. CIS will immediately provide one CIS Supervisor (if needed) and one CIS Officer in the Command Post for the first 72 hours. If special circumstances are present, District Commanders can request to extend CIS assignment beyond the 72 hours through the Investigative Services Support Captain or Lieutenant.

The CIS Supervisor and/or Officer will:

- Communicate with and assist the Case Detective Lieutenant.
- Evaluate and ensure that adequate CIS resources are called in (e.g., additional CIS Officers/Gang Unit/Crime stoppers/SIU/Investigative Support Officer).
- Ensure that the Electronic Log Sheet is set up for assigned staff to make log entries.
- Establish and post the "CIS Requests To Do List" to best determine CIS request priorities.
- Generate and Search Available Intelligence venues.
- Communicate and obtain information from outside resources.

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**Logistics Officer**

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Coordinate and process requests for additional resources, support, materials for the incident. Review the incident action plan and estimate needs for the next operational period.

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**Command Post Assistant**

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While it is recognized that this position is not required in all cases, the workload of some cases is so significant that additional help may be needed in the command post. This position is staffed at the discretion of the case Detective Lieutenant. If staffed, this position will be expected to assist and support the needs of the case Detective Lieutenant and the CIS Supervisor as requested. This position could be staffed by investigative support personnel, CIS personnel, or another commander.

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**Crime Scene**

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Once a crime scene has been identified and secured, it must be protected from contamination; therefore, the number of personnel allowed in the crime scene must be limited and strictly controlled. Access to the crime scene is limited to personnel needed to effectively process the scene, as determined by the Crime Scene Lieutenant. In most instances this includes only FSU personnel, scene and/or lead detective, and those directly assisting them.

**Note: Coordination with the FSU Lieutenant and Investigators should be done prior to entering scene as videotaping of the crime scene should be done prior to anyone entering.**

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**Crime Scene Lieutenant**

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- If utilized, typically the Crime Scene Lieutenant role is filled by the district operations Lieutenant
- Overall responsibility for the management, security, and processing of the crime scene

- Respond directly to scene
  - Relieve patrol sergeant of overall scene responsibility
- Assignment of perimeter security positions
  - Maintain inner and outer perimeter
  - Ensure that scene is properly secured
  - Ensure that an officer is assigned to maintain log of who enters/exits scene
- Coordinate assignment of detectives at scene with case detective lieutenant
- If necessary, request mobile command post response (CV-1)
- Verify that legal authority exists to perform complete search/processing of scene
- Work with the FSU Lieutenant to coordinate the investigative efforts of detectives and investigators
- Control access to the scene to reduce contamination
- Management of personnel (assignments, monitoring hours worked, etc.)
- Managing overtime and arranging relief for staff
- Evaluate resource needs:
  - Additional personnel
  - Special equipment
- Coordinate area canvass after consultation with the Command Post
- Establish staging area for media:
  - In absence of PIO, serve as point of contact for media
  - Coordinate any media releases with command post
- Ensure crime scene log is maintained
- Coordinate responsibility of scene with FSU Lieutenant or other supervisor
- After scene stabilizes and assignments are given, respond to the Command Post
- Assist the Case Lieutenant, as needed

### FSU Lieutenant

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- If utilized, has Overall responsibility for directing the collection and processing of evidence
- Communicate and work with Crime Scene Lieutenant to coordinate the efforts of investigators and Detectives
- Work with Crime Scene Lieutenant to determine which evidence investigators will collect and which evidence detectives will collect
- Determine the need for outside agency assistance with processing scene/evidence
- FSU Lieutenant may request the County Crime Scene Vehicle through the Dane County Sheriff's Office (DCSO) OIC, if needed
- Ensure Lead Investigator has been selected as the representative for the FSU
- Make sure Lead Investigator briefs CP staff at completion of scene processing
- As conclusion of incident, a formal After Incident Review will take place incorporating the FSU personnel and the detective(s) Team of the affected district

### Crime Scene Detective

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- Respond directly to scene
- Conduct work as assigned by the Crime Scene Lieutenant or by Command Post personnel
- Works with investigators, as assigned, identify evidence at the scene
- Search the scene for evidence in accordance with proper authority and procedure
- Search for clues and evidence to establish the elements of a crime and identification of suspects
- Report to and discuss findings with the Crime Scene Lieutenant and/or Command Post personnel
- Relay case information to Investigators

### Investigators

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- Lead Investigator will make contact with the Scene Detective to start information flow to the CP



- Lead Investigator will coordinate processing efforts for multiple scenes utilizing **it** investigator pool on hand
- Lead Investigator will gather information from all other active scenes and communicate those efforts to the CP
- Process the scene and collect evidence under direction of the FSU Lieutenant or Crime Scene Lieutenant
- The body bag seal will be photographed when it is placed on the bag at the scene
- Video, **and** photograph **scene**; **and** create a crime scene diagram
- Work with Crime Scene Detectives to identify evidence and process the scene
- At conclusion of processing, Lead Investigator will go to CP and give final scene de-briefing on FSU collection efforts and to coordinate future operations

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### Canvass Personnel

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- Conduct canvass as directed by Scene Lieutenant to locate witnesses or evidence
- Utilize MPD [Neighborhood Canvass](#) form and questions as guideline for canvass
- Screen contacts for persons requiring more detailed interviews
- Document vehicle plates and descriptions from area (department's plate reader vehicle)
- Names on mailboxes
- Share basic information about incident with residents (as approved by Scene Lieutenant/**Command Post**) to calm fears and solicit information
- Share canvass results with scene lieutenant and Command Post and complete report

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### Other Scene Personnel

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- Perform tasks as assigned by Scene Lieutenant
- Complete report documenting actions

### Use of CV-1

- The Scene Lieutenant is in charge of CV-1
- CV-1 is a resource for personnel at the scene; it is not a substitute for the main command post
- Entry to CV-1 is limited to those who have a specific need for access
- Make request through the 911 Center for delivery to scene. Request MPD designee to operate at scene and return after use

### Hospital Assignment

- Supervisor should respond if possible
- Detective or officer must stay with victim until released by the Command Post (includes going into surgery, wearing proper hospital attire)
- Limit number of people in exam room or with victim
- Obtain names of MFD personnel treating/transporting victim
- Obtain names of **hospital emergency room (ER)** personnel treating victim
- If possible, an **it** investigator who has not been to crime scene shall assist in processing victim, clothing, and evidence. Swabs, photographs, and evidence collection shall be coordinated through the **it** investigator assigned to the hospital
- Collect evidence (bedding, clothing, etc.), as needed
- Obtain consent for release of medical information from victim, if possible
- Check in with command post prior to leaving hospital
- Hospital Investigator will link up with Dane County Medical Examiner personnel to ensure body recovery goes according to protocol and to ensure an autopsy time has been identified. This information will be passed on to the Lead Investigator and CP by the Hospital Investigator.

## TeleStaff/Payroll/Personnel Management

- Incidents that should be considered a TeleStaff Extraordinary Event:
  - All homicides
  - All officer involved shootings
  - All fatality or critical injury traffic crashes
  - All full-team SWAT activations
  - Other events likely to generate 30 or more hours of total overtime (including follow-up)
- If incident qualifies, notify MPD Payroll personnel by sending an email to the PD Payroll email group. Notification must include date of incident, time of incident, location of incident, case number, and brief explanation of incident (e.g. shots fired, attempted homicide, house explosion, etc.). Payroll notification should occur as soon as possible (preferably the date of the incident), but must take place prior to the close of payroll for the incident.
- All employees working the event need to be notified that overtime entries should be OT Extraordinary.
- Personnel management includes the following considerations:
  - Manage overall overtime
  - After an employee(s) has worked 10 continuous hours, a supervisor should start to work on a transition plan for that employee(s), so the employee(s) does not work more than 12 continuous hours. If a supervisor deems it necessary to hold an employee(s) in excess of 12 continuous hours, the supervisor should evaluate the following:
    - How vital a role in the investigation does the employee have?
    - Is there a compelling reason the employee needs to work extended hours?
    - Does the employee show signs of fatigue?
    - Can the employee reasonably be relieved without adversely impacting the investigation?
    - Relieve the employee(s) as soon as possible.

## Autopsy Protocol

The Medical Examiner's (ME) Office will schedule an autopsy for all homicides, questionable deaths, and unexplained deaths, unless the District Attorney's office has been consulted and agrees an autopsy is not necessary.

The scheduling and coordination of autopsies is the responsibility of the Medical Examiner's Office, giving due consideration to availability of the Medical Examiner, the ME's office resources, as well as the resources of the Madison Police Department (MPD).

When the body is removed from the scene, the Medical Examiner will place the body on a clean sheet. In criminal cases, the sheet will be collected as evidence at the conclusion of the autopsy.

At the autopsy, the seal shall be photographed before and after being cut and the attending detective/investigator will document the time/date of this process in his/her report. The body bag seal does not have to be collected and stored as evidence after being removed. The body bag shall be examined for trace evidence during the autopsy and will not be destroyed without consulting with the District Attorney's office.

The following will usually be collected:

- Fingerprints (MPD Investigator)
- Fingernail scrapings (occasionally)
- Fingernail clippings or swabs of fingernails, if nails are too short
- Blood (even if transfused) needed for deoxyribonucleic acid (DNA) testing and toxicology
- DNA stain cards
- Clothing and personal effects of the deceased
- Photographs (MPD Investigator)
  - Photograph entire body with injuries prior to removing clothes and/or washing

- Photograph entire body with injuries after body washing
- Photograph **ie entire body** after removing clothing
- Photographs of case appropriate internal evidence
- Photo**graphs** of the body and autopsy should be reviewed by case detective prior to body being released

The following items should be considered for collection if case appropriate:

- Head hair, facial hair, body hair, pubic hair
- Skeletal X-rays (generally taken with infants if there is suggestion of abuse, occasionally taken with children)
- Body swabs
- Nasal swabs
- Sexual Assault kit

Detectives should consult with **iInvestigator** on special procedures or techniques and make arrangements for appropriate equipment. Coordination with the ME's office should take place prior to the autopsy.

Sexual Assault exams are conducted by the Medical Examiner. Sexual Assault exams should generally be requested in domestic homicides or in cases believed to involve sexual assaults.

Determining what should be collected during the autopsy is a collaborative effort between the Medical Examiner, **iInvestigator**, and **dDetective**. The Medical Examiner will usually collect **the following**:

- Blood, Urine, Vitreous: all necessary for toxicology
- Liver, Kidney, Bile, Spleen: toxicology in special circumstances
- Stomach contents: toxicology, pill fragments, investigative needs, timing information
- Lung, Liver, Fat: inhalation deaths
- Brain toxicology
- Other samples, as needed

The primary responsibility of the Dane County Morgue is for storage of samples obtained from an autopsy.

Evidence will be shipped to AIT by the Medical Examiner. All refrigerated and freezer evidence resulting from an autopsy will be stored at the Dane County Morgue unless specifically signed out to MPD for testing by the **Wisconsin State Crime Lab (WSCL)** at the request of the District Attorney.

The role of the **iInvestigator** is to assist in collecting evidence at the autopsy. Immediately after the autopsy, the **iInvestigator** will secure evidence collected. If there is need for further analysis by the Forensic Services Unit, FSU will take responsibility for that item. For autopsies on homicide victims, two **iInvestigators** will attend and collect/secure evidence, as needed.

The **dDetective** present at the autopsy is responsible for documenting the preliminary findings regarding cause of death, as reported by the Medical Examiner. This documentation should be succinct and within the ability of the **dDetective**. The **dDetective** shall consult with the ME for appropriate details.

A search warrant can be based on the preliminary findings of the autopsy. However, **dDetectives** should be mindful of the need to carefully document and clarify the Medical Examiner's findings to prevent a misunderstanding or misinterpretation of a Medical Examiner's statement.

When the cause of death is pending toxicology, AIT will initially test specimen samples as requested by the Medical Examiner. The District Attorney may request secondary tests conducted by the **WSCLCrime Lab**. The samples will be obtained from the Medical Examiner's office and transported to the **WSCLCrime Lab** by the case **dDetective**. Those requests may be appropriate when investigating an unexplained death, gunshot wounds, or drug overdoses. When submitting requests, the case **dDetective** will need to specify the reasons

and tests needed. The results will be provided to the specific dDetective who submitted the request and to the Medical Examiner's Office.

The Medical Examiner's Office collects blood to send to AIT on most deaths. The Medical Examiner's Office may request a presumptive test as well if the death is a suspected drug overdose.

In all drug overdose or suspected drug overdose cases, the Medical Examiner will collect blood to be analyzed by AIT. If there is a probability that criminal charges will be filed or if there is a questionable death, the dDetective, at the request of the District Attorney, will transport the specimen to the WSCL Crime Lab as soon as possible. If there are no criminal charges or suspect identified, then the dDetective can wait until the results of the Medical Examiner's test is made available.

If death occurs at a hospital or medical facility, the District Attorney's Office can obtain a subpoena for the facility's medical information and documentation of the deceased, if necessary.

Release of information regarding cause and manner of death in homicides, questionable deaths, and unexplained deaths, shall be made by the Medical Examiner's Office after consulting with the District Attorney and case detective. Media requests to MPD for that information should be referred to the Medical Examiner's Office.

Organ Donation – The investigating law enforcement agency and the District Attorney must be consulted before authorizing the harvest of organs. Bone and tissue harvesting will only be done after the autopsy. Organs will be harvested in a hospital operating room.

The Medical Examiner will not release the body of the deceased before consulting with the case dDetective and District Attorney's Office.

Most autopsies should have no more than one dDetective and one iInvestigator (homicides shall have two investigators present). The only exception is for newly promoted dDetectives or iInvestigators to attend for training purposes. The Medical Examiner's Office should be notified of additional attendees prior to the autopsy.

Detective reports documenting an autopsy should be written so non-medical personnel can understand the terms used and include:

- A list of all evidence taken by the detective
- Preliminary information from the medical examiner on the cause and manner of death
- Who was present during the autopsy
- Identification of the body
- Information pertinent to the investigation
- MPD autopsy checklist (optional)
- Anatomical diagrams, if needed
- Brief documentation of injuries, but should not conflict with the Medical Examiner (limited detail, non-technical)

Investigator reports documenting an autopsy should include:

- Time autopsy started and ended
- Body Bag seal number and time it was cut
- Who was present
- Items collected and who it was received from
- A list of all evidence taken

## Information Sharing

Effective and timely information sharing is a critical component to the management of any major case.

## EXTERNAL

- In most instances, the PIO should be called in and should serve as the media's contact for information
- If the PIO is not available, one person should be responsible for all media releases and contact to ensure that consistent and accurate information is released
- All information releases must be coordinated through and approved by the Command Post Lieutenant
- A media staging area should be established, typically somewhere in the vicinity of the crime scene
- District command staff should coordinate door-to-door information sharing with residents when appropriate
- Long-term external information sharing should be coordinated between the PIO and District Command Staff

## INTERNAL

- A commander should be designated to oversee information sharing internally and with other law enforcement agencies; ~~if~~ If no other commanders are available, this responsibility initially rests with the Command Post Lieutenant; ~~Once~~ Once the Scene Lieutenant clears the scene and responds to the Command Post, responsibility passes to ~~him/her~~ that lieutenant
- An evaluation of internal information sharing should be ongoing during the investigation; information appropriate for release should be shared through briefings, email, etc.
- Information should be shared with other law enforcement agencies, as needed, to support the investigation or for safety reasons; ~~CIS~~ CIS personnel should generally be responsible for sharing information as approved by the Case Lieutenant
- The Lead Investigator or an FSU representative with full knowledge of the active case will maintain contact with the ~~cCase dDetective~~ throughout the duration of the open case; ~~It~~ This will include through a potential trial
- The Lead Investigator will ensure that the ~~cCase dDetective~~ receives a full work up matrix of all items collected for the case; ~~It~~ the matrix will break down priority levels for evidence submission to the WSCL office
- ~~If necessary, It~~ The Lead Investigator ~~can will~~ be present and assist the ~~cCase dDetective~~ in submitting evidence to the WSCL office
- The Lead Investigator will work with the ~~cCase dDetective~~ ensuring all materials will be present upon a jury trial

## Lead/Tip Management

It is important that any large volume of citizen lead or 'tip' information ~~is be~~ managed properly from the onset of an investigation. Equally important is the simplicity of the system utilized to collect and store that information.

- The Case Lieutenant should assign someone in the Command Post to take responsibility for collecting and logging incoming tips/leads; ~~It~~ This will typically be a CIS officer initially; ~~Once~~ Once CIS support is no longer available, the lieutenant should designate a detective to assume this responsibility
- All incoming tips should pass through the person designated to manage tips/leads; ~~It~~ tips/leads should be maintained in a log-book or electronic database, which should include the date the information is received, the caller's name, their telephone number, and the content of the tip
- Each lead should be reduced to a common form for data entry and uniformity ~~however, and~~ the 'original' format (e-mail, telephone message, officer's report) should be retained and attached to the common form; ~~It~~ the information should be cataloged under the major case number associated with the event
- Each tip should be assigned for follow up/review and the actions taken should be documented in a report as well as in the log-book/database

## Reporting Procedures

- The decision to lock cases in the Law Enforcement Records Management System (LERMS) will be made by the District or Unit Commander with notification to the Captain (though the OIC may initially designate that a major case be temporarily locked pending this decision). The following personnel should be notified that a case should be locked:
  - Police Report (PRT) Supervisor
  - Records Manager if Police Report Supervisor is unavailable
  - Records Supervisor if Police Report Supervisor is unavailable
- Reports will be added to LERMS as they come in with security as to who has access. Default access for locked cases includes Chiefs, Captains, and Lieutenants; ~~—O~~ others may be specified as appropriate by a Commander (case Detectives, etc.). Access may be ~~maybe~~ limited further if needed (sensitive cases, etc.)
- Cases appropriate for consideration to be locked:
  - Homicides
  - Cases involving Officers or other high-profile individuals as suspects
  - Other high-profile cases (Officer involved ~~shootings~~ critical incidents, etc.)
- OIC, Lead Detective Lieutenant, and PRT Supervisor decide if Police Report Typists (PRTs) need to be called in; ~~—T~~ the PRT Supervisor will decide who and when if PRT support is needed
- Command Staff in the Investigative CP will be responsible for notifying on-scene patrol personnel to respond to the Investigative CP upon clearing the scene. Once at the CP, field personnel will be asked to brief the CP or designated Team Leader on actions taken at the scene (verbal summary of action and information about the case)
- The case Detective Lieutenant or VCU supervisor will review all reports in a Major Case in LERMS.
- The case Detective Lieutenant, the lead Detective, and the District Attorney assigned (if applicable) may have the option to receive a draft version of hard copies of the numbered reports as they are updated
- Detectives and ~~if~~ investigators should follow their normal protocol in reviewing and correcting reports for uploading to LERMS and major case reports should be a priority
- All major case documents should be scanned into LERMS
- Any investigative work created by specialized software (timelines, phone analysis, etc.) should be scanned into LERMS (if possible). The officer/detective creating the work should complete a supplemental report outlining the process and software utilized. The original electronic file containing the investigative work should also be saved in LERMS if possible
- Supporting documents (timelines, bulletins, etc.) should also be saved in LERMS under "Case Activity"
- Lead Detective is designated as in charge of the reports and begin to number reports and attachments in LERMS
- Numbered reports can be referred via the e-Referral process to the DA's office whenever possible depending on the size of the case, ~~and updated via e-Referral periodically depending on need~~. If too large, the case can be put on a CD or DVD and ~~brought over~~ delivered to Intake staff at the DA's office. Reports need to be in the DA's office PROTECT program and not just given directly to the assigned ADA. Property and contact information can be extracted directly from LERMS as a tool to be given to the DA's office as well. Hard copies of reports will be considered draft or working copies and original reports will be housed in LERMS

## Long-Term Case Management

If a detective changes assignment (e.g., changes districts, goes to Task Force, or another detective assigned position) and still has an assigned caseload, the general rule is the caseload will follow that detective to their new assignment. Detectives should work with their current supervisors prior to changing assignments on what cases are still active and will need additional follow-up. Other inactive cases should be closed out appropriately. If a case lieutenant changes assignment, the general rule is that supervisory responsibility for a

major case will remain in the district where it occurred. Detectives should still touch base with their previous supervisor on additional work done on those caseloads for ~~record recording~~-keeping purposes.

If a situation arises where the detective is unable to continue with their caseload in their new assignment or there are other extraordinary circumstances, those instances will be reviewed on a case-by-case basis with discussions to occur between the newly assigned supervisor and the supervisor assigned to the district where the case originated.

Locked cases should be part of regular case review with Detectives/Lieutenants. The Duration of time a case is locked is case specific, but should be limited when appropriate. Homicide cases should generally not remain locked beyond discovery when the reports have been turned over to the defense. Cases locked due to officer or high-profile subject involvement may remain locked longer or permanently. Locked cases should be reviewed quarterly to see if they ~~can~~ could be unlocked.

## Deviation from this SOP

It is understood that every major case is different and that some of the items/positions/actions will not be needed for every case. For example, if the commander does not see a need for CV-1, they commander does not have to use it, or ~~A~~ a commander may decide not to canvass the area, but will still be responsible for contacting residents in another way. Deviating from this SOP does not relieve one of the responsibilities outlined by the SOP.

Original SOP: 02/01/2015

(Revised: 04/23/2015, 09/15/2017, 12/06/2017, 08/02/2018, 09/20/2018, 01/03/2022)

(Reviewed Only: 02/25/2016, 01/09/2017, 01/30/2019, 01/31/2020, 01/11/2021)

(Persons Crimes Investigations SOP merged into this SOP 12/06/2017)





# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Non-Deadly Force – Use of

Eff. Date ~~01/27/2020~~ 01/14/2022

### Purpose

Consistent with our Mission and Core Values, the Madison Police Department (MPD) is committed to valuing and preserving human life. The protection and preservation of all human life – including the lives of individuals being taken into custody – is the MPD's fundamental objective and the primary duty of all MPD employees.

The MPD is committed to resolving conflicts through the use of communication skills, crisis intervention, and de-escalation tactics, when feasible. Officers may only use that force which is objectively reasonable, and only in furtherance of a legitimate, lawful objective. "Objective reasonableness" is a test based on the totality of the circumstances. *Graham v. Connor*, 490 U.S. 386 (1989). Officers will only apply force in a manner consistent with MPD's Code of Conduct, SOP, and training.

As used in this Standard Operating Procedure (SOP), non-deadly force means the use of any weapon or instrument, or any physical action taken by an officer that which is not likely to cause death.

### Procedure

#### NON-DEADLY FORCE AUTHORIZED

Non-deadly force is only authorized when an officer reasonably believes it is necessary to control a person under any of the following circumstances:

1. Detaining a person reasonably suspected of unlawful behavior.
2. Effecting a lawful arrest.
3. Achieving/maintaining control of resistive subjects.
4. Preventing escape.
5. Protecting oneself or another.
6. Maintaining order.
7. Taking a person into custody for emergency detention or protective custody.

#### FORCE CONSIDERATIONS

Officers shall use the degree of force believed to be objectively reasonable to control a situation considering the following factors:

1. The existence of alternative methods of control.
2. Physical size, strength, and weaponry of the person as compared to the officer.
3. The nature of the encounter.
4. Actions of the person.
5. The severity of the offense.
6. Whether the subject poses a threat to the safety of officers or citizens.
7. Whether the subject is actively resisting arrest or attempting to evade arrest by flight.



## SPECIAL CIRCUMSTANCES

Depending on the situation, there are a number of special circumstances officers may consider when engaging in and evaluating reasonable uses of force. These factors include, but are not limited to, the following:

1. Reasonable perception of threat.
2. Special knowledge of the subject.
3. Sudden assault.
4. Subject's ability to escalate force rapidly.
5. Officer's physical positioning.
6. Injury or exhaustion.
7. Equipment and training.
8. Availability of backup.
9. Other exigent circumstances.

Control of a person through presence and verbal commands shall always be the preferred method of control. Because verbal commands are not always effective or appropriate in gaining compliance, officers may escalate the degree of force used, or make an affirmative decision to disengage, based on the actions of the person they are attempting to control. Officers will continually evaluate/assess the situation and need for the use of force. Once officers reasonably believe a person is under control, they must reduce their level of force to that needed to maintain such control, and then begin steps to render aid, when applicable.

The degree of force an officer chooses should be based on his/her the officer's tactical evaluation and threat assessment of the situation. Based upon the totality of the circumstances known at the time, and in light of the officer's training and experience, the officer should choose a tactic/procedure that is objectively reasonable and is consistent with one of the following:

1. The tactic/procedure utilized is a trained technique.
2. The tactic/procedure is a dynamic application of a trained technique.
3. The tactic/procedure not trained, but justifiable under the circumstances.<sup>1</sup>

## DE-ESCALATION

Whenever safe and feasible, officers will attempt to utilize de-escalation tactics and techniques in a manner consistent with the De-Escalation SOP.

## USE OF FORCE TECHNIQUES/INSTRUMENTS

The intentional continued restriction of the carotid neck arteries is not a trained MPD technique and is therefore prohibited, unless deadly force is justified.

## THE USE OF OLEORESIN CAPSICUM SPRAY (O.C. SPRAY)

1. Officers may use O.C. spray when they reasonably believe they are facing active resistance, or its threat, from the subject. O.C. spray is not to be used against subjects who are offering only passive resistance.
2. Officers shall only direct O.C. spray in a manner as prescribed by the Chief of Police through MPD training.
3. O.C. spray shall not be used once an individual is subdued and under control.

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<sup>1</sup> Excerpted from Defensive and Arrest Tactics, A Training Guide For Law Enforcement Officers, Wisconsin Department of Justice, Law Enforcement Standards Board, March 2007.

4. If practical, the individual on whom O.C. spray has been used should be provided with an opportunity to eliminate the effects of the irritant by washing and flushing the affected areas with water.

## CHEMICAL AGENT USE

Officers shall discharge chemical agents only in a manner as prescribed by the Chief of Police through MPD training.

## ELECTRONIC CONTROL DEVICE USE

1. An approved electronic control device (ECD) may only be utilized by officers who that have successfully completed training in its use. Deployment and use of the electronic control devices will be in accordance with MPD training and procedure.
2. 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, 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.
3. An officer may only display, present, or threaten to use an ECD if the officer reasonably believes that the potential for its authorized use exists. Furthermore, an officer may do so absent deadly force coverage if they reasonably believe the involved person is not armed with a dangerous weapon.
4. An ECD may only be used under the following circumstances:
  - a. To overcome violent or assaultive behavior or its threat when the officer reasonably believes that the subject poses an articulable threat of harm to an officer or to another person.
  - b. To control persons in order to prevent them from harming themselves or others.
5. Use of an ECD under the following circumstances is prohibited, unless exigent circumstances are present:
  - a. Against handcuffed subjects.
  - b. Against subjects fleeing on foot.
  - c. Against subjects in an elevated position where a fall is likely to result in significant injury.
  - d. Against subjects operating a motor vehicle.
  - e. Against small children.
  - f. Against a subject who is visibly pregnant or known to be pregnant.
  - g. Against elderly subjects.
  - h. From a moving vehicle.
6. The ECD will not be used under the following circumstances:
  - a. For coercion or intimidation.
  - b. To escort or prod subjects.
  - c. To awaken unconscious or intoxicated subjects.
  - d. Against subjects who are offering only passive resistance.
7. ECD probes may not be intentionally fired at the face, head, neck, or groin, unless the use of deadly force would be justified.
8. Multiple, extended, or simultaneous ECD applications against a single individual are generally not recommended, and should be avoided unless the officer reasonably believes that the need to control the subject or unavailability of alternative force options outweighs the potential risk posed by multiple, extended, or simultaneous applications.
9. Officers shall assess all subjects against whom an ECD has been deployed. The subject shall be evaluated by medical personnel if:
  - a. The subject requests medical treatment.
  - b. The subject displays an adverse reaction to the ECD deployment.
  - c. The subject has been exposed to more than one ECD simultaneously.
  - d. The subject has been exposed to three (3) or more ECD firing cycles, or one continuous firing cycle of fifteen (15) seconds or more.

10. If the ECD probes have penetrated the skin in a sensitive area (head, neck, groin, or breast) the subject will be conveyed to an emergency room for removal. If the probes are embedded in non-sensitive areas, a trained officer may remove them.
11. Removing the air cartridge to deploy an ECD in the drive-stun mode is not authorized as a primary ECD deployment technique.

## BATON USE

1. A baton may be used when an officer reasonably believes a lesser degree of force would be insufficient to control the situation.
2. An officer shall never intentionally strike a person's head with a baton unless such an action is justified under the use of deadly force.
3. Officers shall only use MPD-approved batons and techniques.
4. MPD-approved batons are the only authorized impact weapons. Flashlights, radios, firearms, etc., are not recommended as impact weapons; however, the MPD recognizes that emergency self-defense situations involving other objects and instruments may occur.

## IMPACT PROJECTILES

1. Impact projectile weapons may only be utilized by officers that have successfully completed training in their use. Deployment of impact projectiles will be in accordance with MPD training.
2. In cases where a subject is believed to be armed with a dangerous weapon, an impact projectile weapon is not a substitute for deadly force. Unless circumstances dictate otherwise, an officer should not arm him or herself with an impact projectile weapon unless another officer at the scene has the immediate ability to deliver deadly force. Officers armed with impact projectile weapons should continuously monitor and evaluate the ability of other officers present to deliver deadly force.
3. It is the responsibility of the officer arming him or herself with an impact projectile weapon to ensure that the weapon is loaded with impact projectiles each time the weapon is deployed.
4. Deployment of impact projectiles at non-vital areas is considered non-deadly force. Impact projectiles may only be used under the following circumstances:
  - a. To overcome violent or assaultive behavior or its threat when the officer reasonably believes that the subject poses an articulable threat of harm to an officer or to another person.
  - b. To control persons in order to prevent them from harming themselves or others.Additionally, an officer must reasonably believe that a lesser degree of force would be insufficient to control the situation, or that it is necessary to deliver force at a safe distance from the subject.
5. The intentional deployment of impact projectiles at the face, head, or neck is considered deadly force.
6. All persons taken into custody who have been struck with an impact projectile will be conveyed to an emergency room for medical clearance.
7. The investigative requirements of the Use of Deadly Force SOP will be followed only if deployment of an impact projectile results in death or great bodily harm.
8. Absent an imminent risk of harm to officers or citizens, impact projectiles will not be used in crowd control situations. Impact projectiles will not be used to move or disperse crowds.
9. Impact projectiles may be deployed in other jurisdictions pursuant to a mutual aid request. In the event that an individual struck with an impact projectile is taken into custody by another agency, officers from that agency shall be notified of the need for medical treatment.

## REMOTE RESTRAINT DEVICES

1. An approved remote restraint device may only be utilized by officers that have successfully completed training in its use. Deployment and use of remote restraint devices will be in accordance with MPD training and procedure.
2. A remote restraint device may only be used under the following circumstances:

- a. To overcome violent or assaultive behavior or its threat when the officer reasonably believes the subject poses an articulable threat of harm to an officer or to another person
  - b. To control persons in order to prevent them from harming themselves or others
3. Use of a remote restraint device is prohibited under the following circumstances, unless exigent circumstances are present:
  - a. Against handcuffed subjects
  - b. Against subjects fleeing on foot
  - c. Against subjects operating a motor vehicle
  - d. From a moving vehicle
4. A remote restraint device may not be intentionally fired at the face, head, or neck unless deadly force is authorized.
5. Officer shall evaluate all subjects against whom a remote restraint devices has been deployed and make an affirmative offer of medical treatment to them. If the pellets (hooks) penetrate the skin in a sensitive area (head, neck, groin, or breast), the subject will be conveyed to an emergency room for removal. If the pellets (hooks) are embedded in non-sensitive areas, a trained officer may remove them.

## CANINE USE

See MPD SOP on Canine Use.

## USE OF RESTRAINING DEVICES

1. Officers shall place handcuffs on any individual in custody when the officer reasonably believes the individual may become violent, attempt to escape, or pose a danger to self or others. It is mandatory that all persons who have aggressively resisted or attacked another person be placed in handcuffs.
2. Officers shall apply handcuffs in a manner prescribed by the Chief of Police through MPD training.
3. When handcuffs prove to be insufficient in restraining an individual (e.g., kicking, attempting to flee, etc.), officers may employ the use of additional MPD-approved restraining devices.
4. In an emergency situation when a MPD-approved restraining device is not available, the MPD recognizes that alternative devices may have to be employed. In such situations, approved devices should be substituted as soon as reasonably practicable.
5. Individuals who are placed in a maximum restraint position should be continuously monitored for breathing and circulation.

## USE OF SPIT HOODS

1. A spit hood is a temporary protective device, which may be used on persons ~~who that~~ display behavior or threatening behavior that pose a hazard of exposure to bodily fluids transmitted by spitting, wiping blood from their face/head, or wiping/blowing nasal discharges at or onto officers.
2. Officers should use only MPD-approved spit hoods. In an emergency situation ~~if~~ **when an MPD-approved spit hood is** not readily available, officers may utilize other breathable items, such as pillowcases, surgical masks, etc.
3. Subjects must be stabilized and restrained (handcuffed) before applying the hood.
4. Officers shall apply the spit hood in accordance with MPD training.
5. Persons wearing the spit hood must be closely monitored and shall not be left unattended.
6. Officers shall document the use of the spit hood including the circumstances requiring its use in their report of the incident. A copy of the report shall be routed to Training.

## USE OF FORCE REPORTING REQUIRED

Any officer who uses physical force, or any of the following enumerated weapons, items, or devices against another person, shall complete an original or supplementary report on the incident involved:

1. Firearms (including pointing a firearm at an individual)
2. Baton or Less Lethal Impact Munitions
3. Chemical Agents, including OC spray, or Electronic Control Devices
4. Handcuffs or Other Restraining Devices, including hobble restraints, spit hoods, etc.
5. Physical force, including focused and diffused strikes, pressure points, escort holds, decentralization techniques, holding or grabbing of subjects, etc.

The report shall specifically note the totality of the circumstances necessitating force and the manner of force employed.

## DUTY TO INTERCEDE

Any officer present and observing another officer using excessive force, or engaged in unlawful conduct, or in violation of the Madison Police Department's Code of Conduct has an affirmative obligation to intercede and report, without regard for chain of command or experience of the personnel involved. An officer shall intervene, only if circumstances are such to safely do so and if the force in question is clearly beyond what is objectively reasonable under the circumstances. Any officer observing the use of excessive force shall notify an uninvolved supervisor as soon as practicable. No officer may be discharged, disciplined, demoted, or otherwise discriminated against because the officer intervened to prevent what they believed was excessive force or reported or is believed to have reported what they believed to be excessive force.

## AFTERCARE

Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with ~~his or her~~ the officer's training to any individual who has visible injuries, complains of being injured, or requests medical attention. Any time recordable force (takedowns, active countermeasures, OC spray, impact weapons, hobble restraints, less lethal projectiles, ECD deployments, K9 apprehensions) is used, officers will affirmatively ask the subject against whom the force has been used if ~~he/she~~ the subject wants medical treatment.

## USE OF FORCE REVIEW AND INVESTIGATIONS

All instances of the use of non-deadly force shall be reviewed for compliance with MPD procedure by an appropriate supervisor. Anytime a commissioned employee uses recordable force during an incident, the force must be documented in the MPD use of force database.

In cases where a complaint is filed pertaining to an officer's use of non-deadly force, the Professional Standards and Internal Affairs Unit (PSIA) has the primary responsibility for coordinating the internal investigation to ensure compliance with the MPD Use of Non-Deadly Force SOP.

If necessary, as part of the District's or PSIA's internal investigation, members from the Personnel and Training Team who are certified WI Defensive and Arrest Tactics (DAAT) instructors can be consulted to determine findings and forward their conclusions to the appropriate source requesting assistance.

Original SOP: 03/23/2015

(Revised: 05/26/2016, 07/10/2017, 12/06/2017, 03/01/2019, 09/23/2019, 10/14/2019, 01/27/2020, 01/14/2022)

(Reviewed Only: 12/22/2016)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Patrol Leave Requests

Eff. Date ~~01/15/2020~~ 01/03/2022

### Purpose

The following procedures outline how ~~Patrol~~ leave requests for Madison Police Department personnel assigned to Patrol Services are to be handled.

### Procedure

#### SAME DAY LEAVE REQUESTS

The starting minimum staffing numbers for 1st, 3rd, and 5th detail patrol shifts will include two buffer beats above "hard minimums" which will maintain staffing levels on these shifts at their designated "soft minimums." Both of these buffer beats will be maintained on a daily basis. However, at a specified time prior to the start of a shift, officers who have been previously denied leave through Telestaff may call the Officer in Charge (OIC) on the affected day and request the entire day off as long as staffing has remained at the "soft minimum" level for of that shift. Approvals will be granted to one officer on the basis of the order of their denial status (e.g., first, second denial, etc.). Should there be no denied leave requests in Telestaff for a particular day when staffing has remained at "soft minimums," leave will be granted on a first come, first served basis; however, approvals will not be made until one hour before the start of the early shift of the respective detail. Please note that the shift OIC retains the discretion to hold staffing at "soft minimums;" on any given shift.

It shall be the officer's responsibility to call the on-duty OIC to inquire as to whether or not same day leave can be granted. If all-day leave was previously denied, 1st Detail officers will be expected to call in the OIC between 4:30 a.m. and 4:45 a.m., 3rd Detail officers must call in the OIC between 12:30 p.m. and 12:45 p.m., and 5th Detail officers must call in the OIC between 8:30 p.m. and 8:45 p.m. If officers do not call, they will be expected to appear for duty as previously scheduled. An officer who was not previously denied all-day leave on a particular date must call in the OIC after the following times to determine if leave can be granted: 1st Detail, 4:45 a.m.; 3rd Detail, 12:45 p.m.; and 5th Detail, 8:45 p.m. Should unforeseen circumstances cause staffing levels to fall below designated "soft minimums" for that shift (e.g., sick-ups, light duty status, etc.), no other leave (with the exception of sick leave) will be approved for that shift.

Any officer who requires sick leave must notify the Officer in Charge OIC as soon as practical. This should ideally be at least two hours prior to the start of briefing for the shift the officer was scheduled to work.

#### PARTIAL SHIFT LEAVE REQUESTS

~~The process for partial shift leave requests is unchanged.~~ All early leave requests are to be made in Telestaff using the "Z:Early Leave request" work code. **Please note that officers may not sign-up for early leave more than 30 days in advance or occupy the first sign-up position more than once during a calendar week (Sunday through Saturday).**

Please direct any questions to your respective shift Lieutenant Officer in Charge.

#### DAY OFF TRADE REQUESTS

- Day off trades will only be approved when officers are unable to take off by using leave time (staffing is at shift minimum; no remaining leave time available, etc.).
- Requests should be submitted simultaneously from both involved officers to the PD Schedulers email group appropriate shift scheduler. Each officer's email should specify both days affected. ~~If the shift scheduler is not available, the request should be made through the appropriate shift OIC.~~ Both days

involved in the trade must be within the same Fair Labor Standards Act (FLSA) work period (FLSA period end dates denoted with red dotted vertical lines of date cell in Telestaff).

- Double trades (i.e., after one day is traded for another in the future, one of those identified days is traded again) are discouraged, but may be approved by the shift OIC under extenuating circumstances.
- This procedure is intended to benefit officers who are otherwise unable to schedule time off using leave time. ~~So~~ As such, officers who volunteer to trade should not be penalized by being bumped to a beat other than the beat they agreed to work for a particular officer (~~so~~, for example, if a permanent beat officer gets someone to work for him/her, that cover person will ride the permanent beat).
- If an officer (with a permanent beat) has ~~his/her~~ a Regular Day Off (RDO) changed by the department to accommodate training, the officer will be scheduled in their permanent beat on the day they are scheduled to work (even if the relief officer gets bumped). However, if the RDO change is to accommodate something at the officer's request (such as specialized training), they are not guaranteed to ride their beat on the day they work.
- Day off trades will not be allowed on holidays, except through the holiday leave process.

## HOLIDAY STAFFING

Order-offs will be utilized to reduce patrol staffing to **hard** minimums for most holidays. Higher staffing levels may be maintained on certain holidays with an operational need (such as New Year's Eve). Order-offs should generally be done at least ~~ten~~ 10 days prior to the holiday. Any time off requests for holidays must be entered in Telestaff at least ~~ten~~ 10 days prior to the holiday. Once order-offs for particular holidays have been made, officers who have voluntarily taken that holiday off may not cancel their holiday leave for that day.

Holiday staffing processes will be conducted ~~in~~ prior to each holiday and will be coordinated by the currently-designated ~~Patrol Lieutenant~~ Commander to allow for non-patrol personnel to work patrol shifts on holidays in order to maximize the ability for patrol personnel to take leave on those dates.

Original SOP: 03/01/2014

(Reviewed Only: 02/22/2016, 01/09/2017)

(Revised: 01/19/2017, 12/11/2017, 01/15/2020, 01/03/2022)





## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### Response to Persons with Altered State of Mind

Eff. Date: 12/23/2019

01/14/2022

#### Purpose

To provide guidance for Madison Police Department (MPD) personnel when responding to or encountering situations involving persons displaying behaviors consistent with an altered state of mind, that may be caused by mental illness, emotional crisis, or the influence of drugs and/or alcohol. We recognize that most persons in an altered state of mind are not dangerous and may only present dangerous behavior in certain circumstances or conditions.

#### Definitions

*Altered state of mind:* "An altered state is any mental state(s), induced by various physiological, psychological, or pharmacological maneuvers or agents which can be recognized subjectively by the individual (or by an objective observer of the individual) as representing a sufficient deviation in subjective experience of psychological functioning from certain general norms for that individual during alert, waking consciousness" [The Wiley-Blackwell Handbook of Transpersonal Psychology].

#### Procedure

Responding to situations involving individuals who officers reasonably believe to be in an altered state of mind carries the potential for violence; requires officers to make difficult judgments about the mental state and intent of the individual; and necessitates the use of police skills, techniques, and abilities to effectively and appropriately resolve the situation. The goal shall be to resolve the situation as safely as possible for all individuals involved. Depending on the totality of the circumstances and the behavior of the individual, officers should consider requesting Madison Fire Department (MFD) personnel to respond and stage prior to making contact with the subject.

Only a trained mental health professional can diagnose mental illness. Officers are not expected to diagnose mental or emotional conditions, but rather, to recognize behaviors that are indicative of persons affected by mental illness or crisis, with special emphasis on those that suggest potential violence and/or danger. Officers are trained to respond to mental health related incidents in such a manner so as to de-escalate crisis situations whenever possible.

The following are generalized signs and symptoms of behavior that may suggest that a person is currently in an altered state of mind – whether due to mental illness, acute emotional crisis, or reactions to alcohol, psychoactive drugs, or medical conditions:

- Persistent fear of persons, places, or things
- Frustration and/or anxiety in new or unforeseen circumstances
- Abnormal memory loss related to basic information (e.g. name, home address, recent events)
- Delusions – fixed false beliefs
- Hallucinations – the experience of sights, sounds, or other perceptions in the absence of external stimuli not under the subject's voluntary control
- Agitation
- Confusion or disorientation

While the above signs/symptoms may inform the ultimate resolution of the situation, officers should assess the danger a person presents to self or others as soon as is feasible. Factors that should be considered as part of any threat assessment may include:



- Availability of any weapons
- Statements by the person that suggest **he/she the person** is prepared to commit a violent act
- Information provided by reliable reporters (family members, mental health professionals, etc.)
- A personal history of violence known to officers
- Inability of **subject the person** to physically control their emotions of rage, anger, fright, or agitation
- Other special circumstances consistent with **Defensive and Arrest Tactics (DAAT)** and **Departmental training**

If feasible, under the totality of the circumstances, officers should attempt to slow down or stabilize the situation so that more time, options, and resources are available for the best possible resolution. Examples of de-escalation with a person in an altered state of mind may include, but are not limited, to the following:

- Effective use of back-up
  - Have only one officer communicate with the person at a time
  - Request additional personnel if indicated (e.g., **Mental Health Officers (MHOs), Crisis Negotiation Team (CNT) members**, etc.)
- Effective use of distance and time, when feasible
  - More distance generally creates more time to react, which allows more options to be considered (e.g. less lethal munitions, tactical shield)
  - When feasible, use additional time to increase the likelihood of a positive resolution
- Effective use of cover/concealment
  - Placing barriers between the person and officers
- Effective communication from a safe position
  - Take steps to calm the person
  - Actively listen to the person's concerns
  - Explain the person's options
  - Orient the person to reality
  - Attempt to be truthful, when possible
  - If feasible, gather additional information about the person
- Any other tactics and approaches that attempt to achieve law enforcement objectives

Once the subject and scene have been stabilized, officers should work to resolve the situation using the least restrictive measures to secure the welfare of all those concerned, to connect individuals with mental illness or **Alcohol and Other Drug Abuse (AODA)** issues/dependency to needed services, and to divert them from the criminal justice system whenever possible. Strong consideration should be given for a medical evaluation, particularly when the source or reason for the behavior cannot be determined or if the source is suspected drug use or a mental health crisis. This medical evaluation can be accomplished either by requesting that ~~the Madison Fire Department~~ **MFD personnel** respond to the scene of the contact or by transporting the subject to the Emergency Room depending on the circumstances. ~~Responding officers shall get the approval of a supervisor, if they do not get a medical evaluation of the subject.~~

See also: Mental Health Incidents/Crises and Intoxicated and Incapacitated Persons Standard Operating Procedures.

Original SOP: 09/15/2017

(Revised: 12/23/2019, **01/14/2022**)

(Reviewed Only: 12/26/2017, 01/30/2019, 01/11/2021)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



## Search Warrant Service

Eff. Date ~~12/01/2020~~ 01/03/2022

Search warrants will only be sought where probable cause exists to believe that evidence or contraband is in the location named in the warrant. Command approval is required prior to seeking a search warrant for any building, dwelling, or other occupied premises. Command approval is not required to apply for a search warrant for property or vehicles that are already in Madison Police Department (MPD) custody/control, or for premises that are already occupied and controlled by MPD personnel.

All search warrants requiring any type of tactical/forcible entry will be planned and executed by MPD **Special Weapons and Tactics (SWAT)** personnel. The following process will be utilized:

1. The District/Team/Work Unit wanting to serve the search warrant obtains permission from their command staff to proceed with the search warrant planning process. The appropriate Assistant Chief will be notified.
2. District/unit commander or designee contacts an MPD SWAT commander or supervisor to request assistance with warrant planning and service. A SWAT supervisor will be designated to coordinate the planning process.
3. The district/unit commander or designee will assist SWAT in the planning process as needed (providing intelligence/information, assisting with threat assessment, etc.).
4. SWAT personnel will plan and serve the warrant. District/unit personnel may be requested to assist with the tactical plan (stop cars, etc.) and will be responsible for the post-entry investigative aspect of the warrant. District command staff will coordinate post-warrant communication with the neighborhood/community as appropriate (based on investigative needs, impact on the area, visibility of the tactical operation, etc.).

The threat assessment/planning process will dictate the number of personnel, equipment, and tactics to be used during the warrant's service. All personnel directly involved in a search warrant operation will be in uniform or otherwise clearly identifiable as police. The operational plan and tactics utilized will be consistent with MPD SWAT training and procedures, and with best practices. Operational planning for search warrant service will focus on mitigating risk to officers, suspects, and community members.

### Unknown Risk and High-Risk Warrants

SWAT warrant service takes on two forms, unknown risk and high-risk.

#### *High-Risk Warrant Service*

The following factors should be considered when evaluating whether service of a particular warrant is high-risk:

- Presence of firearms at the location to be searched
- Presence of other weapons posing a risk to officers at the location to be searched
- History of firearm possession/use on the part of suspects or others who may be present at the location to be searched
- History of possession/use of other weapons on the part of suspects or others who may be present at the location to be searched
- History of violence on the part of suspects or others who may be present at the location to be searched (includes any history demonstrating a risk/threat to officers)

- History of resisting officers on the part of suspects or others who may be present at the location to be searched
- Presence of dangerous dogs at location to be searched
- Fortifications
- Look outs
- Other specific dwelling issues (size of dwelling, location, etc.)
- Video Surveillance

If a warrant is deemed to be high-risk and if reasonable suspicion exists that knocking and announcing prior to entry would be dangerous, futile, or would inhibit the effective investigation of the crime (by allowing for the destruction of evidence, for example), a no-knock warrant should generally be requested.

Even when serving a high-risk warrant for which a no-knock entry has been approved, when circumstances allow, officers will identify themselves and announce their presence prior to or contemporaneous with breaching an exterior door or entering a dwelling (unless officers reasonably believe that immediate entry without announcement is required to address an imminent safety risk to officers or others). This requirement can be fulfilled by knocking and announcing at the exterior door or by making an amplified announcement using a public address device.

The reasonableness of a no-knock entry depends on the circumstances that exist at the time of entry. If specific factors that support a no-knock warrant are no longer present at the time of entry, knocking and announcing is legally required.

#### *Unknown-Risk Warrant Service*

If the warrant to be served does not include a no-knock provision, officers must knock and announce prior to entering the dwelling. The team leader is responsible for performing the knock and announce function and for notifying dispatch or the Command Post of such, or designating another officer to do so.

When knocking and announcing, officers must knock on the door to the dwelling and announce their purpose. The knock and announcement must be reasonably audible to persons inside the dwelling. It is only necessary to knock and announce once per dwelling.

After knocking and announcing, officers must wait a reasonable amount of time for the occupants to allow entry. If a reasonable time passes and officers are not allowed in, entry may be forced. What constitutes a reasonable time is primarily dependent on the time of day the warrant is served and the size of the residence.

If occupants refuse to allow officers to enter, entry may be forced without waiting. If unanticipated circumstances arise that justify a no-knock entry (such as the examples listed above), entry may be forced without waiting.

Original SOP: 03/04/2015  
(Reviewed Only: 02/17/2016, 11/08/2017, 01/31/2020)  
(Revised: 01/19/2017, 11/27/2018, 12/01/2020, 01/03/2022)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Sexual Assault Investigations

Eff. Date ~~10/05/2020~~ 01/14/2022

### Purpose

To provide guidelines and expectations for the Madison Police Department response to Sexual Assault Investigations involving adult and child victims. Consistent with our MPD Core Values and Mission Statement, we strive to deliver the highest service possible while following a victim-centered, trauma-informed approach to the investigation of these crimes.

Sexual Assault allegations will be investigated in an unbiased manner, free of assumptions and stereotypes about victims. Personnel investigating sexual assault allegations will keep in mind that victims of these crimes may present with a wide range of potential reactions to sexual assault, some of which may not be in line with an officer's investigative objectives.

When investigating sexual assault allegations, officers should work to build rapport with the victim, use trauma-informed and victim-centered practices, treat the victim with respect and dignity, and document the victim's statement as provided by the victim, using exact quotes when possible.

### Definitions

**Victim-Centered:** Placing the crime victim's priorities, needs, and interests at the center of the investigation. Ensuring that restoring victims' feelings of safety and security are a priority and safeguarding against practices that may inadvertently re-traumatize victims.

**Trauma-Informed:** Investigations are conducted with an understanding of the effects of trauma on survivors, including the many and varied emotional *and* physical responses victims may *or may not* have to a traumatic experience. Priority is placed on restoring the survivor's feelings of safety, choice, and control.

### Procedure

#### INVESTIGATING CASES INVOLVING ADULT VICTIMS OF SEXUAL ASSAULT

1. Adult victims should be offered trauma-informed and culturally competent services and supports when possible.
  - a. The initial responding officer shall advise the victim they may request to be interviewed by an officer of the gender of their choice. Should the victim request an officer of the gender opposite the initial officer, the officer shall immediately notify a supervisor and a reasonable attempt will be made to honor the victim's request.
    - i. Once follow up has been assigned to a detective, the case will remain with the detective regardless of gender.
  - b. If the victim has Limited English Proficiency (LEP), the initial responding officer shall take reasonable steps to provide free language assistance services to that victim in accordance with MPD's Language Access Services SOP.
    - i. Interviews of victims, particularly of sensitive crimes, should be done in the victim's primary language.
    - ii. Children or other family members or friends of the victim should not be used to interpret the victim's statement.
    - iii. Victim Advocates and Dane County Social Workers should not be used to interpret the victim's statement, as that may run contrary to their professional mission and ethos.
  - c. The initial responding officer shall, as soon as is practicable, offer to contact an advocate from the Rape Crisis Center to respond to support the victim throughout the reporting and evidence collection process.

- d. In the event of a fresh occurrence, where a public danger exists, the initial responding officer shall make a reasonable attempt to obtain suspect, officer safety, and other relevant information to relay to other officers as soon as possible.
- e. The officer conducting the victim interview shall:
  - i. Spend time building rapport with the victim, assuring their physical safety and getting them medical care as soon as practicable. Interview the victim using open ended, narrative inviting questions.
  - ii. Allow the victim to provide their statement with as little interruption as possible. The officer should utilize natural breaks in the victim's statement to ask follow-up questions, recognizing that victims may not provide statements in chronological order due to the effects of trauma.
  - iii. Notify the Officer-in-Charge (OIC) of the circumstances of the incident. The OIC will determine if the incident is a 1st or 2nd degree sexual assault or if additional investigative resources or advice is needed; and, if so, will ensure that the On-Call Detective Lieutenant (if after normal business day) or District Detective Lieutenant is notified of the circumstances. The exception to notification is an incident involving consensual sex between teenagers within 3 years of age.
  - iv. ~~Ensure the collection of~~ Collect any available evidence from the victim and scene(s), (e.g., photos, clothing, biological items, etc.), and also offer and recommend a medical forensic hospital exam ~~evidence~~ if the assault occurred no more than 120 hours prior to the time it is reported. Meriter Hospital's Forensic Nurse Examiner (FNE) program should be used for collection of biological evidence from the victim.
    - 1. Any time an officer is dispatched for a sexual assault and the victim is reporting; the officer should stand by outside the room while the exam is being done, in case the nurse needs to communicate with the officer, and to then take the evidence for processing.
    - 2. Please see the SOP on Searches, specifically the Strip Search section for further details on the collection of evidence from the suspect.
    - 3. An Investigator, at the request of the interviewing officer or a supervisor, shall process the scene(s) of a sexual assault for evidence, including photos.
    - 4. All sexual assault FNE kits shall be physically or electronically submitted to the Wisconsin State Crime Lab (WSCL) by the assigned case detective. The submission form can found on the WSCL website, which is titled "DFS Transmittal":  
<https://www.doj.state.wi.us/dfs/evidence-submission-information>.

~~The form is titled DFS Transmittal and can be electronically submitted via email to the Forensic Case Manager, Division of Forensic Sciences for WSCL (presently [mahnkeka@doj.state.wi.us](mailto:mahnkeka@doj.state.wi.us)). Please call WSCL Milwaukee at 414-382-7500 with any submission questions.~~

Electronic submissions to the WSCL Forensic Case Manager are permissible when the complexities and/or facts of the case may require WSCL input prior to the physical transport of the FNE kit. If submitted electronically and the WSCL will accept the FNE kit for analysis, the kit will then be physically submitted to the WSCL by the assigned case detective.

If WSCL denies the FNE kit, whether physically or electronically submitted, WSCL will provide the submitter a letter of refusal stating why the FNE kit is not being accepted. This letter shall be scanned as an attachment into the case file and a report shall be completed by the submitter.

This SOP does not pertain to FNE kits collected in any other type of criminal investigation (e.g. strangulation).

For questions regarding the submission of evidence, refer to the [contact information](#) for the lab in our service area (Madison Crime Lab – 608-266-2031). For questions about Evidence Submission Guidelines, please contact the WSCL Forensic Case Manager (currently: Kathy Mahnke, via email at [mahnkeka@doj.state.wi.us](mailto:mahnkeka@doj.state.wi.us) or 608-609-6125) [most current contact information accessible online] – <https://www.doj.state.wi.us/dfs/evidence-submission-guidelines>

5. Even if the assault occurred more than 120 hours prior to the time of the report, victims should be told of the existence of the Meriter FNE program, specifically that the victim can be tested for sexually transmitted infections and/or treated for other injuries.

## INVESTIGATING CASES INVOLVING CHILD VICTIMS (SEXUAL AND PHYSICAL ABUSE AND NEGLECT)

1. Child victims should be offered trauma-informed and culturally competent services and supports when possible.
  - a. As with adult victims, if the child victim has Limited English Proficiency (LEP), the initial responding officer shall take reasonable steps to provide free language assistance services to that victim in accordance with MPD's Language Access Services SOP.
  - b. Family members, friends, Victim Advocates and Social Workers should not be used to interpret the child victim's statement.
2. The primary officer shall notify Dane County Human Services (DCHS) within 12 hours of the report of a sexual assault of a juvenile per state statute 48.981(1)(2)&(3).
3. The primary officer shall notify the parents or guardians, if appropriate, of the juvenile victim within 24 hours.
4. When investigating a sexual assault of a child under the age of 16, the investigating officer shall collect as much information as possible without interviewing the victim. The officer shall notify the OIC of the circumstances. The OIC shall contact the Special Victims Unit (SVU) Lieutenant (if after normal business day) or Special Victims Unit Detective Sergeant prior to conducting a detailed interview or physical exam. The subsequent investigation will be at the direction of the SVU Lieutenant or SVU Detective Sergeant assigned to the case.
5. When the investigating officer or detective for cases involving child victims determines that probable cause exists that the suspect has committed crimes in violation of the statutes listed below, the cases will routinely be referred to the district attorney for criminal prosecution:
  - a. Sexual intercourse or sexual contact under s. 940.225, 948.02, 948.025 or 948.085
  - b. Sexual exploitation of a child under s. 948.05
  - c. Permitting, allowing or encouraging a child to violate s. 944.30 (Prostitution)
  - d. Causing a child to view or listen to sexual activity s. 948.055
  - e. Causing a child to expose genitals or pubic area s. 948.10

## INVESTIGATIONS INITIATED BY HUMAN SERVICES

### Officer-in-Charge Information

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Child Protective Services (CPS) workers have been asked to make Dispatch the first point of contact for Madison Police Department (MPD) collaboration for the initial field investigation when responding to reports of child abuse and neglect. It is MPD's established procedure to respond with on-duty patrol officers in the initial response.

### Responding Officer/Field Supervisor Considerations

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1. Determine who will lead the interview (Officer or DCHS worker).
2. If CPS leads the interview, officer should take *detailed* notes of interview.
  - a. Officer should document the child victim's own words, in quotation marks, whenever possible.



- b. Officer should document, in quotation marks, questions asked of the child by the DCHS worker.
3. Officer *can and should* ask questions pertaining to their investigation if those questions are not asked by CPS.
4. Officer must ensure they have explored the elements of alleged crime.
5. CPS is ultimately responsible for conducting a safety assessment for the child (making sure the child is safe).
6. Regardless of who leads the interview, officers shall complete a detailed report.
7. Note: If Children are alleged victims of abuse by a caregiver or unknown person, the children can be interviewed without parental consent at any location police are legally authorized to be present (see Wisconsin statute 48.981(3)(c)1.b.).

#### INVESTIGATIONS CONDUCTED WITHOUT CPS PRESENT

- A CPS worker will not respond out to the field to make contact with a child victim in every case. In order to assist CPS in determining whether or not a worker will respond to the field, the responding officer should attempt to obtain as much collateral information as possible from parties other than the child to inform CPS's decision to respond or not. Gathering this collateral information from other sources will also allow the officer to make an educated decision as to whether or not an interview of the child victim in the field is necessary should CPS not respond.
  - The responding officer should collect collateral information from the reporting party, the non-offending parent (if possible), any third parties that may have pertinent information (teachers, counselors, friends, etc.), and any witnesses to the alleged abuse.
  - After collecting this collateral information from sources other than the child, the officer should make phone contact with the on-call CPS worker and provide all collateral information gained from these sources. The responding officer should ask the CPS worker to share any other pertinent information CPS may have regarding the child victim or other involved parties. The responding officer should inquire with CPS if there are current open cases involving this child victim and/or the alleged offender, or if there were prior cases and/or screen-outs involving this child victim and/or the alleged offender. The responding officer should obtain any pertinent identification and contact information for the alleged offender and others involved in the present investigation.
  - If, after this information sharing with the on-call CPS worker, the CPS worker indicates they will respond to the field, the responding officer shall wait to continue their investigation with the CPS worker. If the CPS worker responds, follow the considerations listed above. If the CPS worker advises they will not respond to the field, the responding officer must consider whether or not to interview the child.
- To assess the need to interview the child in the field, the responding officer must evaluate whether or not they have corroborated information of abuse, neglect, or that the child witnessed a serious crime (domestic violence, weapons offense, homicide) from their collateral information sources and their contact with CPS.
  - If the responding officer has corroboration that the child is a victim of abuse or neglect, the officer must ensure the preservation and collection of pertinent evidence. The responding officer, in consultation with the OIC or the SVU Lieutenant/Detective Sergeant, should ~~ensure that an FNE exam is done~~ offer, explain, and provide an opportunity for a FNE exam if circumstances warrant it. The responding officer must also ~~ensure that~~ offer, explain, and provide an opportunity for photographs ~~are to be~~ taken that capture any visible injuries, whether they appear fresh or to have healed. The responding officer should ensure that any weapons or implements alleged to have been used to injure the child are seized as evidence.

- The responding officer should determine if the child is in need of immediate medical treatment and work with the non-offending parent or caregiver to obtain that treatment for the child. The officer should also make an assessment if the child is safe in its present placement situation.
- If the officer believes, based on their investigation, that the child victim is at risk of manipulation, threats, or pressure to recant their initial disclosure, or the officer can articulate that future access to the child victim may be limited by others, the officer may decide to interview the child in the field. If the officer determines an interview of the child in the field is necessary, the officer shall contact the OIC and provide them with the basis for this decision. The OIC shall contact the SVU Lieutenant for consultation and consideration of detective resources being called in.
  - Should the responding officer interview the child in the field, the officer should not do a “truth/lie” assessment, nor should they use any body diagrams/drawings. The “truth/lie” assessment is only necessary for a recorded forensic interview, which a field interview is not. Body diagrams/drawings should only be used post-disclosure by a trained interviewer.
  - The officer must use open ended questions that allow the child to answer in narrative form, in their own words. An officer should spend some time building rapport with the child prior to transitioning to the topic of concern. The officer can ask the child questions like: “Tell me all about it?” and “Do you know why I’m here to talk to you today?” The use of “tell me” questions will allow the officer to obtain the elements of the crime, identify potential evidence, determine jurisdiction, and identify any witnesses. If the “tell me” questions, coupled with collateral information have not given the timeframe of the incident, the responding officer should attempt to ascertain “when” from the child. The responding officer should attempt to determine timeframe using developmentally appropriate words and open ended questions.
  - Officers should understand that a child’s ability to sequence events and provide timelines varies based on their developmental abilities, their chronological age, and whether or not they encoded that detail of the abuse. Officers should not ask a child to guess as to timelines of events. If the child provides information that the incident was not recent enough to raise evidentiary concerns (i.e. the need for an FNE, visible injuries, scene preservation), an estimate by the child is sufficient.
- Responding officers can refer to the purple First Responder Contact Without CPS reference card for guidance when out in the field. The above information is summarized in the below outline, which is located on that reference card.

#### **REFERENCE CARD OUTLINE – FIRST RESPONDER CONTACT WITHOUT CPS REFERENCE CARD OUTLINE**

1. Collateral Information Collection from Others.
  - a. Reporting Party.
  - b. Non-offending parent (if possible).
  - c. 3rd Parties with information (teachers, counselors, friends, etc.).
  - d. Witnesses.
2. CPS Contact.
  - a. Provide CPS information obtained from #1.
  - b. Determine other collaborative information from CPS.
    - i. Other open/prior cases with subjects.
    - ii. Identification/contact information for offender and others.
  - c. Will CPS come out?
    - i. Yes - wait to continue investigation with CPS.
    - ii. No - proceed to #3.
  - d. If CPS responds, determine who will lead the interview (Officer or DCHS worker).



- i. If CPS leads the interview, officer should take *detailed* notes of interview.
    - ii. Officer *can and should* ask questions pertaining to their investigation if those questions are not asked by CPS.
      - 1) Officer must ensure they have explored the elements of alleged crime.
    - iii. CPS is ultimately responsible for conducting a safety assessment for the child (making sure the child is safe).
  3. Factors to Determine if Officer Should Conduct Child Interview.
    - a. Do we have corroborated information of abuse, neglect, or that child witnessed (CRIME) obtained by #1 and #2? No need for officer to interview child.
      - i. Preserve/collect pertinent evidence.
        - 1) SANE exam/photos/weapons/implements/etc.
        - 2) Determine if child is in need of immediate medical treatment.
        - 3) Determine if the child is safe in its present placement.
    - b. Even if 3.a. is present, officer articulates need for immediate child interview (manipulation of child's testimony, family dynamics/pressure, etc.).
  4. Contact **Sgt Sergeant**/OIC.
    - a. Provide information obtained from #1, #2, and #3.
    - b. Determine if on-call Det. Lt. will be contacted (and presumably a detective called in).
  5. Officer Interview of the Child.
    - a. General guidelines.
      - i. Do NOT do truth/lie.
      - ii. Do NOT use body diagrams.
      - iii. Must use open-ended questions (i.e., "tell me all about it").
        - 1) "Tell me *what* happened?" (elements of crime).
        - 2) "Tell me *how* it happened?" (evidence - weapons, DNA).
        - 3) "Tell me *where* it happened?" (jurisdiction).
        - 4) "Tell me who else was there?" (witnesses).
        - 5) If the "tell me" questions, coupled with collateral information, have not given the "*when*," attempt to ascertain "*when*" from the child.
          - a) Developmentally appropriate words.
          - b) If not recent enough to raise evidentiary concerns, close is good enough.
  6. See "Searches" SOP for guidance on suspect FNE exams.

Original SOP: 11/18/2015  
(Revised: 04/05/2016, 12/06/2017, 05/02/2018, 10/05/2020, **01/14/2022**)  
(Name change only: 05/03/2016)  
(Reviewed Only: 01/09/2017, 01/30/2019)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



Special Events Team Field Extrication Team

Eff. Date ~~03/07/2017~~ 01/24/2022

## Purpose

The Field Extrication Team (FXT), under the direct command of the Madison Police Department (MPD) Special Events Team (SET), was created to better respond to protest events with an internal resource. The team has the specialized training and skills to extricate persons from protest devices when demonstrators' techniques actions and/or practices, contrary to law, unreasonably impede traffic, and/or restrict the public's freedom of movement, and/or jeopardize public safety.

## Mission

We strive to balance the rights of demonstrators to peacefully gather, demonstrate, and air grievances with the rights of the community at large. We will attempt reasonable de-escalation of any situation, we will attempt to gain voluntary compliance first, and we will use extrication techniques as a last resort except under exigent circumstances.

## Procedure

1. Officers shall ensure the safety of demonstrators, the public at large, and themselves when a protest device has been deployed as a demonstration technique.
2. Officers on scene should notify the SET command post, if operational, that a protest device is being used. If a SET command post is not operational, a street supervisor should notify the Officer in Charge (OIC) that a protest device is being used. The OIC should then notify a SET commander to determine if the FXT should be activated. It is not always the case that protestors are violating law and that further action is needed.
3. Only a SET commander may authorize the FXT to deploy if the FXT is needed.
4. The FXT shall utilize techniques based on training, the MPD Code of Conduct, and other MPD standard operating procedures (SOPs) to assess, plan, and when necessary, extricate a person from a protest device.

## Personnel

FXT members shall be selected from eligible SET members through a process determined by the SET commander or their designee. All FXT officers serve at the discretion of the SET commander or their designee.

## Training/Standards

All members of FXT shall attend all FXT mandated trainings unless excused by a SET commander or their designee. Membership on this team is a privilege. FXT officers (FXTO) shall remain dedicated to serving in this role, committed to maintaining the core competencies, and be physically able to perform the necessary tasks. All FXTOs shall demonstrate the proper use of all equipment and must be able to use the equipment safely. Records of all trainings and activities shall be maintained in the officer's personnel file. The SET commander shall designate a SET supervisor or senior FXTO to maintain and update training records.

## Equipment

The FXT shall maintain an inventory of all equipment. FXT equipment shall be used for official use only. Any equipment not functioning properly, damaged, or dysfunctional shall be taken out of service and shall not be used until repaired or replaced.

The FXT supervisor or their designee shall submit an annual report documenting usage, maintenance, warranties, and repairs of FXT equipment to the SET lead commander or their designee.

FXT officers should not carry FXT equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or their designee. Equipment shall be stored in the designated department issued vehicle.

A designated FXT member shall perform a function check of all FXT equipment on a regular basis. A report documenting that all equipment is present and in working order shall be submitted to the FXT supervisor.

## Safety Equipment

The department shall provide Personal Protective Equipment (PPE) for FXTOs. FXTOs who shall wear all appropriate PPE during deployments and trainings. During any extrication, the FXT shall provide any necessary PPE and take any reasonable precautions to ensure the safety of the arrested person, the public, and other officers.

## Medical

The FXT should attempt to have a SET Mmedic present during any extrication. The SET Mmedic shall request an Madison Fire Department ambulance to be on standby, and shall determine a reasonable location for the ambulance to stage. When a SET Mmedic is not available, the FXT supervisor or their designee shall be responsible for the request.

## FXT Activation

A request for the FXT to be activated shall be made to a SET commander or their designee. Authorization of the FXT to assess a protest device, develop a plan to extricate a person from a protest device, and deploy to a situation shall come from a SET commander or their designee. The FXT shall then be told a meeting location.

## Documentation

All members of the FXT shall complete a report documenting FXT deployments, use of force, and activities related to the extrication of an arrested person from a protest device. All members of the FXT shall debrief their deployment actions with an FXT supervisor prior to the end of their assigned shift.

## Mutual Aid

The FXT may be deployed pursuant to a mutual aid request from another agency with the approval of SET commander or their designee and with the authorization of the Chief of Police or the Chief's designee.

In any mutual aid deployment, FXT officers shall always abide by the MPD Code of Conduct, MPD SOPs generally, and their FXT training.

## Non-SET Usage

The FXT may be utilized for situations outside of a SET deployment under specific requests with the approval of SET commander or their designee and with the authorization of the Chief of Police or the Chief's designee.

(Reviewed Only: 12/26/2017, 01/31/2020)  
(Revised: 01/24/2022)



# CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



## Stops & Frisks

Eff. Date ~~10/27/2020~~ 01/14/2022

### Purpose

It is the policy of the Madison Police Department (MPD) that field **investigatory stops** **interrogations** will be conducted in a manner **that which** not only promotes public safety and safeguards law enforcement officers from harm, but also holds invasions of personal rights and privacy to a minimum.

### Procedure

#### STOPS

A “stop” is the temporary detention of a person for investigation. A “stop” occurs whenever an officer uses their authority to make a person halt, or to keep a person in a certain place, or to compel a person to perform some act. If a person is under a reasonable impression that they are not free to leave or ignore the officer’s presence, a “stop” has occurred.

#### Basis for a Stop

An officer may stop a person in a public place, after having identified her/himself as a law enforcement officer, if they reasonably suspect that a person has committed, is committing, or is about to commit a criminal offense or ordinance violation. Both pedestrians and persons in vehicles may be stopped.

#### Reasonable Suspicion

The term “Reasonable Suspicion” is not capable of precise definition; however, it is more than a hunch or mere speculation on the part of an officer, but less than the probable cause necessary for an arrest. Every officer conducting a stop must be prepared to cite the existence of specific facts in support of that officer’s determination that **a** “reasonable suspicion” was present.

#### Police Conduct **D**during a Stop

Proper justification for a stop does not permit unreasonable conduct during the stop. Every phase of the detention must be reasonable, for the United States Supreme Court has stated in *Terry v. Ohio*, 392 U.S. 1, 28 (1968), that the manner in which stops and frisks are conducted is “as vital a part of the inquiry as whether they were warranted at all.”

##### 1. Identification

Officers conducting a stop, if not in uniform, shall clearly identify themselves as police officers by announcing identity and displaying MPD badge/ID.

##### 2. Duration of Stop

A person stopped pursuant to these rules may be detained at or near the scene of the stop for a reasonable period of time. Officers should detain a person only for the length of time necessary to obtain or verify the person’s identification, **or** an account of the person’s presence or conduct, **or** an account of the offense, or otherwise determine if the person should be arrested or released.

### 3. Explanation to Detained Person

Officers shall act with courtesy towards the person stopped. At some point during the stop the officer shall, in every case, give the person stopped an explanation of the purpose of the stop.

### 4. Rights of Detained Person

The officer may direct questions to the detained person for the purpose of obtaining the **detained person's** name, address, and an explanation of the **person's** conduct. The detained person may not be compelled to answer questions or to produce identification documents for examination by the officer; however, the officer may request the person to produce identification and may demand the production of an operator's license if the person has been operating a vehicle.

### 5. Effect of Refusal to Cooperate

Refusal to answer questions or to produce identification does not by itself yield probable cause to arrest, but such refusal may be considered along with other facts as an element adding to probable cause.

### 6. Use of Force

An officer may use only the amount of non-deadly force that is reasonably necessary to stop and detain a person pursuant to these guidelines. MPD's Non-Deadly Force Guidelines shall be followed. If an officer is attacked, or circumstances exist that create probable cause to arrest, the officer may use that amount of force necessary for defense or to effect a full-custody arrest.

## Stopping Witnesses **N**ear the Scene of a Crime

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A police officer who has probable cause to believe that any violent crime has just been committed, and who has probable cause to believe that a person found near the scene of such offense has knowledge of significant value to the investigation of the offense, may order that person to stop. The sole purpose of the stop authorized by this section is the obtaining of the witness' identification so that the witness may later be contacted **by the officer's agency**. Officers shall not use force to obtain this information, and will effect the detention with minimal intrusiveness.

## Stopping Vehicle at Roadblocks

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If authorized to do so by a commanding officer, a police officer may order the drivers of vehicles moving in a particular direction to stop. Authority to make such stops may be given only in those situations where such action is necessary to apprehend the perpetrator of a crime who, if not apprehended, poses a significant and imminent public safety threat, or to discover the victim of a crime whose physical safety is presently or potentially in danger. Roadblocks established for this purpose will only be implemented in limited geographic areas (where there is a reason to believe the suspect/victim will be discovered) and for a reasonable period of time. Once a vehicle is stopped pursuant to this section, it may be searched only to the extent necessary to determine if the perpetrator or victim is present in the vehicle, and such search shall be made as soon as possible after the stop.

## FRISKS

A frisk is a limited protective search for concealed weapons or dangerous instruments.

### When to Frisk

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A police officer may frisk any person whom that officer has stopped when the officer reasonably suspects that the person is carrying a concealed weapon or dangerous instrument. The frisk may be conducted at any time during the stop if reasonable suspicion develops.

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## Reasonable Suspicion for Frisk

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“Reasonable suspicion” for a valid frisk is more than a vague hunch and less than probable cause. If a reasonably prudent police officer under the circumstances would be warranted in believing anyone in the vicinity was in danger, a frisk is justified. Every officer conducting a frisk must be prepared to cite the existence of such factors in support of the determination that “reasonable suspicion” for a frisk was present.

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## General Procedure

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1. The officer should begin the frisk at the area of the person’s clothing most likely to contain a concealed weapon or dangerous instrument. Usually, an officer should begin the frisk with a pat-down of the outside of the person’s outer clothing, and the officer should not reach inside the clothing unless an object is felt which the officer reasonably believes to be a weapon or dangerous instrument. If the outer clothing is too bulky to allow the officer to determine if a weapon or dangerous instrument is concealed underneath, then the outer clothing may be opened to allow a pat-down directly on the inner clothing. If the officer has a reasonable belief, based on reliable information or personal knowledge and observations, that a weapon or dangerous instrument is concealed at a particular location on the person, such as a pocket, waistband, or sleeve, then the officer may reach directly into the suspected area. This is an unusual procedure and any officer so proceeding must be prepared to cite the precise factors **that** led the officer to forego the normal pat-down procedure.
2. An officer may also frisk those areas that the person could reach to obtain an object that could be used to harm the officer, if the officer reasonably suspects personal harm should the object not be obtained. This includes vehicles. If an officer possesses reasonable suspicion that a vehicle driver or passenger is armed, the “frisk” may be extended to the vehicle. This “frisk” is a protective search and is limited to places in the vehicle’s passenger compartment that could contain a weapon.
3. If during the course of a frisk, the officer discovers an object **that which** is a container capable of holding a weapon or dangerous instrument and if the officer reasonably believes that it does contain such an item, the officer may look inside the object and briefly examine the contents.
4. An officer may use only the amount of non-deadly force that is reasonably necessary to effect a frisk pursuant to these guidelines. MPD’s Non-Deadly Force Guidelines shall be followed. If an officer is attacked, or circumstances exist that create probable cause to arrest, the officer may use that amount of force necessary for defense or to effect a full-custody arrest.

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## Discovery of Weapon, Instrument, or other Property

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If a frisk or search discloses a weapon, **or** instrument, or any other property **---**, possession of which the officer reasonably believes may constitute the commission of a crime **---** or which may constitute a threat to personal safety **---**, the officer may take it and keep it until the completion of the questioning, at which time it shall either be returned, if lawfully possessed, or seized by the officer.

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## Discovery of Incriminating Evidence

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If, while conducting a frisk, an officer feels an object which is reasonably believed not to be a weapon or dangerous instrument, but the officer does believe it to be a seizable item, the officer may not—on the basis of the officer’s authority to frisk—take further steps to examine the object. However, if the nature of the object felt—alone or in combination with other factors—provides probable cause to arrest, the officer should tell the person they are under arrest. The officer may then conduct a full-custody search incidental to arrest, but must not take any step to examine the object before making the arrest. If a seizable item is not found, the person should be released.

## Procedure Following Unproductive Frisk

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If the frisk discloses nothing justifying removal or seizure, and nothing providing probable cause for arrest, an officer may continue to detain while concluding the investigation.

## RECORDKEEPING

Adequate records of stop and frisk activity will serve to ensure the proper exercise of police authority. They will also greatly enhance an officer's ability to reconstruct what occasioned a stop or frisk, and what took place during this contact. Such records are vital, not only when the stop and frisk results in immediate arrest; they also may be valuable as "leads" in other investigations. Further, such records serve MPD's vision of transparent and unbiased policing. ~~as protection against groundless civil suits.~~

### 1. Reporting ~~Recording~~

Officers must file a report any time there is a stop and subsequent frisk to protect themselves, the MPD, and the community.

### 2. Stop Based on Informant's Tip

If the stop or frisk was based in whole or partly upon an informant's tip, the officer making the stop or frisk shall make every reasonable effort under the particular circumstances to obtain and record the identity of the informant. Further, the officer shall record the facts concerning such tip, e.g., how it was received, the basis of the informant's reliability, and the origin of the informant's information.

Original SOP: 03/04/2015

(Revised: 02/05/2016, 11/19/2019, 10/27/2020, 01/14/2022)

(Reviewed Only: 01/09/2017, 12/26/2017, 01/30/2019)



## CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



### Workforce Telestaff Requirements

Eff. Date ~~01/15/2020~~ 03/30/2022

#### Purpose

All members of the Madison Police Department (MPD) have the responsibility of ensuring that Workforce Telestaff accurately reflects their work time.

#### Procedure

The various work codes have been established to account for how each employee is assigned and the hours that are worked, and it is important that each employee utilizes the correct codes for the work that is performed.

When an employee takes leave time, it is their responsibility to make certain that an entry is made in Telestaff prior to the close of payroll on each payroll Monday at 10 am. When an employee works overtime, the Telestaff entry should be made prior to leaving that day. The note field of the entry should include a case number, where applicable, followed by the name of the approving supervisor. If there is no case number, XX-000000 should be entered where "XX" is the last two digits of the current year, followed by the name of the approving supervisor and then the reason for the overtime.

If an entry cannot be made at the end of the work period, the entry must be completed in Telestaff by the next work day or in extenuating circumstances, prior to close of payroll. Employees are responsible to verify that overtime, leave time, and work hour adjustment entries on their Telestaff calendar are entered on a timely basis and accurately reflect the hours worked.

Members of the MPD are further required to update their current address and telephone listings in the Telestaff system within 24 hours of returning to work after any change. This information is located in the My Info area of Telestaff. Members of the MPD are also required to notify the Chief of Police of these changes by filling out the "change personal info" form on the intranet:

<https://www.cityofmadison.com/employeeenet/police/internal/howto/changeAddr.cfm>.

Visit the City of Madison's employeeenet website for additional helpful information on changes to employee's information: <https://www.cityofmadison.com/employeeenet/pay-benefits/changes-to-employee-information>

#### Exigent Leave Telestaff Procedure

The following information outlines the procedure of the use of Exigent Leave Time:

- The employee will notify the shift scheduler, shift OIC, or MPD Master Scheduler of his/her request for an exigent personal leave day with at least forty-eight (48) hour notice. The notification will include the type of leave (vacation, comp, etc.) to be used.
- The scheduler, shift OIC, or MPD Master Scheduler will enter the appropriate Exigent Leave Work Code in the employee's Telestaff calendar.
- Within 72 hours of the shift, or prior to the close of payroll (whichever comes first), if no overtime is needed on the shift, the employee will notify the shift scheduler, shift OIC, or MPD Master Scheduler of his/her request to be charged only eight (8) hours of exigent leave.
- The scheduler, shift OIC, or MPD Master Scheduler will verify contract conditions have been met, reduce the hours used from twelve (12) hours to eight (8) hours if appropriate, and e-mail PD Payroll of the change along with the date the employee notified them of the request for reduced hours. At no time will the work code be changed from Exigent Leave to a different type of leave.



- After an exigent personal leave request has been submitted, but prior to the shift in question, the employee may request to cancel the exigent personal leave request. The employee may submit another type of leave request (vacation, comp, etc.) which will be considered in the appropriate sequence with any other leave requests.

Original SOP: 02/25/2015

(Revised: 02/12/2016, 11/04/2016, 12/11/2017, 01/15/2020, 03/30/2022)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



## TIME System Use and Dissemination of Records

Eff. Date ~~11/29/2021~~ 03/04/2022

### Purpose

The Madison Police Department (MPD) uses the Transaction Information for the Management of Enforcement (TIME) System/eTIME (online version of TIME). TIME/eTIME grants access to the following data service agencies:

- Wisconsin Department of Justice Crime Information Bureau (CIB),
- ~~the~~ Federal Bureau of Investigations (FBI) Criminal Justice Information Services (CJIS) Division,
- ~~the~~ FBI National Crime Information Center (NCIC),
- ~~the~~ National Law Enforcement Telecommunication System (NLETS),
- ~~the~~ Canadian Police Information Centre (CPIC),
- ~~the~~ Wisconsin Department of Transportation (DOT),
- ~~the~~ Wisconsin Department of Natural Resources (DNR), and
- ~~the~~ Wisconsin Department of Corrections (DOC).

### Procedure

#### SYSTEM USAGE

ONLY authorized users shall access the TIME system for valid law enforcement/criminal justice purposes. At no time will any user use the TIME system to run the user's personal information (and respective license plates), a family member's information, or information for anyone with whom the user is closely associated. Should a situation arise wherein the subject who needs to be run through the TIME system is closely affiliated with the user, the user will request another officer, staff member, or a supervisor to run the subject. If a test record needs to be run, only approved test transactions should be used.

#### PENALTY FOR MISUSE

The Department of Justice Crime Information Bureau, as well as the MPD, may investigate any alleged misuse of the TIME System. Potential misuse of the TIME system includes running family members or other subjects with whom the user is closely associated for criminal justice purposes during the normal course of work, running information for personal use, and running information that is in direct conflict with the regulations set forth by the FBI and CIB for the use of the TIME system. Individuals determined to have misused the TIME system may be subject to internal discipline and/or criminal and/or civil penalties under state and federal law. TIME logs are audited for compliance with these policies.

#### SECURITY

##### TIME Agency Coordinator

The MPD shall designate an individual to serve as a TIME Agency Coordinator (TAC). The TAC may designate authorized contacts to fulfill various roles and responsibilities in the administration of the TIME system. Responsibilities of the TAC are to include ensuring that authorized users are trained and in compliance with CJIS, FBI, and MPD policies and regulations. The TAC also serves as the administrator of TIME interfaces to departmental applications/systems, terminal designations, and applicable communications/connectivity. Additionally, the TAC is responsible for the completion of audits performed by CIB and the FBI. In order to maintain our agency's access to the TIME system, it is essential that all staff comply with all requests from the TAC or designee(s). Additionally, the TAC will disseminate TIME System Newsletters to departmental staff.

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## General Security

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Access to TIME terminals shall be limited so that only authorized users will be able to view and access information from the system. In order to qualify for authorization, a TIME user must pass an initial background check, complete initial certification within six months of hire, and maintain applicable TIME certifications bi-annually. Staff with agencies holding a current Management Control Agreement with MPD will be required to complete and maintain TIME System Security Awareness training. Vendors remotely accessing CJIS related applications/systems shall be virtually escorted by certified and authorized MPD Technology staff. In the event of a security incident, the occurrence shall be documented and reported to CIB in accordance to applicable policies and procedures.

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## CRIMINAL HISTORY RECORD INFORMATION (CHRI/III)

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Information from **Criminal History Record Information (CHRI)** and the FBI Interstate Identification Index (III) shall only be obtained for designated purposes outlined below. This information is not to be disseminated to non-criminal justice agencies or persons. Dissemination to another criminal justice agency requires a secondary dissemination log that will be maintained for one year. The original authorized user must ensure that the recipient is properly authorized, and for valid purposes, to receive the information. CHRI/III records received cannot be disseminated via radio broadcast or cellular phones unless there is a situation affecting officer safety or the general public.

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### Authorized Purpose Codes

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- **Code C:** Code C is used for Criminal Justice/Law Enforcement purposes and is accepted by CIB and by the FBI. Adult and juvenile records will be supplied. This code is used for official duties in conjunction with the administration of justice (such as detection, apprehension, detention, prosecution, etc.).
- **Code J:** Code J is used for Criminal Justice/Law Enforcement employment applicants and is accepted by CIB and by the FBI. Adult and juvenile records will be supplied.
- **Code D:** Code D is used Domestic Violence/Stalking and is accepted by CIB (only adult records will be returned) and by the FBI (only returns information not sealed by state). This code is used by agencies providing a record to a court hearing for Domestic Violence and is for court use only. Actual Domestic Violence incidents will use Code C.
- **Code H:** Code H is used for checking suitability of Public Housing Applicants and is accepted by CIB (for adult records only) and by the FBI (for identification only).
- **Code F:** Code F is used for the return of Firearms to Lawful Owner and is accepted by CIB and by the FBI. Both adult and juvenile records are supplied. This code is used for the return of firearms to owners after theft, improper seizure, etc.
- **Code E:** Code E covers other Authorized Employment Purposes and is accepted by CIB ONLY (which ONLY supplies adult records). The FBI will not accept this code. This code is used for when criminal history is required by state statute, local ordinance, or federal regulation.

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### Storage and Disposal of CHRI Information

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CHRI/III records shall not unnecessarily be maintained in case files to avoid disclosure of out-of-date/inaccurate records under Wisconsin open records law. Cases that are e-Referred may contain CHRI/III information; however, this information is not considered part of the case documentation and is not subject to open records. When no longer needed, data from the TIME System shall be disposed of by the user in a secure manner via shredding.

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### Probable Cause/Hit Confirmation

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**A hit on TIME is not sufficient for probable cause; a hit only comprises part of the probable cause analysis and must be viewed in conjunction with other available information. As the time period increases, the significance**

of the hit decreases. When a hit confirmation request is received via dispatch or directly to the Officer in Charge (OIC), the OIC is responsible for providing timely confirmation back to the requesting agency.

A hit on TIME is not sufficient for probable cause and only comprises part of the probable cause analysis and must be viewed in conjunction with other available information. As the time period increases since the receipt of the hit, the significance of the hit decreases. When a hit confirmation request is received via dispatch or directly to the Officer in Charge (OIC), the 911 data operator, on behalf of MPD, will provide timely confirmation back to the requesting agency.

## CHRI/III INFORMATION

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On the CHRI/III request screens, the attention field shall contain the user's IBM number/badge number# and the additional information field shall contain the case number. If no case number exists, a brief explanation of why the request was run is required.

## TIME and NCIC Management of Records

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Only staff with Advanced TIME Certifications shall be allowed to enter, modify, and remove records from TIME/NCIC. Once a record has been entered or modified, a secondary check will be completed by a staff member who did not enter or modify the original record. Validation of all entries into TIME/NCIC shall be completed as designated by CIB.

Original SOP: 02/25/2015  
(Reviewed Only: 02/04/2016)  
(Revised: 01/06/2017, 12/11/2017, 11/18/2019, 11/29/2021, 03/04/2022)



CITY OF MADISON POLICE DEPARTMENT  
STANDARD OPERATING PROCEDURE



## Vehicle Use, Assignment, and Maintenance

Eff. Date ~~12/02/2019~~ 01/14/2022

### Purpose

Proper vehicle use and maintenance are an essential element to the efficient operation of the Madison Police Department's (MPD) ability to deliver services. The following procedures will be in effect for vehicle use and maintenance. Compliance and cooperation is needed by all MPD vehicle operators.

### Procedure

#### VEHICLE USE

##### All MPD Vehicles

1. Vehicles are to be used for City business only.
2. When traveling outside of Dane County in a City car, MPD employees must have written permission (email) from a supervisor to have a passenger in the vehicle, unless that passenger is also on duty. Any potential passenger must be identified before permission is granted.
3. ~~2.~~ **MPD vehicles are not to be left idling while unattended, even if locked, unless one of the following exemptions is present.** (Note: After a squad engine car is turned off, the Arbitrator in-car video camera system will stay powered for up to one (1) hour, and the computer system will stay powered for up to two (2) hours.)  
**Exemptions:**
  - a. The overhead emergency lights are in use.
  - b. The weather is extremely cold or inclement and shutting down the vehicle would delay the deployment of patrol resources (clearing snow, ice, or fogging from windows and lights) to respond to a call for service.
  - c. Canine vehicles with the dog in the vehicle.
4. ~~3.~~ If it is necessary to leave any MPD vehicle parked and unattended on the street at the end of an employee's tour of duty, the employee, or a supervisor, shall notify the **Officer in Charge (OIC)** to make arrangements to return the vehicle to its normal storage location.

##### Patrol Vehicles

1. All officers not using a permanently assigned squad for a patrol shift shall notify the 911 Center of their vehicle number **for that patrol shift**.
2. Marked patrol squads are assigned to various districts or stations. If a vehicle is taken from a station, it should be returned to that location barring an issue requiring maintenance, or a special circumstance. Notification by email to the District Commanders impacted is required.

##### Non-Patrol Vehicles

1. All non-patrol vehicles, except loaner/pool cars, are assigned to specific employees or units for specific purposes. These vehicles may only be used by other employees after a check with the assigned employee, unit supervisor, or a commanding officer for the unit impacted.
2. Employees must be trained in the proper operation of specialty vehicles. Uses of these vehicles are limited to trained personnel.
3. The Captain of Traffic & Specialized Services will maintain the listing of MPD vehicle assignments.

## SPECIAL DUTY RESTRICTIONS

1. Marked squad cars shall not be used for off-duty assignments unless the request for off-duty employment form indicates a squad car is necessary.
2. Officers must get OIC or District Command approval before taking a squad to ensure there is adequate availability of marked squads for on-duty patrol shifts.

## MAINTENANCE AND REPAIR OF VEHICLES

1. All employees should check the interior and exterior of the vehicle to be used at the beginning and throughout their shift. Any damage discovered shall be reported to a supervisor.
2. Crashes are to be reported immediately. Refer to ~~SOP~~ the Traffic/Parking Enforcement and Crash Investigation standard operating procedure (SOP) for specific procedures.
3. Preventive maintenance is regularly scheduled. The MPD Fleet Coordinator will provide a temporary vehicle during maintenance when possible.
4. When a vehicle is disabled or in need of mechanical repair during a tour of duty, it must be towed, or driven to the First Street Garage Fleet Services garage on Nakoosa Trail. When the garage is closed, the vehicle is to be locked. A "Vehicle Problem Report" form must be completed and left on the dashboard of the vehicle.
5. Vehicles shall be fueled if the gas gauge indicates one quarter of a tank or less and vehicles are to be kept clean.
6. Occasionally a police vehicle may be driven in a manner that could compromise later safe operation of the vehicle (e.g., jumping curbs, prolonged high speed pursuit, driving off of on unpaved roadways). In order to identify potential hidden damage, the extreme use should be documented on the Vehicle Problem Report so that Fleet Services can conduct a more thorough safety inspection of the vehicle.
7. Reports of damage from a crash or other problem require the investigating supervisor to report the damage through the reporting system with routing to the Captain of Traffic & Specialized Services and to record the damage in the Vehicle Damage Book in the OIC's Office prior to the end of that shift.

## GPS/AVL

Department vehicles may be equipped with technology that provides real-time and historical GPS (Global Positioning System) location information. This technology is intended to enhance officer safety and to improve departmental efficiency.

Employees shall not remove, disable, or tamper with GPS devices in any way without prior authorization from the Chief or designee. Any observed problems with GPS functionality must be reported promptly to MPD Information Management and Technology (IMAT) personnel (no later than the end of the shift in which the problem is noted). Employees are only permitted to access or view GPS data for legitimate work-related purposes in conjunction with their official duties.

While the primary focus of this technology is not discipline or performance evaluation, GPS data may be utilized for appropriate internal purposes (complaint investigation, audits, crash or pursuit review, etc.). Employees with personally assigned vehicles equipped with GPS technology are encouraged to log out of their mobile data computer (MDC) at a district station prior to ending their shift and traveling home.

Historical GPS data will be maintained in accordance with MPD's records retention schedule. These records may only be released in accordance with MPD's SOP on Records Inspection and Release.

Original SOP: 12/23/2015  
(Revised: 12/02/2019, 01/14/2022)  
(Reviewed Only: 01/22/2016, 11/01/2016, 12/26/2017)