CITY OF MADISON

INTER-DEPARTMENTAL

CORRESPONDENCE

September 16, 2026

To: City of Madison Common Council Alders

From: John Patterson, Chief of Police

Subject: Quarterly Report (2nd, 2026)

This document provides an update on selected MPD topics for the 2nd quarter (April, May, and June) of 2026.

Disclaimer: The crime summary data presented herein is based on offense definitions that may not directly reflect Group A crime totals reported to the FBI's National Incident-Based Reporting System (NIBRS). As such, this report is preliminary in nature and is subject to change. The presented figures reflect a snapshot in time upon the creation of this report. Amendments in classification, updates in case dispositions, additional record processing or changes in offense definitions may result in adjustments to the figures reported. As a result, this data should be considered dynamic and not final. The data reflected in this report was generated on, or before, 4/13/2026.

Please consider the data included in this update as preliminary and subject to modification.

Emergency and Priority Calls

During the 2nd quarter, MPD patrol response was limited to emergency and priority calls 15.9% of the time. This is a 47.22% increase from the 1st quarter of 2026 when our response time was limited 10.8% of the time. Given the volume of 9-1-1 calls or the severity of calls requiring multiple resources, there were 134 instances where MPD's patrol response was limited. Note that some of these instances did not impact citywide response but were limited to a particular district or area of the city. The 134 instances occurred on 77 dates (some days required limited call response multiple times); this means that at some point on 84.6% of the days during the 2nd quarter MPD patrol response was limited. The 134 instances spanned about 347.2 total hours of limited call response, an average of 2.6 hours per instance.

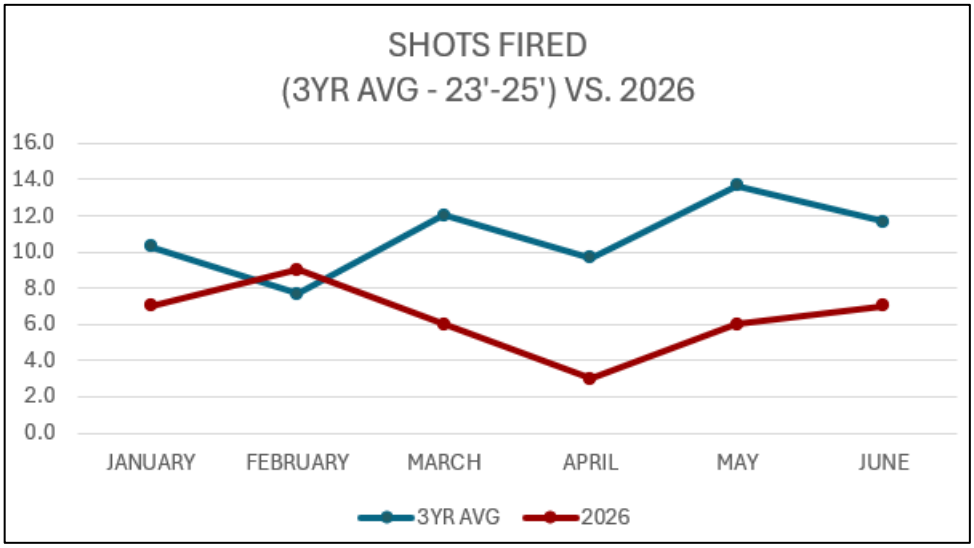
Significant Incidents

Events involving firearms are considered a significant incident within our stratified policing crime reduction framework. All calls involving a firearm and shots fired are investigated.

Shots Fired –

There were 16 reports of shots fired in April, May, and June of 2026. Year-to-date there were 38 reports of shots fired compared to 57 YTD in 2025. (33.33% decrease compared to YTD in 2025).

Below is a graph showing the year-to-date incidents of shots fired (38) compared to the 3-year-average (65: 2023-2025) by month. Through Q2 there was a 42.54% decrease compared to the 3-year average.



Shots fired are broken down into the following categories with data provided for April, May, and June of 2026:

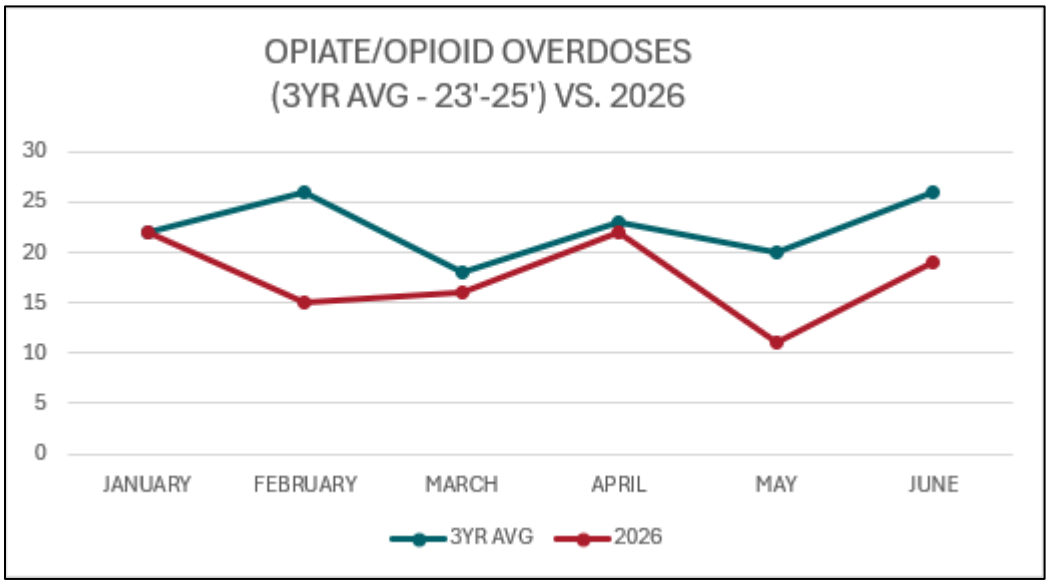
- Property Damage: 10
- Subjects Struck by Gunfire (excludes accidental discharge & self-inflicted): 5
- Accidental Discharge: 2
- Self-Inflicted (intentional): 0

There were 36 casings recovered in April, May, and June of 2026. Year-to-date 95 casings were recovered.

Opiate/Opioid Overdoses –

Officers responded to 52 known opiate/opioid in overdoses in April, May, and June of 2026. Year-to-date there were 105 known opiate/opioid overdoses (9.48% decrease from 2025).

Below is a graph showing the year-to-date incidents of known opiate/opioid overdoses (105) compared to the 3-year-average (137: 2023-2025) by month. Through Q2 there was a 23.36% decrease compared to the 3-year average.



There were 5 suspected opiate/opioid overdose deaths in April, May, and June of 2026. Year-to-date there were 10 suspected opiate/opioid overdose deaths (9.09% decrease from 2025).

- [Note that these figures only include opiate/opioid overdose deaths with police involvement and clear evidence of an overdose; the actual figure may be higher].

The Madison Police Department actively seeks opportunities to *divert* and *deflect* individuals from the justice system.

Diversion occurs when police refer individuals to a program or services in lieu of an arrest. Pre-arrest or pre-charge diversion seeks to connect individuals with community-based help, while avoiding a damaging arrest record.

Deflection is community based and entails no criminal justice system involvement beyond an individual's interaction with a police officer in the field. Police deflection programs aim to reduce crime by connecting people living with mental health struggles or substance use disorder to treatment and recovery resources.

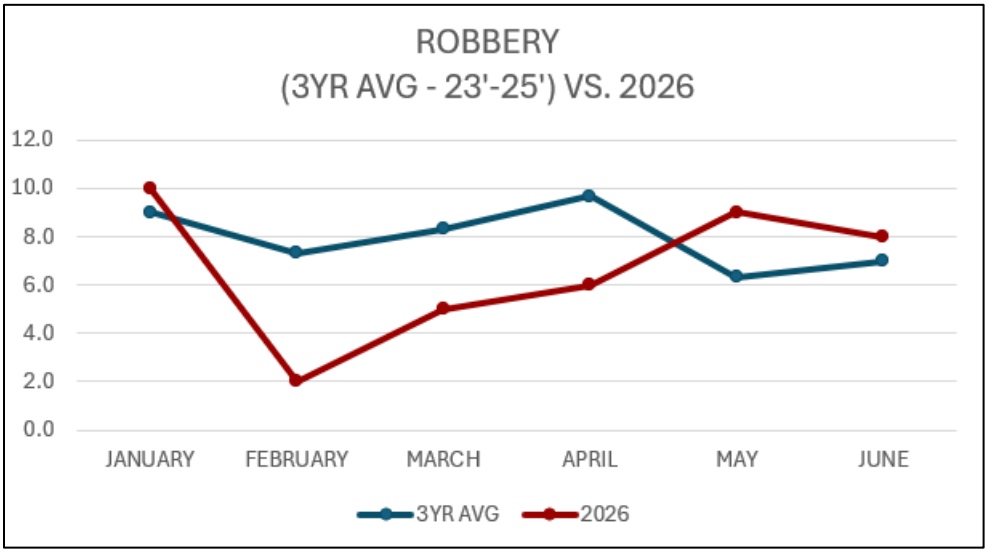
Madison Area Recovery Initiative (MARI) is a program for individuals living with substance use disorders who have committed eligible, non-violent offenses stemming from their disease of addiction. The program offers six months of individualized treatment and coaching to participants. Participants must complete the program for non-prosecution of the charges they would have faced. Eligible charges include possession of drug paraphernalia, possession of a controlled substance, retail theft, prostitution, and theft/burglary if the victim of the theft/burglary agrees to the MARI program being offered.

The **Addiction Resource Team** is multidisciplinary and utilizes a police officer and a Peer Specialist from Safe Communities. The teams follow up with people who have experienced a non-fatal overdose or other precipitating event that brought them into contact with Madison Police or Madison Fire personnel. The purpose is to connect individuals with recovery resources, meet people where they are, and provide harm reduction materials. The team distributes the opioid reversal agent Naloxone and fentanyl test strips on outreach visits.

Robberies –

There were 23 robberies reported in April, May, and June of 2026. Year-to-date there were 40 robberies (4.76% decrease from 2025).

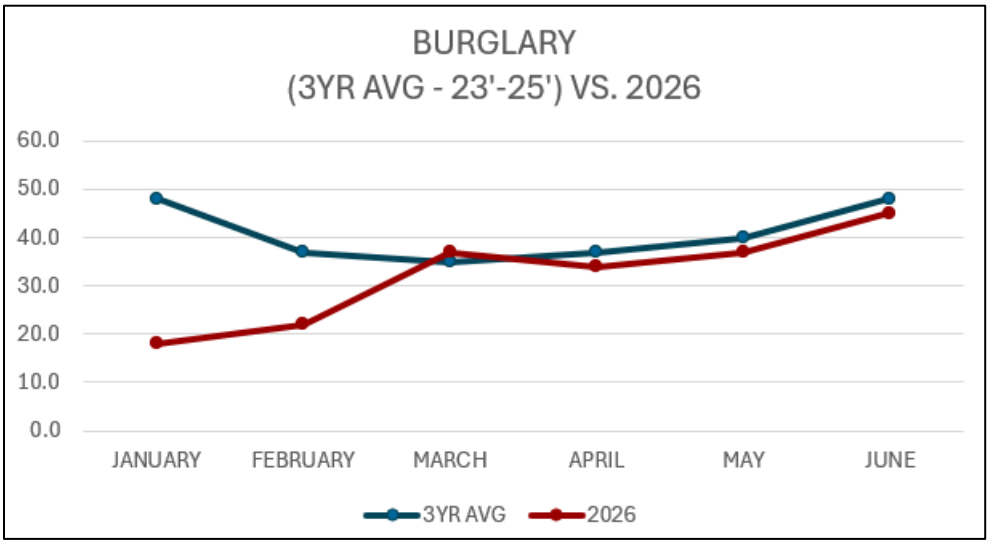
Below is a graph showing the year-to-date reported robberies (40) compared to the 3-year average (48: 2023-2025) by month. Through Q2 there was a 16.66% decrease compared to the 3-year average.



Burglaries –

There were 105 burglaries reported in April, May, and June of 2026. Year-to-date there were 193 burglaries (11.06% decrease from 2025).

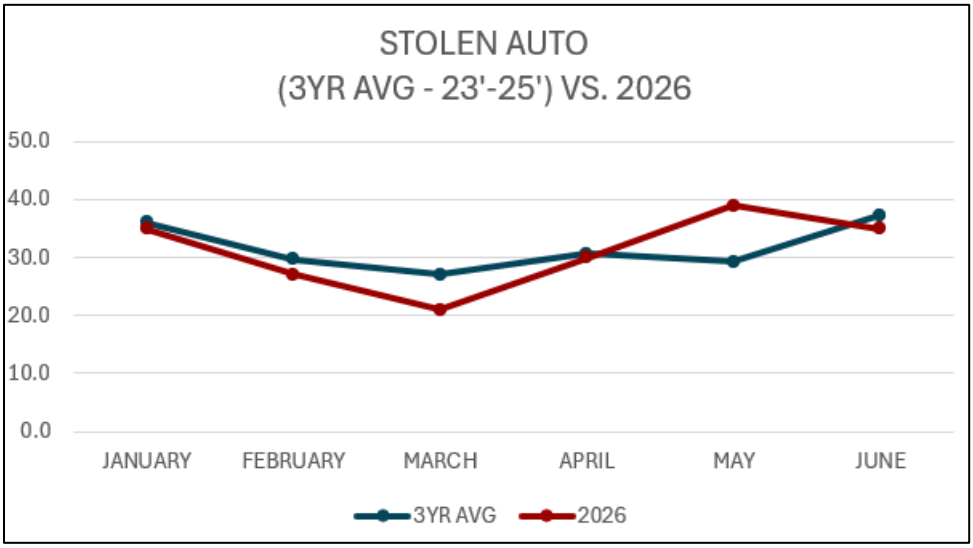
Below is a graph showing the year-to-date reported burglaries (193) compared to the 3-year average (245: 2023-2025) by month. Through Q2 there was a 21.2% decrease compared to the 3-year average.



Stolen Autos –

There were 105 vehicles reported stolen in April, May, and June of 2026 of 2026. Year-to-date there were 187 vehicles reported stolen (38.52% increase from 2025).

Below is a graph showing the year-to-date reported stolen autos (187) compared to the 3-year average (190: 2023-2025) by month. Through Q2 there was a 1.57% decrease of stolen autos reported compared to the 3-year average.

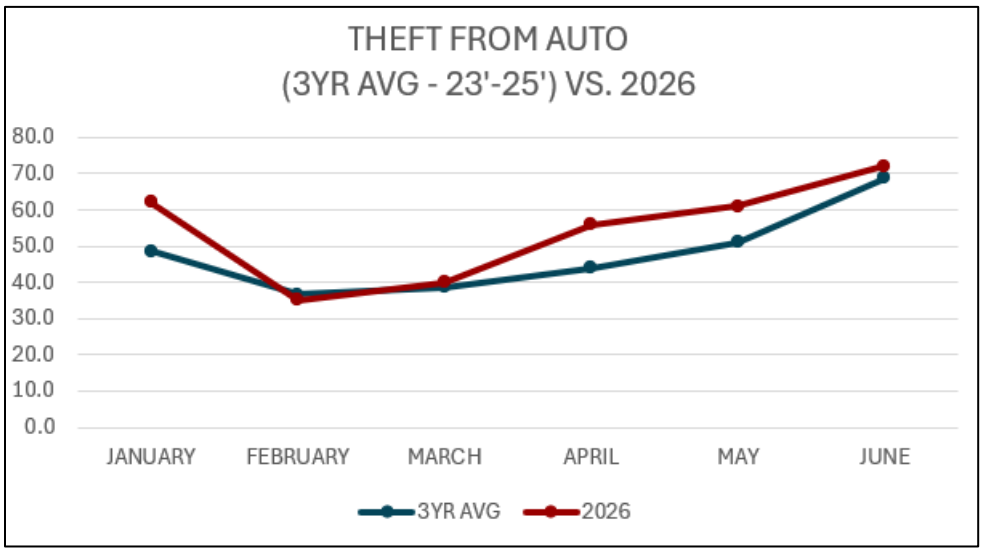


Thefts from Autos –

There were 189 reports of theft from autos in April, May, and June of 2026 of 2026. Year-to-date there were 326 theft from autos (13.99% increase from 2025).

- MPD encourages everyone in our community to remove valuables from their vehicle, lock their vehicles, and when possible, park near lights.

Below is a graph showing the year-to-date reported thefts from autos (326) compared to the 3-year average (288: 2023-2025) by month. There was a 13.19% increase in theft from autos reported compared to the 3-year average.



Arrest Data

Physical Arrests: Law enforcement physically took someone into custody and transported them to jail.
Citations: This is an administrative arrest. The individual is issued a ticket and promises to appear in court.

In the 2nd quarter of 2026, MPD responded to **38,785 calls for service**. Of this total, there were **1,558** physical arrests and **642** citations issued (Group A and B offenses).

Second quarter **physical arrest** data:

Sex	Q2 Adults	%	Q2 Youth	%
Male	1,166	75%	40	56%
Female	392	25%	31	44%
Total	**1,558**	**100%**	**71**	**100%**

Race	Q2 Adults	%	Q2 Youth	%
Asian	20	1.28%	0	0%
African American	829	53.21%	49	69%
Native American	7	.45%	0	0%
Other	32	2.05%	1	1.41%
Caucasian	670	43%	21	29.58%
Total	**1,558**	**100%**	**71**	**100%**
Hispanic*	175	11.23%	7	9.86%

"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.

1,245 distinct adult individuals accounted for the **1,558** instances of physical arrests in the 2nd quarter of 2026. **211** individuals were physically arrested more than one time in the 2nd quarter of 2026. These "repeat arrestees" accounted for **13.5%** of all adult arrests during this timeframe.

50 distinct youth accounted for the **71** instances of physical arrests in the 2nd quarter of 2026. **8** youth were physically arrested more than one time in the 2nd quarter of 2026. These "repeat youth arrestees" accounted for **11.3%** of all youth arrests during this timeframe.

Second quarter **citation** data:

Sex	Q2 Adults	%	Q2 Youth	%
Male	419	65%	17	65%
Female	223	35%	9	35%
Total	**642**	**100%**	**26**	**100%**
Race	**Q2 Adults**		**Q2 Youth**	**%**
Asian	8	1.25%	1	3.85%
African American	277	43.1%	13	50%
Native American	3	.47%	0	0%
Other	8	1.25%	1	3.85%
Caucasian	346	53.9%	11	42.3%
Total	**642**	**100%**	**26**	**100%**
Hispanic*	82	12.78%	3	11.5%

"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.

Data reported below includes Arrest only totals based on the FBI's National Incident-Based Reporting System (NIBRS) Group A and Group B categories. Based on NIBRS requirements, only Arrest data is collected for Group B categories. Previous quarterly reports included Group A Offense data and now reflect Arrest data to be consistent with Group B in this table and in better context under the Arrest Data heading.

Group A Arrests	**Q1**	**Q2**	**Q3**	**Q4**	**Total**	**%**
Animal Cruelty	0	2			2	.10%
Arson	2	0			2	.10%
Assault Offenses	307	410			717	35%
Bribery	0	0			0	0%
Burglary	11	19			27	1.32%
Counterfeiting/Forgery	4	2			6	.29%
Damage to Property	76	108			184	9%
Drug/Narcotic Offenses	209	159			368	18%
Embezzlement	2	1			3	.15%
Extortion	0	0			0	0%
Fraud Offenses	23	20			43	2.1%
Gambling Offenses	0	0			0	0%
Homicide Offenses	2	0			2	.10%
Negligent Manslaughter	5	1			6	.29%
Human Trafficking Offenses	0	0			0	0%
Kidnapping/Abduction	16	23			39	1.9%
Larceny/Theft Offenses	173	218			391	19.13%
Theft from Auto	15	2			17	.83%
Motor Vehicle Theft	15	8			23	1.13%
Pornography/Obscene Material	6	3			9	.44%
Prostitution Offenses	2	0			2	.10%
Robbery	12	18			30	1.47%
Sex Offenses, Forcible	18	25			43	2.1%
Sex Offenses, Non-Forcible	0	2			2	.10%
Stolen Property Offenses	5	10			15	.73%
Weapon Law Violations	54	56			110	5.38%
Total	**957**	**1,087**			**2,044**	**100%**
Group B Arrests	**Q1**	**Q2**	**Q3**	**Q4**	**Total**	**%**
Bad Checks	2	1			3	.07%
Disorderly Conduct	710	963			1,673	39.65%
Driving Under the Influence	156	142			298	7.06%
Family Offenses, Nonviolent	30	24			54	1.28%
Liquor Law Violations	15	33			48	1.14%
Peeping Tom	0	0			0	0%
Trespass of Real Property	211	209			420	9.95%
All Other Offenses	845	878			1,723	40.84%
Total	**1,969**	**2,250**			**4,219**	**100%**

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

A further breakdown per district of disorderly conduct arrests:

Group B Disorderly Conduct Offenses: Adults	Central	East	West	North	Midtown	South
Stand-alone municipal citations	91	27	16	26	9	14
Stand-alone misdemeanor arrests (in-custody)	39	17	11	11	8	8
Stand-alone misdemeanor arrests (released with a court date)	7	0	1	0	0	0
Misdemeanor arrests with enhancers (domestic)	30	83	29	74	27	22
Misdemeanor arrests with enhancers (while armed)	16	15	4	9	5	8
Misdemeanor arrests with additional offenses	153	61	28	42	26	18

Group B Disorderly Conduct Offenses: Youth	Central	East	West	North	Midtown	South
Stand-alone municipal citations	6	2	0	1	6	2
Stand-alone municipal citations combined with other offenses	1	1	0	2	0	0
Stand-alone misdemeanor arrests (in custody)	2	1	1	0	0	1
Stand-alone misdemeanor arrests (released with a court date)	0	0	0	0	0	1
Misdemeanor arrests with enhancers (domestic)	0	0	0	0	0	0
Misdemeanor arrests with enhancers (while armed)	0	1	0	2	2	0
Misdemeanor arrests with additional offenses	0	0	0	0	0	4

Use of Force Overview

During the second quarter of 2026, MPD officers responded to **38,785** calls for service. In that time, there were 151 contacts in our community in which officers used recordable force during the encounter. This means that in the second quarter, MPD officers used recordable force **0.39%** (less than one third of 1%) of the time when engaging with members in our community. Each of these force incidents was reviewed for compliance with MPD standard operating procedures.

Description	Q1	Q2	Q3	Q4	Total/%
Calls for Service	34,175	38,785			72,960
Contacts Where Force Was Used	94	151			245
% of CFS Where Force Was Used	**0.28%**	**0.39%**			**0.34%**
Force					
Decentralization/Takedown (e.g. officer pushing or pulling a subject to the ground)	86	109			195/59.1%
Active Counter Measures (e.g. officer striking a subject with hand, forearm, foot or knee)	21	19			40/12.1%
Taser Deployment	15	21			36/10.9%
Hobble Restraints (a belt system that restricts a subject's ability to kick at officers, squad windows, etc.)	7	8			15/4.5%
OC (i.e. Pepper) Spray Deployment	6	32			39/11.4%
Baton Strike	0	0			0/0%
K9 Bite	2	1			3/0.9%
Firearm Discharged Toward Suspect	0	0			0/0%
Impact Munition (firearm delivered projectile launched at a lower-than-normal velocity)	2	1			3/0.9%

Specialty (SWAT/SET)	0	0			0/0%
Total	**139**	**191**			**330/100%**
Firearm Discharged to Put Down a Sick or Suffering Animal	21	15			36

*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

The 151 incidents of recordable force in Q2 are broken down by call type as follows:

Call type (as indicated in CAD)	Amount
Accident with Injuries	1
Adult Arrested Person	13
Assist EMS/Fire	1
Assist Police	2
ATL Person (Attempt to Locate)	3
Battery	4
Burglary – Residential	3
Check Person	5
Check Property	1
Child Abuse	1
Child Neglect	1
Death Investigation	1
Disturbance	57
Disturbance/Unwanted Subject	1
Domestic Disturbance	9
Drug Incident/Investigation	2
Fight Call	17
Juvenile Arrest	3
911 Multiple/Nuisance	1
OMVWI Arrest/Intoxicated Driver	4
Robbery – Strong Armed	4
Special Event	2
Stratified Policing	1
Suspicious Person	1
Suspicious Vehicle	3
Theft	1
Theft - Retail	1
Traffic Arrest	1
Traffic Stop	1
Trespass	1
Weapons Offense	5

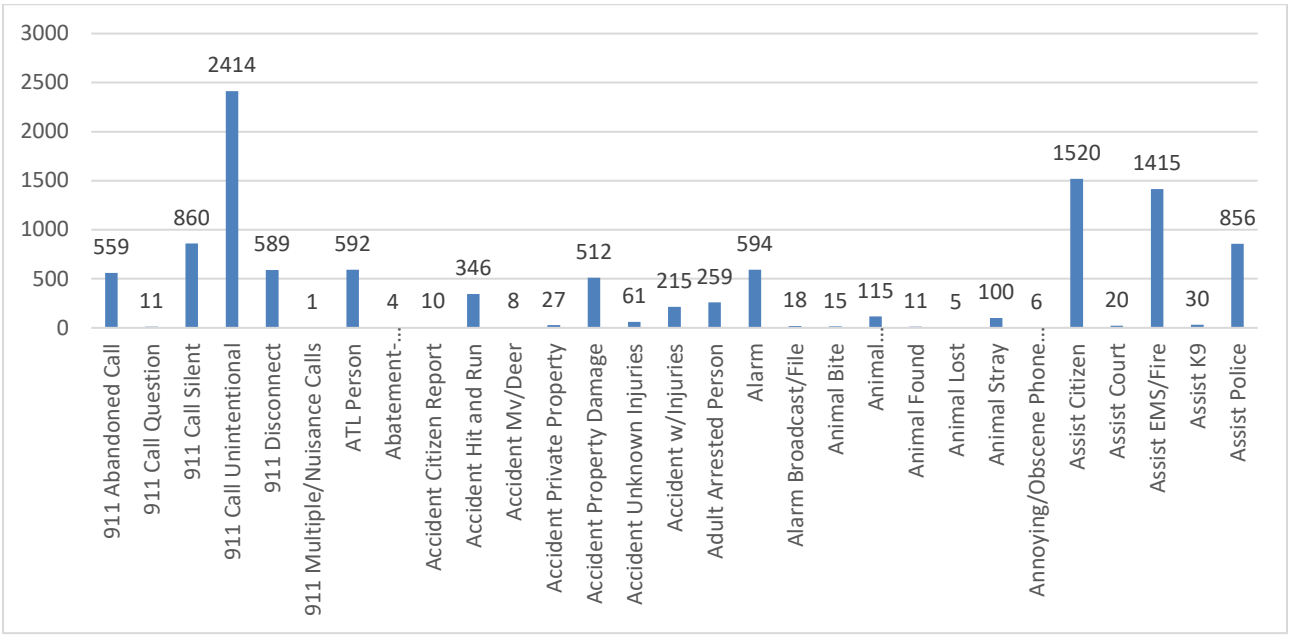
Second quarter use of force data by district and time of day:

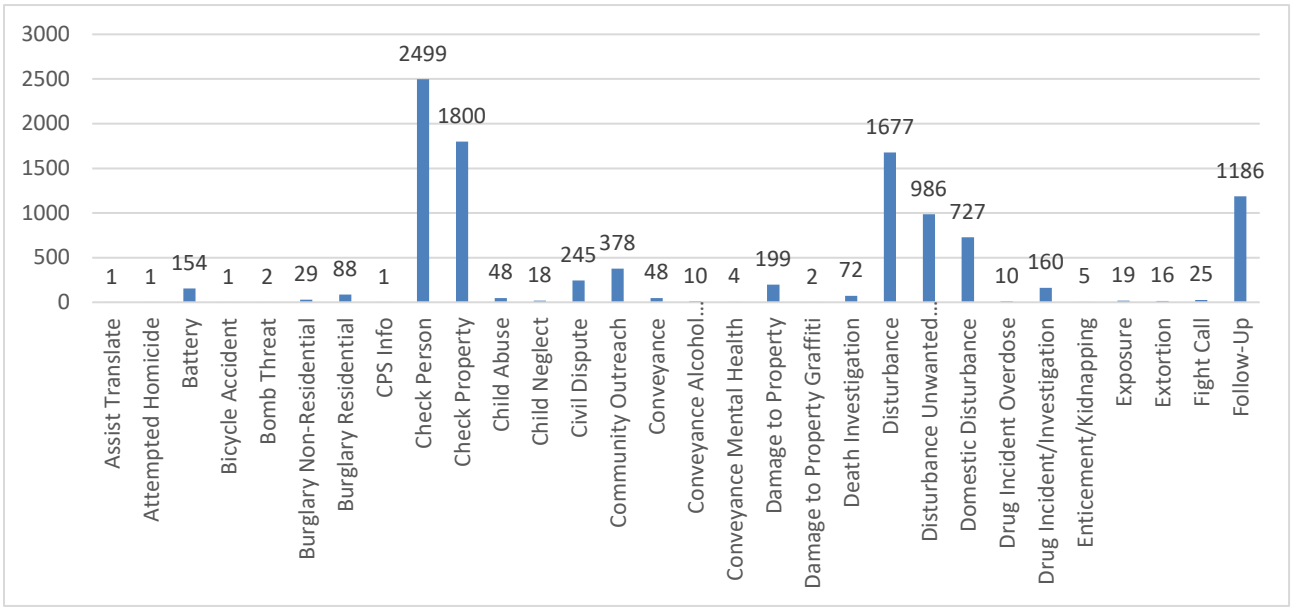
District	Q1	Q2	Q3	Q4	Total	%
West	4	4			8	3.3%
Midtown	10	13			23	9.4%
South	6	16			22	9%
Central	37	79			116	47.3%
North	12	16			28	11.4%
East	24	21			45	18.4%
Out of County	0	0			0	0%
Within County - Assist	1	2			3	1.2%
Total	**94**	**151**			**245**	**100%**
Time of Day/Patrol Shift	**Q1**	**Q2**	**Q3**	**Q4**	**Total**	**%**
1st Detail (7am – 3pm)	20	18			38	15.5%

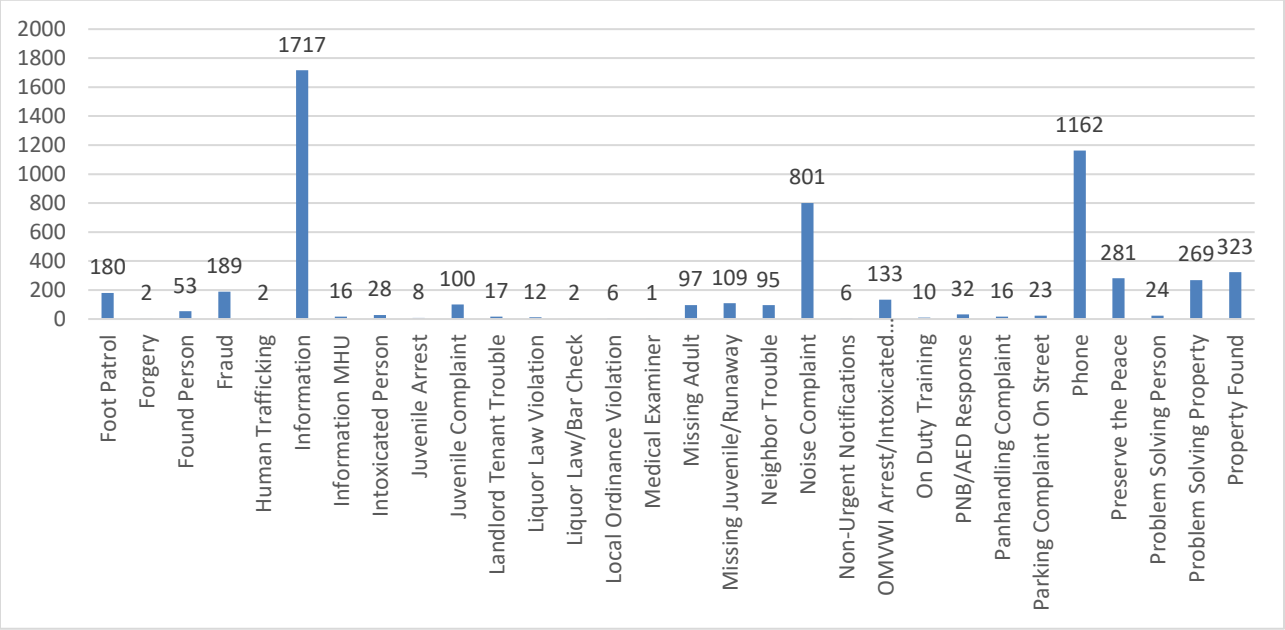
3rd Detail (3pm – 11pm)	35	67			102	41.6%
5th Detail (11pm – 7am)	39	66			105	42.9%
Total	**94**	**151**			**245**	**100%**

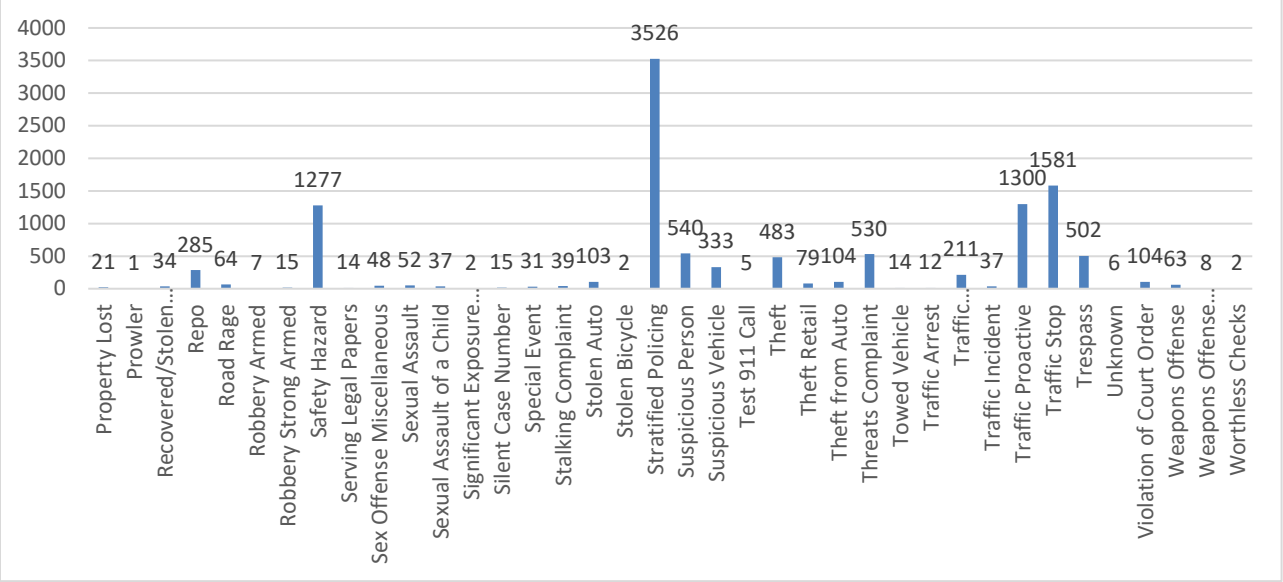
Calls for Services (2nd Quarter, 2026)

There were 38,785 total calls for service in the second quarter of 2026. Here is a breakdown of the incident types:









Diversion Data (2nd Quarter, 2026)

The Madison Police Department actively seeks to divert individuals from the traditional justice system. Diversion occurs when police refer individuals to a program or services in lieu of an arrest and seeks to connect individuals with community-based help and to avoid a damaging arrest record.

These programs are based in restorative justice. Restorative justice seeks to examine the harmful impact of a crime and then determines what can be done to repair that harm while holding the person who caused it accountable for his or her actions. This approach focuses on the needs of victims, respondents, and the affected community. Victims can actively participate in the process. Respondents acknowledge responsibility for their actions. The goals of restorative justice are to repair harm, reduce the risk of re-offense and rebuild community.

The Madison Police Department has two diversion programs oriented around restorative justice.

1. **Community Restorative Court (CRC)** run by Dane County Dept. of Human Services for 17 – 25-year-olds who are cited for disorderly conduct, simple battery, obstructing an officer, damage to property, trespass, or theft (including retail).
2. **Restorative Justice (RJ)** run by the YWCA for 12 – 16-year-olds. Officers are required to refer youth to this program in lieu of a municipal citation (excluding traffic violations).

12–16-Year-Old Youth Data from YWCA	17–25-Year-Old Data from CRC
Total referrals issued: 62 Opted-in: 34 Opted-out: N/A Pending: 28 Offenses: • Disorderly Conduct (27) • Battery (10) • Retail Theft (7) • Resist/Obstruct (3) • Trespass (10) • Damage to Property (2) • Possession/Consume Open Intoxicants on public street (1) • Exposure (2)	Referrals from April 1 through June 30, 2026 Total MPD Referrals = **96** Offenses: • Battery (3) • Damage to Property (3) • Disorderly Conduct (56) • Resist/Obstruct (5) • Retail Theft (10) • Theft (3) • Trespass (16)

Traffic

Traffic Complaints –

Community members may submit a traffic complaint or concern to the Madison Police Department by utilizing online submissions or calling the Speeder's Hotline (608-266-4822). In the 2nd quarter of 2026, MPD received 259 traffic complaints.

Serious/Fatal Crashes

In the 2nd quarter of 2026, MPD responded to 762 crashes. These crashes resulted in 2 fatalities, 28 serious injuries, and 264 minor injuries.

Traffic Citations and Warnings

Second quarter **all traffic stops** data:

Sex	Q1	Q2	Q3	Q4	Total	%
Male	4,658	4,325			8,983	62.96%
Female	2,673	2,611			5,284	37.04%
Total	**7,331**	**6,936**			**14,267**	**100%**

Race	Q1	Q2	Q3	Q4	Total	%
Asian	359	305			664	4.97%
African American	2,008	1,839			3,847	28.81%
Native American	30	42			72	.54%
Other	242	204			446	3.34%
Caucasian	4,130	4,192			8,322	62.33%

Total	**6,769**	**6,582**			**13,351**	**100%**
Hispanic*	856	722			1,578	11.82%

"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.

Second quarter **citations issued & warnings issued** data:

Sex	Q2 Citations	Q2 Warnings	Total
Male	2,950	1,375	4,325
Female	1,756	855	2,611
Total	**4,706**	**2,230**	**6,936**

Race	Q2 Citations	Q2 Warnings	Total
Asian	200	105	305
African American	1217	622	1,839
Native American	23	19	42
Other	75	129	204
Caucasian	3,165	1,027	4,192
Total	**4,680**	**1,902**	**6,582**
Hispanic*	394	328	722

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Training

In April and May, the members of MPD trained Active Shooter Incident Management (ASIM) scenarios with the Madison Fire Department. The two agencies worked together to improve interagency communication and cohesiveness, enhancing our ability to respond to these critical incidents. MPD personnel also received training in Procedural Justice and Professional Communication skills.

On May 26, MPD welcomed twenty-eight recruits to its Pre-Service Academy and one lateral hire to its Accelerated Academy. The Pre-Service Academy will run until November, at which time graduates will enter Field Training. Our Accelerated Academy hire successfully completed her training academy and has now moved on to Field Training.

Mental Health Update

Update from Sergeant Sam Brier, Mental Health Unit:

Internal Engagement/External Engagement

In Q2 of 2026, our Mental Health Unit (MHU) logged several community-facing presentations. In April, the MHU presented during the MPD Community Academy on Behavioral Health. Additionally, the MHU conducted a Crisis Intervention Partners (CIP) training at the State Capitol, helping educate professionals on how to respond to persons in crisis while at work. Further, the MHU staffed a resource table and presented at the Protecting Places of Worship Event at Blackhawk Church in May. Finally, the MHU participated in a discussion panel at the CSC Crisis Prevention Summit at the Alliant Energy Center in April.

The Mental Health Unit also strengthened partnerships with partner organizations. Multiple Mental Health Officers shadowed workers with Program of Assertive Community Treatment (PACT), which provides ongoing mental health

treatment to many people in Dane County. The MHU also met with the Wisconsin Department of Health Services, bolstering our understanding of Conditional Release and Competency Programs within the Department of Health Services.

Most notably in Q2, MHU not only attended, but presented at NAMI Wisconsin's 2026 Crisis Intervention Training (CIT) Symposium in the Wisconsin Dells. Our Unit's Embedded Crisis Workers did a joint presentation titled “When Empathy Needs a Limit” discussing the importance of setting good boundaries.

Within the Madison Police Department, the Mental Health Unit provided patrol officers with a FAQ sheet to clarify officer expectations when testifying at Emergency Detention Court Hearings.

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 second quarter of 2026.

2026 – Second Quarter Promotions

Officer Jesse Davila to Sergeant
Officer Alec Doll to Sergeant
Officer Mark Bonds to Sergeant

Discipline Summaries/Employee Recognitions

Updated/New SOPs for MPD: April-June, 2026

All SOPs are subject to regular review. SOPs are reviewed annually, every other year, or every three years, as determined by the Changes to Code of Conduct and Standard Operating Procedures SOP. The below SOPs were either reviewed/edited due to changes necessary and/or reviewed/edited based on the revision process timeline. Our SOPs can be located on the Madison Police Department website.

Arrest, Incarceration, and Bail – Adults: May 11, 2026

Arson Investigations: April 6, 2026

Demonstrations and Assemblies: April 1, 2026

JRC, Jail, and Probation & Parole Reponses & Conveyances: May 11, 2026

Domestic Abuse: May 11, 2026

Funerals and Ceremonies of Law Enforcement Officers: April 1, 2026

Intoxicated and Incapacitated Persons: May 11, 2026

Special Events Team Specialty Teams: April 1, 2026

Use of the SUPERHAILER Long Range Communication System: April 16, 2026

Arrest, Incarceration, and Bail - Adults

Eff. Date ~~06/09/2025~~ 05/11/2026

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[1] 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,[2] 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.[3]

   1m Notwithstanding sub. (1), a law enforcement officer shall arrest a person when required to do so under s. 813.12 (7), 813.122 (10), 813.125 (6), 813.128 (3g) (b), or 968.075 (2) (a) or (5) (e).
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.
3. If the alleged violator under s. 948.55 (2) or 948.60 (2) (c) is or was the parent or guardian of a child who is injured or dies as a result of an accidental shooting, no law enforcement officer may arrest the alleged violator until at least 7 days after the date of the shooting.

Arrest Screening/Bail

It is the policy of the MPD to have the Officer in Charge (OIC) or a designee (i.e. Sergeant or Commanding Officer) review each custodial 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 arrested person before the next session of court.

Bail can be set only by a judge or court commissioner and may be set by a judge or court commissioner 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.

[1] "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.
[2] "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.
[3] "Crime" is conduct that is prohibited by State law and punishable by fine or imprisonment or both. Conduct punishable only by forfeiture is not a crime.

Felonies

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

An officer may issue an order-in form to individuals if they have probable cause for one or more non-domestic enhanced felony charges and the officer is unable to book the individual in jail due to medical reasons, and if the same listed criteria for issuance of a State Statute Misdemeanor Citation apply (see section below).

Drug-Related Felonies

With the approval of a supervisor, the order-in form can be issued to individuals being referred to the Madison Area Recovery Initiative (MARI). See the Alternatives to Arrest – Diversion & Deflection section.

State Statute Misdemeanor Citations & Felony Order-In Forms

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 Tracs-generated 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 all of 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). *See* MPD's Domestic Abuse SOP for additional guidance.
7. The offense does not fall under the following statutes: 813.12(7), 813.122(10), 813.125(6), 813.128(3g)(b), or 968.075(2)(a) or (5(e).

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 all of 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 a police report. Misdemeanor citations shall not be sent via mail (email or otherwise).

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 may release the person after the citation has been issued. Officers shall not email the citation to the person(s). A police report must be completed when the citation resulted from a community member'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 one or more of the following criteria exists:

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; or
5. When approved by the OIC or designee

Alternatives to Arrest – Diversion & Deflection

COMMUNITY RESTORATIVE COURT (CRC):

The Madison Police Department can send referrals to Community Restorative Court (CRC), a criminal diversion program for adults aged 17-25 who have committed an eligible offense. Eligible offenses are

- disorderly conduct
- battery
- damage to property
- obstructing
- theft, including retail theft

Commissioned personnel can refer individuals to Community Restorative Court by issuing a municipal citation for any one or a combination of eligible offenses; personnel in the Community Outreach and Resource Education (CORE) unit cross-check all cited persons for CRC eligibility weekly.

Commissioned personnel can also make a direct referral, in which no citation is generated or custodial arrest occurs and the person is referred from the field to Community Restorative Court. All of the following must occur for a direct referral to take place:

a. The officer verifies the individual is not on probation or parole
b. The officer verifies the individual has no open criminal cases in CCAP
c. The officer verifies that the individual has no violent criminal convictions in the past 3 years
d. The officer determines that the charge(s) are eligible; both municipal and misdemeanor iterations of the five eligible charges can be direct referred
e. The officer asks the individual about willingness to participate in a diversion program in lieu of being cited or arrested
f. The officer collects the individual's full identifying information and contact information, and emails the Community Outreach Sergeant about the direct referral by end of shift
g. The officer completes a basket 4 (priority report)

MADISON AREA RECOVERY INITIATIVE (MARI):

The Madison Police Department can refer individuals to MARI if all of the following conditions apply:

1. The individual is an adult that is at least 17 years of age,
2. The individual has residential ties to Dane County,
3. The incident and circumstances investigated do not involve domestic abuse, sex offenses, or acts or threats of violence towards others,
4. Officers believe that the individual is actively using illicit drugs (not alcohol), misusing prescription medications, or the underlying behavior has to do with substance use, and
5. Officers develop probable cause to cite or arrest the individual for one or more of the following eligible offenses:
   - Possession of a controlled substance, Wis. Stat. 961.41(3g) subsections are eligible
   - Possession of drug paraphernalia, Wis. Stat. 961.573
   - Prostitution, Wis. Stat. 944.30
   - Non-traffic City Ordinance Violation(s)

A referring officer should do the following while still in contact with the referred individual:
1. Issue the appropriate citation or order-in form corresponding to the eligible offense(s), and
2. Provide information about the MARI pre-arrest diversion program, namely the contact information for the clinical assessor. This can be done by providing the Information for Referred Individual page of the MARI packet.

When making a MARI referral, the investigating officer shall communicate to the MPD MARI Team that the individual has been referred to MARI pre-arrest diversion. This can be accomplished by completing the online MARI Referral form. The primary referral form is on SharePoint, and the backup referral form is on EmployeeNet.

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; or
5. The person involved refuses to cease behavior which is in violation of ordinance or state statute; or
6. When approved by the OIC or designee.

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 (i.e. for a blood draw) and then released to a responsible party from the hospital.

The arrested person shall be released if the 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.

Mailing of Citations (City Ordinance Violations and Traffic Violations)

The preferred method of service at all times for both city ordinance citations and traffic citations is in person. Officers in most circumstances should serve the citation on scene. If that is not possible, reasonable attempts should be made to follow up and serve the citation in person. Officers should not mail citations simply because it is more efficient than in person service. An exception exists for officers working an enforcement project as part of a special team such as Central CPT.

If after following the above guidance, if it is not possible to serve a city ordinance or traffic citation in person, these citations may be mailed by **USPS First Class mail**. This must be documented in a report.

The same guidance is true for most traffic citations. For certain traffic violations involving owner liability, the law is very specific and requires mail service be made by **USPS Certified Mail**. Before mailing these owner liability traffic citations, the statutes require due diligence be made to serve the citation in person. Efforts to serve these owner liability citations in person should be documented in a police report. State statutes also require the mailing to occur within a certain timeframe and failure to do so may result in dismissal of the citation.

Below is the list of owner liability citations that require service either in person or by USPS Certified Mail:

1. 346.175; Eluding Officer
2. 346.195; Failure to Yield to Emergency Vehicle
3. 346.205; Failure to Yield to Funeral Procession
4. 346. 452; Failure to Yield at Rail Road Crossing
5. 346.457; Illegally Passing a Firetruck
6. 346.465; Not Stopping for Crossing Guard
7. 346.485; Not Stopping for School Bus
8. 346.675; Not Stopping for an Accident
9. 346.945; Radio too Loud

In the event a certified mailing has been returned to the officer, the officer should then mail the citation through standard (regular) mail and document that in a police report. When this occurs, the officer must ensure the returned service is included in the case file and provided to court services.

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 the 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 arrested to a medical facility for attention and medical release.
d. If a charge or charges are approved, the arresting officer will ensure completion of booking forms to include the specific charge(s) and established bail and will present this to the jail booking deputy along with the completed Probable Cause (PC) Affidavit.
e. When an arrested person must be medically treated prior to incarceration, officers must obtain the medical clearance form(s) provided by medical staff. After leaving a medical facility, officers will convey the arrested person to the Dane County Jail where the medical clearance forms will be turned over to the jail booking deputy.
f. ~~When an arrested person is taken to a detoxification facility prior to being taken to jail, a police report shall be completed prior to the end of the officer's 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 police reports dealing with an arrested person must be completed prior to the officer ending their shift unless permission is granted by the OIC, designee, or supervisor.

Enforcement Action Outside of Jurisdiction

Wisconsin State Statute 175.40 empowers a law enforcement officer to take enforcement actions outside of 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 of the incident. This SOP does not apply to officers who are off-duty or acting under a mutual aid request.

1. MPD officers may 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:
   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, 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, 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 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 police 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 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.

Original SOP: 12/14/2015
(Reviewed Only: 12/26/2017, 01/30/2019, 02/09/2025, 01/31/2026)
(Revised: 04/02/2018, 01/15/2020, 12/21/2020, 01/14/2022, 02/07/2023, 08/04/2023, 1/29/2024, 06/09/2025, 05/11/2026)

Arson Investigations

Eff. Date ~~01/24/2022~~ 04/06/2026

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.~~

Establish standard operating procedure (SOP) for Madsion Police Department (MPD) response for arson related incidents.

~~MISSION~~

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

PROCEDURE

Upon receiving any of the following calls for service, ~~an~~ officers 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 Burglary Property Crimes Detective Lieutenant ~~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. ~~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.~~

~~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.~~

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

Original SOP: 05/09/2018
(Revised: 01/03/2020, 01/24/2022, 04/06/2026)
(Reviewed only: 02/05/2024)

Demonstrations and Assemblies

Eff. Date ~~02/03/2025~~ 04/01/2026

PURPOSE

The purpose of this standard operating procedure (SOP) is to establish guidelines for managing crowds, protecting individual rights, and preserving the peace during crowd events.

POLICY

It is the policy of the Madison Police Department (MPD) to protect individual constitutional rights related to assembly and free speech; to effectively manage crowds to prevent loss of life, injury, or property damage; and to minimize disruption to persons who are not directly involved in any particular assembly or demonstration.

DEFINITIONS

Freedom of Speech and Assembly: For the purposes of this SOP, as articulated in the United States Constitution and the Constitution of the State of Wisconsin, the collective rights of the people to peaceably assemble, to consult for the common good, and to petition the government, or any department thereof.

Demonstration (or Protest): An assembly of persons organized primarily to engage in free speech activity. These may be permitted and scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention.

Community Dialogue Representative (CDR): Community members and leaders who serve as communication conduits between demonstrators and law enforcement and who possess credibility with the community to defuse tense situations without law enforcement intervention.

Community Dialogue Team (CDT): Members of the MPD Special Events Team who assist SET Command with ~~serve as~~ communication ~~conduits~~ between law enforcement and demonstrators and who engage in regular informational and educational sessions with CDRs and general community members at large.

Demonstration/Event Liaison: Member(s) of MPD who attempt(s) to engage in dialogue with known event or demonstration organizers to assist MPD in its planning and to develop a shared understanding of the organizers' needs and objectives. This communication will continue throughout the planned event and this liaison will be the primary point of contact with any CDRs and event point(s) of contact. This role will be filled by a Commander or Supervisor.

Civil Disobedience: A non-violent form of protest or resistance to obeying certain laws, demands, or commands of a government.

Civil Disturbance or Unlawful Assembly: Per Wisconsin State Statute Sec. 947.06, three or more people who cause such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed. An unlawful assembly may also be known as a civil disturbance or a riot.

Crowd Management: Techniques used to facilitate lawful assemblies before, during, and after the event for the purpose of maintaining lawful status through event planning, pre-event contact with event organizers, issuance of permits when applicable, information gathering, personnel training, and other means.

Crowd Control: Law enforcement response to crowds that have become an unlawful assembly / civil disturbance that may require dispersal and/or arrests.

Protective Equipment: Additional clothing items and equipment that law enforcement personnel may don to help protect them from physical injury. Protective equipment includes, but is not limited to, helmets; gas masks; chest, arm, and leg protectors; and gloves.

PROCEDURE

MANAGEMENT AND ORGANIZATION PRINCIPLES

It is the responsibility of MPD personnel to protect the rights of people to peaceably assemble, to consult for the common good, and to petition the government or any department thereof.

When working with crowds, the overall police philosophy must be one of moderation and flexibility. To the degree that it can be done safely, it is preferred that crowd participants self-regulate and manage their own events.

Communication between police and event organizers before and during events can create mutual understanding, generate cooperation and compliance, and prevent disorder.

Crowds are dynamic in nature. The totality of the circumstances must inform the decision to introduce police action to maintain public safety. The preferred police response is one of crowd management rather than crowd control.

MPD personnel have an obligation to protect community members' rights while maintaining order, protecting property, and ensuring safety, peace, and order. Freedom of speech, association, and assembly, and the right to petition the government are subject to reasonable restrictions on the time, place, and manner of expression.

When deciding whether to use certain police tactics within a crowd, MPD personnel must always balance the benefits of such action(s) to maintain public safety and order along with the impact on the demonstration participants' freedom of speech and assembly, and the impact on people and property. MPD personnel prioritize life, safety, protection of property, and constitutional rights, with an emphasis on life safety.

When safe and feasible and without compromising public safety, MPD personnel should seek opportunities to reduce the likelihood of the need to use force. Mass arrests should be avoided unless necessary.

Officers will utilize seven principles, known as the "Madison Method," when working with crowds:

1. We protect community members' constitutional rights to assemble, to petition the government, and to engage in free speech.
2. We are impartial and remain neutral regardless of the issue.
3. We maintain open dialogue with community members and the news media before, during, and after demonstrations.
4. We monitor demonstrations and marches to protect individual rights and ensure public safety.
5. We balance the rights of demonstrators with the rights of the community at large.
6. We use restraint in the use of force; we protect people first and property second.
7. We, as peace officers, pursue continuous improvement of our method.

ORGANIZATIONAL RESPONSIBLITIES

A Federal Emergency Management Agency (FEMA) Emergency Management Institute Incident Command System (ICS) will be used by MPD personnel to plan for, to staff, and to manage crowd events. FEMA defines ICS as follows:

> "A standardized approach to the command, control, and coordination of on-scene incident management, providing a common hierarchy within which personnel from multiple organizations can be effective. ICS is the combination of procedures, personnel, facilities, equipment, and communications operating within a common organizational structure, designed to aid in the management of on-scene resources during incidents. It is used for all kinds of incidents and is applicable to small, as well as large and complex, incidents, including planned events."

Organization of responsibilities for managing demonstrations and assemblies shall be as follows:

1) The Incident Commander (IC) is the individual responsible for on-scene incident activities and has overall authority and responsibility for conducting incident operations. The IC shall:
   a) Oversee the development, dissemination, and implementation of written operational plans, also known as the Incident Action Plan (IAP), for planned crowds and events. Documentation of and about a spontaneous event may occur as the spontaneous event develops and shall be formally preserved as soon as practicable after the spontaneous event;
   b) Determine the mission and objectives and consider what deployment options and tactics are objectively reasonable under the totality of the circumstances;
   c) When deciding whether to use certain police tactics within a crowd, the IC shall balance the benefits of such action(s) to maintain public safety, peace, and order along with the impact on the demonstration or event participants' First Amendment rights and other constitutional rights;

2) The Operations Section Chief is the individual responsible for implementing tactical incident operations described in the IAP, or other available written event documentation. The Operations Section Chief shall:
   a) Assist the IC in determining staffing levels, probable missions, and possible tactical strategies during the planning for the event; and
   b) Assign units to specific missions during the event to meet the objectives established by the IC.

3) The Special Events Team (SET) Incident Command Post (ICP) Commander is the SET representative assigned to the incident/event command post and is responsible for the overall deployment and management of SET resources. The SET ICP Commander shall:
   a) When feasible, facilitate pre-event informational briefing prior to planned events;
   b) Effectuate tactics designed to accomplish mission objectives;
   c) When feasible, and through the use of the Demonstration/Event Liaison, attempt to establish and maintain communication, with the Person-In-Charge / Event Point of Contact, or designee, during demonstrations;
   d) Communicate updates and information from the Incident Command Post (ICP) to the SET Field Commander(s) and from SET Field Commander(s) to the ICP;
   e) Ensure that grenadier munition deployments reported over the radio are recorded in the ICP event log;
   f) Record SET activity on an ICS-214 form.

4) The SET Field Commander(s) / supervisor(s) is/are the highest-ranking supervisory SET member(s) assigned to the event in the field. SET Field Commander(s) shall:
   a) Assess the behavior of the crowd and regularly provide updates to the IC;
   b) Serve as or designate an alternate Demonstration/Event Liaison;
   c) Direct SET members to attempt to positively interact with the crowd when safe and appropriate.

5) SET Sergeants are the direct supervisors of squads of SET Officers. SET Sergeants:
   a) Shall verify that SET officers have the proper equipment;
   b) Shall ensure that all SET officers are briefed prior to the start of the event;
   c) Should maintain close contact with their assigned officers during deployments to ensure compliance with directives, monitor behavior and disposition, and ensure that they are aware of any changes in crowd behavior or intent;
   d) Shall ensure the completion of required documentation for any use(s) of force and/or injury.

6) The SET Lead Grenadier is the SET Grenadier Team member designated to serve as the team leader for a given event deployment. The SET Lead Grenadier shall:
   a) Ensure SET grenadiers are equipped with a proper grenadier equipment prior to deployment;
   b) Ensure that additional equipment is loaded in an event accessible vehicle for deployment;
   c) Confirm additional munitions and a system for dissemination are available in case of deployment and need for resupply;
   d) Track the distribution of chemical and impact munitions to SET grenadiers and audit the use or return of such munitions after they are deployed into the field.

7) SET Grenadiers have specialized training, equipment, and skills in the use of chemical (CS) and oleoresin capsicum (OC or Pepper Spray) munitions, sprays, and aerosols, and in the deployment of impact munitions. SET Grenadiers:
   a) Shall be issued a standard array of SET munitions and equipment and at a minimum, individual grenadiers will inspect and inventory their assigned load out at a minimum frequency of twice per year;
   b) Should inspect and inventory their assigned grenadier equipment and supplies at the beginning of each activation;
   c) When authorized, shall deploy to the field with the standardized complement of grenadier equipment and shall only deploy with authorized equipment for which they have received proper training;
   d) Should not carry Grenadier equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee. In exigent circumstances, grenadiers may deploy specialized grenadier equipment with the permission of a supervisor, but shall inform a SET commander as soon as practicable;
   e) Shall, as soon as practicable, relay information over the police radio about any munition deployed so that an audio record of the deployment exists; information relayed should include the type, quantity, and location of any munition deployed.

8) SET Field Extrication Team (FXT) members have specialized training and skills to extricate persons from protest devices. When demonstrators' actions and/or practices unreasonably impede traffic, restrict the public's freedom of movement, and/or jeopardize public safety, SET FXT members will be activated to respond. SET FXT members:

a) Shall ensure the safety of demonstrators, the public at large, and themselves when responding to a protest device;
b) Shall utilize techniques based on training, the MPD Code of Conduct, and other MPD SOPs to assess, plan, and when necessary, extricate a person from a protest device;
c) Shall demonstrate the safe and proper use of all FXT tools and equipment;
d) Shall inspect and maintain an inventory of all equipment and the equipment shall be stored in the designated department-issued vehicle;
e) Should not carry FXT equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee.

9) SET Medics have specialized training and skills to provide immediate emergency casualty care to officers and to community members within an austere environment. SET Medics:
a) Should be incorporated into as many platoons or squads as staffing assigned to the event allows;
b) Shall be issued a standard array of SET medics supplies and equipment and shall carry this equipment with them during events;
c) Are authorized to keep their SET-issued specialized medical equipment with their regular work equipment to allow them to respond to any incident involving mass casualties or a clear need for emergency casualty care response;
d) Shall follow appropriate protocol for emergency medical treatment established by the following authorities:
i) The State of Wisconsin Department of Justice Law Enforcement Standards Board for Tactical Emergency Casualty Care
ii) The directions, trainings, and protocol as ordered by the Medical Director of MPD.

10) SET Bike Team members have specialized training and skills to use police bikes to perform crowd engagement and management duties. SET Bike Teams:
a) Should be deployed in teams of a least two riders/team;
b) Shall wear approved bike uniform or a high-visibility vest over a standard MPD uniform when riding;
c) Shall wear helmet at all times when the bicycle is in operation;
d) Should follow rules of the road when riding, to include the display of proper front and rear lighting, except under the following conditions (Wisconsin State Statute 346.03(3)):
i) In response to an emergency call;
ii) While engaged in rescue operations;
iii) In the immediate pursuit of an actual or suspected violator of the law.

11) SET Community Dialogue Team (CDT) members will facilitate informational and educational sessions throughout the year outside of any event or demonstration. ~~have additional training to serve as the communication conduits between law enforcement, demonstrators, and the community. SET CDT members:~~ They will ~~Will~~ assist the Commander or Supervisor assigned as the ~~serve as~~ Demonstration/Event Liaisons when feasible.
~~a) Will assist the Commander or Supervisor assigned as the serve as Demonstration/Event Liaisons when feasible available;~~
~~b) Should attempt to dialogue with event organizers/persons-in-charge and should convey information to the ICP personnel;~~
~~c) Will facilitate informational and educational sessions throughout the year outside of any event or demonstration.~~

~~12) SET Dignitary Protection Team (DPT) members have specialized training in the area of providing protection to dignitaries and planning dignitary visits. SET DPT members:~~
~~a) Will participate in planning of dignitary visits;~~
~~b) Are prepared to provide protection to dignitaries, or to serve in a supplementary role to a dignitary providing their own protection detail;~~
~~c) Are trained and equipped to serve in either uniformed or plainclothes capacities.~~

12) SET Advanced Security & Protection (ASP) Team members have specialized training in the area of close personal protection, site and security assessments, and providing protective surveillance and counter surveillance. SET ASP members:
d) Will participate in planning of dignitary visits;
e) Are prepared to provide protection to dignitaries, or to serve in a liaison role to a dignitary providing their own protection detail;
f) Conduct site and security assessments, including residential security assessments, to identify vulnerabilities and recommend mitigation strategies;
g) Are trained and equipped to serve in either uniformed or plainclothes capacities.

13) SET Officers:
a) Are uniformed personnel assigned to work an event or demonstration, primarily in an on-foot capacity;
b) Shall wear identification (nameplates, IBM/badge number) in a visible location on their person at all times;
c) Should focus on conveying the message that law enforcement is present at the event to protect crowd participants and their right to demonstrate peacefully;
d) Shall report and document any use of force according to the Use of Force Data Collection and Review SOP.

COMMUNICATION

MPD's goals during demonstration and assembly events are to facilitate participants' lawful objectives and protect their rights to freedom of speech and to assemble. Furthermore, where event participants comply with statutes and ordinances, MPD personnel should encourage and support participants' efforts to monitor themselves in an attempt to limit police involvement.

When a police response is requested or deemed necessary, the IC or their designee shall designate at least one Demonstration/Event Liaison who shall:

a. Make reasonable efforts to contact and engage in dialogue with known event or demonstration organizers to assist MPD personnel in their planning and to develop a shared understanding of the organizers' needs and objectives. Similarly, the Demonstration/Event Liaison(s) should communicate law enforcement's expectations and inform participants on permissible and restricted actions during the event or demonstration and should be prepared to explain specific safety concerns and how MPD may intervene if safety becomes an issue
b. Attempt to maintain communication with known event or demonstration organizers or the Person(s)-In-Charge before and during the event. The Demonstration/Event Liaison(s) shall maintain communications with the IC to keep them apprised of the situation. Consideration should be given to multilingual communication needs.

MPD, through the Public Information Officer (PIO) or another designee and in coordination with the IC, may communicate through the use of social media and other conventional outlets to keep the public, including the

crowd, informed throughout the event. MPD's department website also includes general information about demonstrations and assemblies and this information is reviewed annually.

During crowd events, MPD personnel may make announcements to the crowd designed to convey general information, to communicate targeted information to specific individuals, and to serve as a de-escalation tool by directing and informing the crowd in an attempt to prevent the need for police action.

MPD may request the presence of Community Dialogue Representatives (CDR) who can facilitate productive public safety interactions and communications at demonstrations when the presence of these community representatives may assist in achieving public safety.

PLANNED CROWDS AND EVENTS

Planning for events or demonstrations will be the responsibility of the affected district command staff where the event is scheduled to occur, or of the MPD Traffic & Specialized Services Lieutenant, or of the designee of the Chief. The designated IC shall determine the level of police response, if any, is warranted.

The IC, or designee, shall make reasonable efforts in advance to contact event organizers and attempt to gather as much of the following necessary information about the event from the event organizers and other available information sources (Criminal Intelligence Section, social media, past event experience, etc.) to ensure accurate assignment of personnel and resources:

a. What type of event is involved?
b. When is it planned to occur?
c. Will the event coincide with other routine, large-scale events (e.g., sporting events)?
d. Is opposition to the event expected?
e. How many participants are expected to attend the event?
f. What are the assembly areas and movement routes in and around the event location?
g. What actions, activities, or tactics are anticipated, to include use of demonstrator devices designed to thwart arrest?
h. What critical infrastructures are in the proximity of the event?
i. Have permits been issued?
j. Have other agencies, such as the Madison Fire Department (MFD), Madison Metro, and/or Traffic Engineering been notified?
k. Is there a need to request mutual aid?
l. Will off-duty personnel be required?
m. What is the history of conduct at prior such events?
n. Are event organizers cooperative with police communication and coordination attempts?
o. Who are the potential counter-protest groups?
p. Is there a history of violence between the group demonstrating and potential counter-protest groups?

The IC or designee shall prepare a written plan subject to the approval of the chief executive officer or designee. The plan should address the following and should be distributed to all participating agencies and special response teams:

a. Command assignments and responsibilities
b. Personnel, unit structure, and deployment considerations to include the need for special response teams (i.e., SET, MFD, Special Weapons and Tactics (SWAT), Unmanned Aircraft System (UAS), etc.)

c. Information obtained through liaison(s) with event planners
d. Communication plan, to include release of information to the media
e. Pre-event intelligence analysis
f. Weather and terrain at the event location
g. Transportation, support, and relief of personnel
h. Staging points for additional resources and equipment
i. Traffic management plan
j. First aid stations established in coordination with emergency medical service providers
k. Demonstrator devices, extrication teams, and equipment
l. Transportation of arrestees
m. Arrestee processing areas, to include required considerations for youth arrests
n. Any laws, ordinances, or administrative rules specific to the event

SET ACTIVATION

SET may be activated for a special event, demonstration, dignitary protection, or any unlawful assembly / civil disturbance. SET personnel may deploy on foot, on bicycles, and/or in vehicles for any planned or spontaneous event to which the team is assigned to work.

Initial requests for SET activation should be made to the Lead SET Commander. If that person cannot be contacted immediately, a deputy SET commander shall be contacted. A full-team SET activation should generally be approved by the lead SET Commander and designated Assistant Chief; however, SET use may be approved by any MPD supervisor if no SET commander/supervisor can be contacted, or in case of extraordinary emergency where command approval would be impractical. A SET commander will be notified as soon as possible of any SET usage that did not have prior authorization.

SET personnel, under the direction of a SET commander or designee, will have primary responsibility for on scene management and control of all crowd events in which any significant portion of the team is activated. SET personnel shall avoid leaving MPD vehicles unattended at any point during a deployment. SET personnel shall stow their protective equipment at the stand-down location(s) for the team or in their assigned vehicle during a mobile event response.

Whenever two or more SET platoons are activated, or when determined at the discretion of a SET commander, an incident command post (ICP) will be designated and staffed. When possible, the ICP will be staffed by a SET commander, an affected district commander, a camera operator, and a recorder. The camera operator is responsible for accessing available camera footage of the event area in the ICP and requesting the preservation as evidence of any such footage. The recorder is responsible for maintaining an event log and other necessary documentation while the ICP is active.

SET DEMOBILIZATION

At the conclusion of any SET deployment:

a. SET supervisors shall account for all personnel engaged in the incident and shall assess and document any personal injuries.
b. Equipment used during the deployment should be inventoried and inspected for damage and replaced when necessary.
c. Any arrests shall be reported to the incident commander.
d. All SET field personnel shall report any and all uses of force to a supervisor before the conclusion of their assignment. SET supervisors shall complete the MPD SET

demobilization checklist whenever uses of force or injury occurred during a deployment.

e. All SET field personnel shall complete a police report on any uses of force before the conclusion of their assignment.

After a crowd control incident, SET personnel should debrief and conduct an after-action review of the incident when practicable.

SPONTANEOUS CROWDS

A spontaneous crowd is not necessarily unlawful, nor does it automatically require a significant police response. If the crowd is at an MPD station or facility, refer to the District Station and Facility section of this SOP.

A sergeant shall respond to the location of a spontaneous crowd and determine if a police response is warranted. If a police response is warranted, the sergeant shall coordinate the response and notify the Officer in Charge (OIC).

When safe and feasible, the on-scene sergeant or designee may attempt to engage the spontaneous crowd organizer in an effort to determine an appropriate police response.

If crowd behavior escalates beyond civil disobedience to a level that may pose a threat to public safety during a spontaneous crowd event that is being managed by a sergeant, the OIC shall contact a commander in the affected district to assess the needs for additional resources.

SPONTANEOUS CIVIL DISTURBANCE

The first officer(s) to arrive on the scene of a spontaneous civil disturbance should:

a. Observe the situation from a safe distance to determine if property damage or acts of violence are occurring;
b. Advise on the police radio of the nature and seriousness of the disturbance, particularly the following:
    i) the location and estimated number of participants,
    ii) the presence of weapons,
    iii) current activities (e.g., blocking traffic, violence, looting),
    iv) direction of movement of participants,
    v) routes of ingress and egress for emergency vehicles;
c. Request the assistance of a supervisor and necessary backup officers; and
d. Attempt to pinpoint crowd leaders and agitators engaged in criminal acts.

A supervisor at the scene of a spontaneous civil disturbance should:

a. Deploy officers at vantage points to report on crowd actions;
b. Depending on intelligence and observations, consider attempting to establish contact with the demonstrators;
c. Move and reroute pedestrian and vehicular traffic around the event location;
d. Ensure, to the degree possible, that uninvolved individuals are evacuated from the immediate area of the event location;
e. Designate a secure staging area for emergency responders and equipment;
f. Provide ongoing situational assessments over the police radio and request a dedicated, encrypted police radio channel;

g. Establish a temporary command post;
h. Form Strike Teams: Responding officers should be formed into strike teams of generally three (3) to four (4) officers (minimum) and a sergeant. For officer safety, officers should always work in teams in crowd environments. Sergeants should rely on the experience of on duty SET members to help organize teams and tactics.
i. Announcements: At the first available opportunity, make audible requests that the crowd voluntarily disperse. This can be done from a safer distance by using the squad public address (PA) device. When possible, make repeated announcements and allow enough time for voluntary compliance. When feasible, note announcement times with dispatch over the police radio.
j. Ensure that adequate security is provided to MFD and Emergency Medical Services (EMS) personnel in the performance of emergency tasks.
k. Isolate and arrest: Only when sufficient resources are on hand, strike teams should identify and attempt to arrest individuals who are engaging in criminal conduct. Officers should communicate with each other to identify individuals involved in criminal conduct and then work as a team to safely take those individuals into custody using contact / cover principles.

Other considerations:

a. Cameras: Valuable intelligence and situational awareness can be gained by utilizing city cameras. While strike teams are responding, and if resources allow, consider assigning an officer to access the city camera network to communicate with on-scene officers.
b. When possible, an event log can be helpful to document activities and actions taken during the course of the incident; if resources allow, consider assigning an officer to maintain an event log.
c. Video evidence should be preserved as needed.

When civil disturbances cannot be controlled with available field personnel within a reasonable period of time, the OIC shall contact the lead SET Commander.

PROTECTIVE EQUIPMENT

Absent exigent circumstances, protective equipment may only be donned at the direction of a commanding officer. The decision to don protective equipment shall be based on several factors, including, but not limited to, the following:

a. the safety of officers
b. individual and / or group physical resistance
c. the presence of items that can be used as weapons
d. criminal actions or their threat
e. violent behavior or its threat
f. the potential impact or perceived effect that appearing in protective equipment may have on the crowd.

When practicable, the officers wearing protective equipment should be positioned in locations that minimize visibility until deployment is necessary. Officers may elect to don helmets separately from the rest of their protective equipment if they can articulate that the additional protection is necessary.

Mounted Patrol (MP) officers and their horses shall have their protective gear readily available at the MP stand-down location during any event deployment; this gear may be donned at the direction of a commanding officer.

MPD VEHICLES AND EQUIPMENT

When civil disobedience or civil disturbance can be reasonably anticipated to occur in a particular area, officers should avoid leaving any MPD vehicles unattended in those areas.

If rifles are brought in squad cars to an area where civil disobedience or civil disturbance can be reasonably anticipated to occur, the rifles must be locked in a rifle rack or in a secured cabinet in the squad car, unless the rifles are being actively handled by an officer. Any rifle that cannot be secured in the locked rack or cabinet in the vehicle should be stored at a secure MPD location.

All MPD personnel shall abide by any parking directives set in place for any planned or spontaneous events.

UNLAWFUL ASSEMBLY

Pursuant to Wisconsin State statute 947.06, an “unlawful assembly" is an assembly which:

1. Consists of three (3) or more persons, and
2. Causes such a disturbance of public order that it is reasonable to believe that the assembly will cause injury to persons or damage to property unless it is immediately dispersed.
3. An unlawful assembly includes:
    a. an assembly of persons who assemble for the purpose of blocking or obstructing the lawful use by any other person or persons of any:
        i) private or public thoroughfares, or
        ii) property of or any positions of access or exit to or from any private or public building; or
        iii) dwelling place, or any portion thereof
    b. and which assembly which assembly *does in fact so block or obstruct* the lawful use by any other person, or persons of any such:
        i) private or public thoroughfares, or
        ii) property of or any positions of access or exit to or from any private or public building; or
        iii) dwelling place, or any portion thereof

DISPERSAL

If it is reasonable to believe that a significant number individuals will cause injury or property damage if not immediately dispersed, the IC may declare an unlawful assembly. The IC shall strive to accomplish the following primary objectives at an unlawful assembly:

a) Protect people
b) Disperse disorderly or threatening crowds in order to mitigate the immediate risks of continued escalation and further violence
c) Arrest law violators, including those responsible for property damage, and remove or isolate persons inciting violent behavior

Prior to giving the order to disperse the crowd, the IC must consider the following:

a. The severity and degree of the threat to people or property
b. The number and nature of unlawful acts within the crowd
c. The number and nature of violent acts within the crowd

d. Whether separate crowds have merged and now the group has internal conflict between participants
e. Whether sufficient police resources are available on scene to manage the incident effectively
f. If there are reasonable alternatives to dispersal,
    i) Communicating with event organizers or persons-in-charge in order to restore order through collective agreement of action
    ii) Targeting for arrest specific individuals who are engaged in unlawful action that are driving crowd behavior
g. Whether dispersal unduly endangers the public, the police, or participants in the crowd
h. The mere failure to obtain a permit, such as a parade permit or sound permit, is not a sufficient basis to declare an unlawful assembly
i. The sole fact that some of the demonstrators or organizing groups have previously engaged in violent or unlawful acts is not grounds for declaring an assembly unlawful

Prior to forcibly dispersing the crowd and when tactically feasible and time reasonably permits, officers will issue repeated audible warnings for the crowd to voluntarily disperse and allow for reasonable time for the crowd to comply.

a. Designate an officer to issue loud verbal directives, using, when feasible, voice amplification (Superhailer, squad PA, SET megaphone, etc.). Notify dispatch of the issuance of each audible warning to disperse over the police radio.
b. The audible warning to disperse should contain the following information:
    i) That the gathering has been determined to be an Unlawful Assembly
    ii) That participants are ordered to disperse
    iii) Designated dispersal routes
    iv) Descriptions of the prohibited behaviors
    v) That those failing to disperse will be subject to arrest
    vi) That the use of chemical munitions may be used to disperse the crowd.
        1) Example announcement:
        This gathering has been determined to be an unlawful assembly. Property has been damaged and projectiles are being thrown. All participants must leave the immediate area or be subject to arrest. Exit the area using Main Street. The use of chemical munitions may be used to disperse the crowd.
c. Officers making audible warnings to disperse shall document the warnings in an appropriate police report, to include date, time(s), message(s), location(s), etc. Officers who hear the audible warnings should document their location in a police report.
d. When possible, the warnings should be audio or video recorded and the time and the names of the issuing officers recorded in the IC's event log.
e. Whenever feasible, prior to issuing dispersal warnings, the IC should place EMS/MFD personnel on standby.
f. During extended crowd dispersal events, audible warnings to disperse should be repeated periodically, and repeated any time a crowd is being dispersed from a separate geographic location from that of the earlier announcement(s).

g. Immediate action may be taken to address an imminent safety risk without audible dispersal warnings being issued. Audible dispersal warnings will be provided as soon as practical consistent with the guidelines above.

MASS ARREST

If necessary, the IC may authorize the arrests of numerous individuals over a relatively short period of time. For this process to be handled efficiently, safely, and legally, the following should be observed:

a. Mass arrests should be conducted by designated teams.
b. An adequate secure area should be designated for holding arrestees after processing and while awaiting transportation to a detention/arrest processing center; separate areas should be used for adult and youth arrestees.
c. Arrest teams should be advised of the basic offenses to be charged in all arrests and all arrestees shall be advised of these charges.
d. Arrestees who are sitting or lying down but who agree to walk shall be escorted to the transportation vehicle for processing.
e. Arrestees shall be searched incident to arrest for weapons, evidence of the crime of arrest, and contraband.
f. When practical, photographs should be taken of the arrestee and any arrestee property, and an arrest information form shall be completed.
g. Transporting officers should not accept arrestees without a properly prepared field arrest form, or functionally equivalent written documentation, and photographs, when possible; transporting officers shall also ensure that all property is properly processed.
h. Anyone who is injured shall be provided medical attention. Photographs should be taken of all known and reported injuries.

PROTESTS AT DISTRICT STATIONS AND FACILITIES

Planning and Preparation:

Annually, the captain in charge of each MPD district station or facility will review and update the appropriate protest plans for their MPD district station and facilities. The plans should be electronically stored on the MPD Intranet.

The information contained within the plans will be shared annually with staff assigned to the district or facility.

SPONTANEOUS DEMONSTRATIONS AT AN MPD DISTRICT STATION OR FACILITY

Officers shall report a spontaneous demonstration at a district station or at an MPD facility to a supervisor. A supervisor shall travel to the location of the spontaneous demonstration and shall formulate an initial response including, but not limited to, the following:

a. If practical, conduct a walk-through of the building and confirm that the building is secure and that all personnel are accounted for.
b. Consider relocating people, vehicles, and sensitive equipment from the involved station or facility.
c. If necessary, implement a communications plan to notify dispatch, the OIC, and any incoming district or facility officers of an alternate reporting location and important updates about the demonstration.
d. Ensure responding officers have appropriate protective equipment available.

e. Consider maintaining a visible presence in the area outside of the demonstration and provide enhanced monitoring with a readiness to intervene, if necessary.
f. Depending on intelligence and observations, consider attempting to establish contact with the demonstrators.
g. If necessary, establish a command post in an adjacent district station or alternate facility away from the affected district or facility. This ICP should include (if possible) an Incident Commander (IC), camera operator, and a Criminal Intelligence Section officer or recorder.
h. The IC should evaluate the needs for additional personnel and resources and work with the OIC to fulfill needs, such as activating on-duty SET personnel.
i. Command staff of the affected district / facility should initiate an Alder/Mayoral notification if the demonstration disrupts access to the station.

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~~Detox,~~ JRC, Jail, and Probation & Parole Responses & Conveyances

Eff. Date ~~01/31/2023~~ 05/11/2026

Purpose

This outlines guidelines for Madison Police Department (MPD) response to ~~Detox,~~ the Juvenile Reception Center (JRC), the Public Safety Building (PSB)/Dane County Jail, and Probation and Parole offices under certain circumstances.

Procedure

PSB/Jail

- *PBT Refusals at the Jail* – If an MPD officer determines that an arrested person is incapacitated, the arrested person should be conveyed to an emergency medical facility ~~Detox~~. If the arrested person is not incapacitated and the person is presented to the jail for booking, MPD officers should not convey individuals to an emergency medical facility ~~Detox~~ based solely upon the PBT testing administered by jail personnel ~~and subsequent request by jail staff to convey the arrested person to Detox~~.

- *Medical Clearances for Criminal Violations* – If an officer concludes that a person is in need of medical treatment prior to being booked into the jail, the officer should convey the arrested person to a hospital for a medical clearance. The general jail guidelines for requiring a medical clearance prior to booking include the following:

    - Any pregnancy beyond six (6) months
    - Any pregnant female under the influence of alcohol or drugs
    - Anyone involved in a significant motor vehicle crash (ejection, roll-over, or head-on collision)
    - Anyone who sustained any traumatic injuries prior to arrest
    - Incapacitation due to alcohol or controlled substance
    - Anyone suspected of an overdose or who may be concealing drugs internally
    - Injuries needing sutures, casts, or complex wound care
    - Anyone with a blood sugar reading greater than 400
    - Anyone with a blood pressure over 180/120
    - Anyone exhibiting symptoms such as tremors, profuse sweating, chest pain, or shortness of breath
    - Anyone brought to the facility in a hobbled position
    - Anyone with significant signs of infection

The above list is not all-inclusive. Per the Dane County Sheriff's Office (DCSO), medical clearances will be made at the request of the medical professional after an assessment is completed prior to intake. Disputes on appropriate dispositions should be referred to the Officer in Charge (OIC).

~~Detox~~

- ~~MPD officers will continue to handle calls for service at Detox.~~
- ~~Once an incapacitated person is admitted to Detox as a result of their incapacitated state, MPD should **not** convey these individuals to a hospital or other treatment facility.~~
- ~~MPD officers should **not** convey clients from Detox to jail if the client was initially placed into protective custody by another jurisdiction.~~
- ~~MPD officers **will** convey our arrests to jail when released from Detox.~~

JRC

- MPD will respond to JRC for emergency calls for service and investigate any criminal activity that takes place at JRC.
- Officers shall conduct an assessment of each juvenile taken to JRC and if necessary, should have the juvenile medically evaluated prior to JRC intake.
- If MPD officers are presenting a person to JRC and at the time of intake or shortly thereafter it is determined that a medical release/clearance is necessary, MPD officers should convey the person to a medical facility for that evaluation.
- MPD officers should not make scheduled conveyances from JRC.
- MPD will **not** be responsible for conveyances of juvenile females from Mendota Mental Health (MMH) to the Winnebago Mental Health Institute. DCSO is responsible for these conveyances.

Deviation from these guidelines may be approved by a supervisor or commanding officer under exceptional circumstances.

Probation and Parole Conveyances

- Probation & Parole (P&P) personnel will be responsible for all routine conveyances to the PSB. In most instances, agents will take the client into custody themselves and will convey them to the PSB in a Department of Corrections (DOC) vehicle. Officers should be aware that these conveyances will be routinely taking place without law enforcement involvement and should be prepared to respond to any emergency requests for assistance (either at a P&P office or during the transport).
- MPD officers may be asked to assist P&P with taking a client into custody and conveying the client to the PSB if the client has a history of violent/resistive behavior or if there are other indications that the client will resist being placed into custody. In these instances, officers should respond to the appropriate P&P office and work cooperatively with the agents involved to take the client into custody and then convey the client to the PSB.
- If officers take an offender into custody from a P&P officer or from a transitional housing facility, the officer(s) may complete the Probation and Parole Conveyance form in lieu of a report. However, if officers arrest an offender from any other location, they should complete a short report documenting the incident.
- If a conveyance made by a P&P agent results in new criminal charges (contraband located on the client, client resists, etc.), officers should investigate and document the new charge, as needed. The officer should also complete a Probable Cause (PC) affidavit for the new charge. P&P will still have primary responsibility for the booking process.
- P&P will be responsible for taking custody of any non-contraband property in the possession of a client being taken into custody that the PSB will not accept.
- Contact your commanding officer with any questions or issues that arise regarding these conveyances.

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(Revised: 02/11/2016, 01/13/2017, 04/16/2018, 01/15/2020, 01/31/2023, 05/11/2026)
(01/13/2017: Combined Detox, JRC and PSB Response SOP with Probation and Parole Conveyances SOP)
(05/11/2026: removed “Detox” from title of SOP)
(Reviewed Only: 12/26/2017, 01/30/2019, 01/11/2021, 02/04/2022, 02/05/2024, 02/09/2025)

Domestic Abuse

Eff. Date ~~11/24/2025~~ 05/11/2026

Purpose

This outlines procedures to be used for conducting investigations of domestic abuse pursuant to Wisconsin State Statute 968.075(1)(a).

Procedure

MANDATORY ARREST (WI STATE STATUTE 968.075)

The officer shall arrest and take a person into custody if ALL of the following apply:

1. The officer, after investigating the incident, has **probable cause*** to believe that the person's actions constitute the commission of a crime, and
2. The relationship is considered domestic under the law:
   - Spouse
   - Former spouse
   - Adults residing together
   - Any adults who have EVER lived together
   - Adults with children in common; and
3. The suspect's acts constitute **DOMESTIC ABUSE:**
   - Intentional infliction of physical pain, physical injury, or illness **OR**
   - Intentional impairment of physical condition **OR**
   - 1st, 2nd, or 3rd Degree Sexual Assault **OR**
   - A physical act that may cause the other person reasonably to fear imminent engagement in the conduct described under subs 1, 2, or 3.
4. The officer has evidence of PHYSICAL INJURY to a victim or reasonably believes there is a likelihood of continued abuse.
5. Crime was reported within 28 days of its occurrence.

*Probable Cause can be used interchangeably with "reasonable grounds" and justify an arrest without a warrant when an officer in good faith believes that a crime has been committed and 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

In circumstances meeting the mandatory arrest requirements, the suspect SHALL be taken to the Dane County Jail (DCJ) for booking if the suspect is placed under arrest. Citations shall NOT be issued in these cases. If officers have a question about whether an arrest is mandatory, they shall contact a supervisor.

AT LARGE SUSPECTS

1. Officers should attempt to locate and take domestic abuse suspects into custody.
2. When probable cause exists to arrest a domestic abuse suspect who is at large, and could not be located, the reporting officer will:
   a. Enter suspect information and charges into SharePoint.
   b. Complete a probable cause (PC) affidavit and if practical, have a sergeant or commander review the probable cause affidavit. Contact the Officer in Charge (OIC) to review the

charging decision. The OIC will post the incident in the OIC Notes if the suspect remains at large.

c. Complete the 72 Hour No-Contact paperwork. The date and time of arrest should be left blank on the 72-Hour No Contact Provision if the suspect is not in custody.
d. Complete a Dane County Booking form.
e. Complete the required Law Enforcement Advocate Program (LEAP) Referral Form and Danger Assessment Form in instances of Intimate Partner Violence (IPV) (See below).
f. Forward the Booking form, 72 Hour No Contact paperwork, and Probable Cause Affidavit to the OIC.

3. When the suspect is taken into custody, the arresting officer will read the probable cause affidavit and attempt to interview the suspect regarding the incident. If probable cause still exists after this interview, the suspect shall be taken to the Dane County Jail (DCJ) and booked into jail.
4. Once the suspect is taken into custody, the date and time of arrest should be completed on the 72-Hour No Contact Provision. The victim should be notified of the date and time of arrest and this notification should be documented on the 72-Hour No Contact Provision. If unable to contact victim to make this notification, then the officer shall document the attempt to contact the victim in the officer's police report.

ARREST FACTORS

1. An officer's decision not to arrest under this section may not be based solely upon the absence of visible indications of injury or impairment.
2. Additionally, the victim's consent, willingness to engage in prosecution, or relationship with the suspect are NOT factors in the arrest decision.

PHYSICAL EVIDENCE

1. When there is physical evidence observed in relation to a domestic abuse crime, an Investigator should respond to the scene for photographs/processing of injuries or damage.

DISCRETIONARY ARREST (INTIMATE PARTNER VIOLENCE)

1. Madison Police Department (MPD) officers are encouraged to take a pro-arrest approach when officers are investigating Intimate Partner Violence between adults, but have not met the State of Wisconsin's statutory mandatory arrest requirements, as outlined above.
2. The following factors should be considered when making this decision:
    a. Probable Cause exists that a crime of violence has occurred,
    b. Physical injury exists, or
    c. The officer reasonably believes there is a likelihood of continued abuse.
3. In cases of Intimate Partner Violence (IPV) when a physical arrest is made, officers shall also complete the Danger Assessment form and LEAP Referral form.

REPORT REQUIRED WHERE NO ARREST

1. Officers shall complete a case report on all domestic abuse calls for service. The incident report is not an option for reporting. The report shall be completed prior to the end of their shift unless a supervisor approves for the report to be held. Calls for service dispatched as a domestic abuse incident shall not be changed to a call type that requires no report without the authorization of a supervisor.
2. The domestic abuse arrest law requires a law enforcement officer who does not make an arrest in a domestic abuse incident, but has probable cause to make an arrest, to prepare a written report prior to the end of the officer's tour of duty stating why the person was not able to be taken into custody.
3. The District Detective Lieutenant will review the case and, if necessary, request that the Criminal Intake Unit (CIU) send the officer's report to the Dane County District Attorney's Office for review to determine whether the person involved in the incident should be charged with the commission of a crime.

4. While Wisconsin State Statute 968.075 (Domestic Abuse Incidents) compels reasonable efforts to locate and arrest suspects who have committed acts of domestic abuse, there will be limited instances when this is not possible (hence, the need to forward a copy of the officer's incident report to the Dane County District Attorney's Office). Examples where an arrest may not be immediately plausible include the following:
   a. Reasonable efforts to locate and arrest the suspect are unsuccessful.
   b. The suspect is located, but due to incapacitation from alcohol and/or drug use, the suspect is placed under protective custody and is conveyed to ~~Detox~~ an emergency medical facility. Consult with the Officer-in-Charge (OIC) to determine whether a guard should be posted.
   c. The suspect has been committed under the standard for an emergency detention.
   d. The suspect has received injuries necessitating an overnight admission to a hospital. Consult with the Officer-in-Charge (OIC) to determine whether a guard should be posted.
5. Please refer to the "AT LARGE SUSPECTS" portion for procedure.

MUTUAL DOMESTIC ABUSE

When the officer has **probable cause** to believe that persons in a domestic relationship are committing or have committed domestic abuse against each other, the officer should not arrest both persons, but should only arrest the predominant aggressor.

> **Predominant Aggressor** means the most significant, but not necessarily the first, aggressor in a domestic abuse incident. In determining who the predominant aggressor is, an officer should consider the following:
>
> 1. The intent of the law to protect victims of domestic violence;
> 2. The relative degree of injury or fear inflicted on the persons involved;
> 3. Any history of domestic abuse between these persons, if that history can reasonably be ascertained by the officer;
> 4. Statements of witnesses; and
> 5. Whether either party acted in self-defense or in defense of any other person.
>
> **Self-defense**: A person may use force against another for the purpose of preventing or terminating what the person reasonably believes to be an unlawful interference with their person.

PAPERWORK

When a DOMESTIC ABUSE arrest occurs, officers shall complete a 72-Hour No Contact Provision and provide the victim with a Victim Rights Information (VRI) Form. In cases of Intimate Partner Violence (IPV), officers shall also complete the Danger Assessment and Law Enforcement Advocate Program (LEAP) Referral.

72-HOUR NO CONTACT PROVISION

1. Unless there is a waiver by the domestic abuse victim, during the 72 hours immediately following an arrest for a domestic abuse incident, the arrested person is required to:
   a. Avoid the residence of the domestic abuse victim of the domestic abuse incident and, if applicable, any premises temporarily occupied by the domestic abuse victim; and
   b. Avoid contacting or causing any person, other than law enforcement officers and either party's attorney to contact the domestic abuse victim.
2. At any time during the 72-hour period specified above, the domestic abuse victim may sign a written waiver of the 72-hour No Contact Provision. The Madison Police Department (MPD) will have Change of Status forms available for this purpose. Copies of the 72-hour No Contact Provision and the Change of Status forms shall be provided to the suspect, Dane County Communication Center, Dane County Jail, and MPD Records.
3. The officer responsible for the arrest of a person for a domestic abuse incident will ensure that the domestic abuse victim is notified of the No Contact Provision.

4. A 72-hour No Contact Provision form should be completed even if the domestic abuse crime occurred outside of the 28-day mandatory arrest timeframe.

VIOLATION OF 72-HOUR NO CONTACT PROVISION

1. Violation of the 72-Hour No Contact Provision is a new crime. If an officer has probable cause to believe the 72-Hour No Contact Provision has been violated (968.075(5)(a)1), the offender shall be arrested and taken to the Dane County Jail.
2. A new case number is required for the new violation.
3. Do not complete a new 72-Hour No Contact Provision if the no contact provision is the only violation (i.e. no new additional domestic abuse crimes).
4. If the Danger Assessment and LEAP were completed following the initial arrest, those forms do not need to be completed again.
5. If there is a new domestic abuse crime (see definition above on page 1) within the 72 hours, that new crime has a felony enhancer of 939.621. Furthermore, a new domestic abuse crime requires a NEW 72-hour No Contact Provision form should be completed. This felony enhancer applies even if there is a *different* domestic abuse victim of the new domestic abuse crime and not just for new domestic abuse crimes against the original victim.

Arrest for a Violation of 72-Hour No Contact is mandated by Wisconsin State Statute 968.075.

NOTIFICATION TO VICTIMS-VICTIM RIGHTS' INFORMATION FORM

These requirements are mandated by Chapter 950 of the Wisconsin State Statutes.

If law enforcement has reasonable grounds to believe that a person is committing or has committed domestic abuse, they must inform the victim of the following:

1. The availability of all shelters and services dealing with domestic violence and sexual assault issues in the victim's community.
2. Providing the victim with a statement that reads substantially as follows: "If you are the victim of domestic abuse, you may contact a domestic violence victim service provider to plan for your safety and to take steps to protect yourself, including filing a petition under 813.12 of the Wisconsin Statutes (domestic abuse or harassment injunction)."
3. Provide victims with written notice of their Chapter 950 rights within 24 hours of contact.
4. Chapter 950 of the Wisconsin State Statutes also allows law enforcement to share information with victim service organizations.

These mandated requirements are met by providing victims with a Victim Rights Information (VRI) Sheet. Notifications to victims shall be documented in the report.

LEAP REFERRAL

Law Enforcement Advocate Program (LEAP) referrals should be made for victims of Intimate Partner Violence (IPV). IPV can be physical, sexual, or psychological harm involving current or former spouses/significant others, individuals who have a child in common, and/or stalking victims. This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy.

1. If there is probable cause to make an arrest for an intimate partner domestic violence incident, the LEAP Referral Form should be completed.
2. At the end of the arresting officer's shift, the LEAP referral form should be placed in the LEAP mailbox in the arresting officer's respective district. A Domestic Abuse Intervention Services (DAIS) advocate will contact the victim as soon as possible after DAIS receives the referral.
3. The district Police Report Typist (PRT) will scan the LEAP form to the LEAP folder on the O:\network drive. The scanned LEAP form will be forwarded by the Executive Section PRT to the DAIS Crisis Response Advocate and to the Crisis Intervention Services Manager.

a. A District Detective Lieutenant will retain possession of the LEAP referral form for 30 days, or until acknowledgement from a DAIS advocate that the referral form has been received. Once acknowledgement is received, the LEAP referral form will be destroyed.

DANGER ASSESSMENT

A Danger Assessment Form should be completed for victims of Intimate Partner Violence (IPV). IPV can be physical, sexual, or psychological harm involving current or former spouses/significant others, individuals who have a child in common, and/or stalking victims. This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy.

The Danger Assessment is a predictor of lethality for the victim and the relationship. The more behaviors noted by the victim, the higher the danger is for the victim. The five questions at the top of the Danger Assessment Form are the highest predictors of lethality.

1. The completed Danger Assessment Form will be included with the arresting officer's original report as an attachment.
2. The Danger Assessment Form will be forwarded to the Dane County District Attorney's Office along with the case intake.
3. The responses on the Danger Assessment should be taken into consideration by detective lieutenants reviewing the case to determine appropriateness of case assignment.

INCREASED PENALTY FOR CERTAIN DOMESTIC ABUSE OFFENSES 939.621

If a person commits an act of domestic abuse as defined in Wisconsin State Statute 968.075(1)(a) and the act constitutes the commission of a crime, the maximum term of imprisonment for that crime may be increased by not more than two years if the crime was committed during the 72 hours immediately following an arrest for a domestic abuse incident as set forth in Wisconsin State Statute 968.075(5)(c). As stated previously, the victim of the domestic abuse crime does not have to be the same as the victim of the domestic abuse incident that resulted in the arrested person's original arrest. The penalty increase under this section changes the status from a misdemeanor to a felony (Wisconsin State Statute 939.621).

CHILDREN PRESENT DURING DOMESTIC ABUSE CRIMES

If children are present during domestic abuse crimes, officers shall:

1. Note the names, ages, custodial parents, and addresses of all children and whether they were present when the domestic incident occurred. It is also helpful to identify the school each child attends.
2. Interview children as potential witnesses and ask the children about the current incident, history of abuse, and abuse toward any other members of the household.
3. If the disposition of a domestic abuse incident leaves minors in the home without a responsible adult, the officers are to contact the Dane County Department of Human Services for temporary child placement arrangements.
4. Due to the high correlation between domestic violence and child abuse, officers should check the children for signs of child neglect or abuse. In the event that a minor child appears to be the victim of physical and/or sexual abuse, it is the responsibility of the officer to take immediate action, including notifying the Dane County Department of Human Services (261-KIDS) within 12 hours of report of the incident per Wisconsin State Statute 48.981(3).

WEAPONS SEIZURE

1. Weapons used in the commission of a crime shall always be seized as evidence.
2. Weapons shall be seized from any individuals prohibited from possessing a firearm.
3. Possession of a firearm by a convicted felon is prohibited by Wisconsin State Statute 941.29 and Federal Regulation 18USC 922(g).

4. Possession of a firearm by a domestic abuse or child abuse respondent is prohibited for the duration of a granted injunction. If a respondent is in possession of a firearm, this is a felony offense. The respondent should be arrested for Possession of a Firearm (941.29(1m)(f)) and the weapon should be seized and photographed.
5. Safekeeping: If the officer is on the scene of a domestic and no weapons were used in the commission of a crime the officer should still ask about access to weapons. If the victim is a spouse of the suspect, the officer should ask if they would like officers to take the weapons (marital property) for safekeeping while the case is pending.
6. Possession of a firearm OR ammunition by a person prohibited from possession by federal regulations. (See below)

FEDERAL GUN VIOLATIONS

It is a federal offense for a person, **convicted** of a crime classified as a crime of domestic violence, to possess a firearm; Federal Regulations 18 U.S.C.922(g)(9).

Under this law, qualifying domestic violence crimes are those where:

- There was use or attempted use of physical force
- There was threatened use of a deadly weapon
- It is a crime against a partner in a domestic relationship
- It is a child abuse crime

A Wisconsin misdemeanor conviction for Domestic Disorderly Conduct is not a qualifying crime under federal law.

The law was effective September 30, 1996 and convictions are retroactive from that date.

Mandatory arrest does not apply to violations of the federal gun regulation. If the officer has information that the subject has been arrested for a crime prohibiting possession of a firearm and is in possession of or owns a firearm, the officer should:

1. Document evidence of the previous domestic violence conviction in their report.
2. Seize the weapon IF the officer has legal access to the weapon.
3. Document evidence that the subject knowingly possessed the firearm.
4. Photograph the firearm that was seized.

A copy of the report should be forwarded to the appropriate federal agency.

LAW ENFORCEMENT INVOLVED DOMESTIC VIOLENCE

The following procedure shall be adhered to when investigating domestic abuse that involves law enforcement personnel.

Responding to domestic abuse incidents involving law enforcement personnel poses increased dangers to responding officers due to the involved personnel's potential access to firearms, as well as knowledge by the potentially involved law enforcement personnel regarding police tactics and the law.

When responding to domestic abuse incidents involving law enforcement, the following procedures shall be followed:

1. Once officers arrive on scene of a domestic abuse incident involving law enforcement, the officer should contact dispatch and request a supervisor, regardless of the involved officer's jurisdiction.
2. A supervisor of higher rank than the officers(s) involved should respond to the scene.
3. When an officer is arrested, the supervisor shall attempt to seize firearms.

4. If the incident involves the chief of police, an outside agency should be contacted to take lead on the investigation.
5. In responding to domestic violence incidents where the victim is a law enforcement officer, standard domestic violence response and investigation procedures shall be followed.

TEMPORARY RESTRAINING ORDERS AND INJUNCTIONS (WI STATE STATUTE 813.12)

There are four different types of injunctions that can be granted in Dane County: Domestic Abuse, Harassment, Child Abuse, and Individuals at Risk.

Domestic Abuse injunctions are typically granted for four years, but can be granted for up to 10 years. Ten-year injunctions are granted where the petitioner has presented a preponderance of evidence that there is a substantial risk that the respondent may commit 1st or 2nd Degree Homicide, 1st, 2nd, or 3rd Degree Sexual Assault, or 1st Degree or 2nd Degree Sexual Assault of a Child against the petitioner.

Knowingly violating a Temporary Restraining Order (TRO) or Injunction is a misdemeanor under Wisconsin law and the police officer should:

1. Verify that the TRO/injunction exists, either through the Dane County Public Safety Communications (PSC) Data Operator or Dane County Jail (DCJ) records.
2. Determine whether the TRO/injunction has been served. This information can be obtained through the PSC Data Operator or DCJ records.
3. Determine the specific restriction(s) granted in the TRO/injunction.
4. Serve the TRO/injunction to the suspect if it has not been served, noting date, time of service, and officer name on the back of the TRO copy. Additionally, notify dispatch of the date and time of service. Attach a copy of this form to your report. The victim's copy of the TRO/Injunction can be used to serve notice to the suspect.
5. CONSTRUCTIVE KNOWLEDGE: In cases where the suspect was served with the TRO and failed to show for the injunction hearing, the injunction is automatically granted. If the suspect had been served with the TRO, then the suspect has constructive knowledge that an injunction was granted. Therefore, the suspect should be considered on notice of the injunction and shall be arrested for any violations.
6. The officer will make an arrest for a violation of the order when there is an order in existence, when the order has been served, and when there is probable cause to believe that it was knowingly violated.
7. A Violation of a TRO or injunction may or may not constitute a new domestic abuse crime under Wisconsin State Statute 968.075. If the nature of the contact is benign, then it might result in only a charge for the violation of the injunction or TRO. If the nature of the contact involves additional crimes, then the Mandatory Arrest procedures shall be followed.
    a. Knowingly Violate Domestic Abuse Injunction, 813.12(8)(a).
    b. Officers may also review 813.12(7)(am) regarding mandatory arrests specifically for Domestic Abuse Injunction violations.
8. If the officer is arresting a suspect for the violation of a Domestic Abuse Injunction AND additional domestic abuse crimes have occurred, a 72-Hour No Contact Provision shall be completed.
9. If an officer has probable cause to believe the injunction has been violated more than once, then a charge of stalking should be considered. The officer should obtain a new case number and offer the Danger Assessment and LEAP forms.

STALKING (WI STATE STATUTE 940.32(2))

If an officer develops probable cause that a stalking has occurred and mandatory arrest requirements are met, then an arrest shall be made in accordance with Wisconsin State Statute 968.075. Stalking behaviors are an indication of high lethality of the relationship and should be taken seriously.

STALKING WARNING LETTER

In cases where mandatory arrest does not apply, a Stalking Warning Letter may be issued to the suspect. The Stalking Warning Letter can be issued by other jurisdictions or by telephone. Officers shall document in the report that the Stalking Warning Letter was issued and a copy should be attached to the officer's report.

It is **NOT** necessary that the Stalking Warning Letter be issued prior to an arrest for Stalking.
The safety of the victim should be considered when determining whether to make an arrest or not for an offense of Stalking.

Officers shall document and collect known evidence related to the stalking behavior, including but not limited to, text messages, emails, voicemails, social media posts, letters, cards, gifts, and video.

Other offenses related to, or potentially involved in Stalking, include, but are not limited to, Criminal Damage to Property, Unlawful Use of the Telephone or Computerized System, Intimidation of a Victim, Harassment, Representations Depicting Nudity, Invasion of Privacy, and Violation of a Domestic Abuse Injunction.

STRANGULATION/SUFFOCATION (WI STATE STATUTE 940.235)

In cases of Strangulation that meet the mandatory arrest criteria, officers shall make an arrest. Officers should consider that consent is not a criminal element of Strangulation.

Procedure

1. Victims of strangulation should be encouraged to respond to Meriter Hospital Emergency Room (ER) for medical assistance and for a Forensic Nurse Exam (FNE). Strangulation injuries are often not visible, so medical care is important for the victim's well-being. The forensic exam is important for prosecution of offenders. Officers shall assist transporting victims to Meriter Hospital ER if needed.
2. Visible injuries should be documented by the Officer and photographed by the Forensic Nurse. Ligatures, or any other type of physical evidence used in the commission of a strangulation or suffocation, should be collected.
3. Documentation of all signs and symptoms of strangulation is critical due to the lack of visible injuries in the majority of strangulation cases. A list of signs and symptoms of strangulation can be found on the back of the Danger Assessment Form. This guide can be used to facilitate a detailed interview of the victim.
4. If the victim refuses a FNE, officers should ask the victim if they are willing to have any visible injuries photographed and the area where they were strangled swabbed for DNA by an Investigator. If consent is obtained, an Investigator should respond to the victim's location for processing. The Investigator should also obtain a buccal swab from the victim for exclusion purposes.
5. If the suspect is present on scene and willing, a buccal standard should be obtained from the suspect when it is known that the victim will be responding to Meriter Hospital ER for an FNE.
6. Officers sent to Meriter Hospital to collect a strangulation FNE kit shall place the kit into MPD property according to the MPD property room guidelines.

MANDATORY DOMESTIC ARREST AND EMERGENCY DETENTION

Responsibilities of the Investigating officer/detective:

When officers are investigating crimes of domestic abuse and mental health appears to be a contributing factor to the crimes alleged, officers should:

1. Determine if the probable cause exists for a crime of domestic abuse as outlined above.
2. Evaluate/Assess the potential for an Emergency Detention (see Mental Health Incidents/Crises SOP).

3. If the underlying offense for which probable cause exists is a mandatory arrest under Wis. Stat. 968.075, the disposition of the subject must be an emergency detention, protective custody, or arrest (voluntary admissions are not an option).
4. If probable cause exists for an otherwise mandatory arrest for a crime of domestic abuse and Journey Mental Health supports an Emergency Detention (ED) for the suspect/patient, officers shall:
    a. Process the Emergency Detention and transport the suspect/patient to the appropriate medical facility.
    b. Complete the required domestic paper work to include the Probable Cause affidavit, the 72-hour No Contact Provision (time enforced begins at the time of detention for the ED), the Domestic Violence Danger Assessment Form, and the LEAP referral.
    c. Complete the necessary paperwork and police report before the end of the officer's tour of duty, unless an MPD commander approves the reports being held.
    d. Request that the destination facility where the subject is conveyed contact MPD when the subject is released to facilitate conveyance/booking.

Responsibilities of the Criminal Intake Unit:

When officers or detectives working within the Madison Police Department Criminal Intake Unit (CIU) are made aware of a mandatory arrest under Wis. Stat. 968.075 which resulted in an Emergency Detention, the following shall occur:

1. Complete the electronic criminal intake referral and note that the suspect is located at a secured mental health medical detention facility.
2. Monitor/Review the Dane County District Attorney's criminal intake return for a charging decision.
3. Communicate with the Office of the Dane County District Attorney and MPD Mental Health Unit. The Mental Health Unit will work with the "hospital discharge planner" for Journey Mental Health regarding the criminal intake referral and the potential transport of the suspect/patient to the Dane County Jail for a booking.
4. If the Office of the Dane County District Attorney issues criminal charges for crimes of Domestic Abuse as outlined under Wis. Stat. 968.075 and requests a booking into the Dane County Jail, then arrangements shall be made for transport of the suspect to the Dane County Jail by the Madison Police Department.
5. If the Office of the Dane County District Attorney issues criminal charges and chooses to summons the offender/patient to Court, then transport to the Dane County Jail is not required.
6. If the Office of the Dane County District Attorney declines criminal charges, then the Madison Police Department should remove the Probable Cause Affidavit from the OIC's office.

Responsibilities of the Officer-In-Charge:

When notified by the MPD Criminal Intake Unit, Journey Mental Health, or any secure mental health facility such as Winnebago Mental Health Institute (WMHI) that a patient is to be released and outstanding criminal charges exist that necessitate transport to the Dane County Jail, the Officer-in-Charge shall assist in coordinating MPD's transportation response plan.

When notified by an investigating officer that probable cause exists for a crime of domestic abuse and the suspect/patient is being medically admitted to a hospital, the Officer-in-Charge shall determine if MPD will continue to guard the suspect/patient until the suspect's/patient's release from the hospital (see Guard Duty SOP).

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(Revised: 02/24/2016, 03/31/2016, 01/15/2019, 02/28/2020, 01/15/2021, 06/14/2021, 12/28/2021, 09/20/2022, 01/31/2023, 02/08/2024, 02/03/2025, 11/24/2025, 05/11/2026)
(Reviewed Only: 01/09/2017, 12/26/2017)

Funerals and Ceremonies of Law Enforcement Officers (LEO)

Eff. Date ~~10/23/2025~~ 04/01/2026

Purpose

In order to respond to requests and ensure equal treatment in similar circumstances, the following guidelines are provided to assist members of the Madison Police Department (MPD) in fulfilling their responsibilities/duties in an efficient and expeditious manner. These guidelines are not meant to imply inflexibility on the part of the agency in deployment and type of service offered; rather, they serve to promote understanding and cooperation for all concerned.

Procedure

All requests for MPD participation in funerals or ceremonies should be directed to the Police Executive Office Supervisor, who will route the requests to the Honor Guard commander or their designee. In the event of a short notice request, the request should be routed to the Officer in Charge, who will then notify the Honor Guard commander or their designee.

The Honor Guard will have primary responsibility of planning and coordination of activities for the agency. A current Honor Guard roster, identifying the team commander and their designee, will be updated each year and a copy will be provided to the Chief of Police.

DUTY GUIDELINES FOR EMPLOYEE PARTICIPATION IN HONOR GUARD EVENTS

1. On-duty participation will be allowed only if staffing levels are above minimum.
2. All off-duty members wishing to participate in an approved service in MPD uniform shall request authorization from the Chief of Police or designee.
3. MPD will provide transportation for on-duty personnel. Vehicle use will be at the discretion of unit/section command.
4. The Chief of Police or designee may authorize any deviation from this procedure.

UNIFORM GUIDELINES FOR PARTICIPATION IN HONOR GUARD EVENTS

Uniform

1. Year-round attire:
   - MPD court uniform
   - 8-point hat
   - Badge cover
   - MPD-issued polished shoes/boots

Badge Covers

MPD-issued badge covers can be worn when authorized by the Chief of Police or designee.

DUTY GUIDELINES FOR HONOR GUARD

Participation in Honor Guard Events

1. On-duty participation will be allowed if staffing levels are above minimum.
2. If the Honor Guard activity requires eight hours, this will be considered the employee's work day.
3. In the event that staffing levels do not accommodate on-duty participation, off-duty Honor Guard members will be used to fill the assignment.

4. All off-duty Honor Guard members participating in an approved service shall be compensated in accordance with the existing Memorandum of Understanding (MOU).
5. MPD will provide transportation.
6. The Chief of Police or designee may authorize any deviation from this procedure.

Requests from Outside Police Jurisdictions

In the event a notification is received of the death of a police officer from an outside jurisdiction, the Honor Guard will evaluate a response:

1. When the officer is killed in the line of duty.
2. When the officer dies, retired or active, and the Honor Guard is requested.

Requests from Retired MPD Personnel (Commissioned and Professional Staff)

When the services of the Honor Guard are requested by the family of a retiree, law enforcement officer or professional staff that separated from service with MPD in good standing with at least ten (10) years of service or separated from service with MPD due to a service related disability after successfully completing the probationary period, the Honor Guard will evaluate a response.

Requests from Outside Organizations

When the services of the Honor Guard are requested by an outside organization to participate in a memorial service, parade, etc., the Honor Guard may respond if it is determined the event would serve the interests of the community and MPD.

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(Reviewed Only: 01/27/2016, 11/01/2016, 12/26/2017)
(Revised: 02/23/2016, 11/15/2019, 01/31/2023, 10/23/2025, 04/01/2026)

Intoxicated and Incapacitated Persons

Eff. Date ~~04/22/2025~~ 05/11/2026

Purpose

The "Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act" gives law enforcement officers authority to respond to the self-destructive behavior of alcoholics and intoxicated persons. Specifically, Wis. Stat. 51.45, "Prevention and control of alcoholism" states:

> *"It is the policy of this state that alcoholics and intoxicated persons may not be subjected to criminal prosecution because of their consumption of alcohol beverages but rather should be afforded a continuum of treatment in order that they may lead normal lives as productive members of society."*

The officer's role under Wis. Stat. 51.45(11), "Treatment and Services for Intoxicated Persons and Others Incapacitated by Alcohol," necessitates all officers understand the legal definitions for, and the difference between, those individuals who are simply intoxicated by alcohol and those whom are determined to be incapacitated by alcohol. It shall be the procedure of this department that the authority and responsibility outlined in Wis. Stat. 51.45(11) will be applied in a manner consistent with the intent of the State's "Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act" and with the objectives of this department.

Procedure

INTOXICATED PERSON – DEFINED & ROLE OF LAW ENFORCEMENT

"A person whose mental or physical functioning is substantially impaired as a result of the use of alcohol;" Wis. Stat. 51.45(2)(f). An intoxicated person is likely one who has had too much to drink but does not appear to need medical attention and who has not done, nor threatened to do, physical harm to themselves, others, or property.

Procedures - Intoxicated Person

1. When an officer encounters an "intoxicated person," discretion may be exercised to offer, or not to offer, help to the person. The individual may accept or reject the offer. An officer cannot take the "intoxicated person" home, nor to any treatment facility, unless the person voluntarily consents.
2. A threat of arrest designed to coerce an "intoxicated person" into accepting assistance is improper.
3. If the "intoxicated person" **accepts a ride home**, the officer may transport the individual or may arrange to shuttle the person through adjoining districts. If an "intoxicated person" refuses to be conveyed, the officer may also suggest and arrange for public transportation at the person's expense.
4. If the "intoxicated person" consents to be voluntarily taken to a **treatment facility** (including emergency medical facilities), they will be transported and turned over to the facility staff. Officers are not required to wait until admission procedures are completed. Further disposition, e.g., treatment, transportation, etc., will be the responsibility of the facility staff who may admit the person, refer to another facility, take the person home, or give the person shelter.
5. A case number and a case report **are required** when an officer conveys an "intoxicated person" home or voluntarily to a treatment facility. The report should be entitled "Intoxicated Person/ Conveyance." If the individual is unwilling to provide any information, the report will be completed to the extent possible.

INCAPACITATED BY ALCOHOL – DEFINED & ROLE OF LAW ENFORCEMENT

A person who as a result of the use of or withdrawal from alcohol, is unconscious or has their judgment otherwise so impaired that they are incapable of making a rational decision, as evidenced objectively by such indicators as extreme physical debilitation, physical harm, or threats of harm to themselves or to any other

person, or to property; Wis. Stat 51.45(2)(d). Persons found to be incapacitated by alcohol are clearly in need of immediate protection and medical attention, whether conscious or unconscious.

Wis. Stat. 51.45(11)(b) defines a specific role and responsibility for law enforcement when dealing with persons found to be incapacitated by alcohol:

> *"A person who appears to be incapacitated by alcohol shall be placed under protective custody by a law enforcement officer. The law enforcement officer shall either bring such person to an approved public treatment facility for emergency treatment or request a designated person to bring such person to the facility for emergency treatment. If no approved public treatment facility is readily available or if, in the judgment of the law enforcement officer or designated person, the person is in need emergency medical treatment, the law enforcement officer or designated person upon the request of law enforcement shall take such person to an emergency medical facility. The law enforcement officer or designated person, in detaining such person or in taking them to an approved public treatment facility or emergency medical facility, is holding such person under protective custody and shall make every reasonable effort to protect the person's health and safety."*

Procedure - Protective Custody

1. **Extreme Debilitation** is evidenced by one or more of the following:
   a. Inability to stand without assistance (the need to cling to objects such as buildings or posts in order to remain standing).
   b. Manner of walking (staggering, falling, wobbling).
   c. Presence of vomit, urination, or defecation on clothing.
   d. Dilation of eyes, flushed complexion, alcohol odor on breath.
   e. Inability to understand and coherently respond to questions asked (name, age, address, destination).
   f. Delirium tremens (sweating, trembling, anxiety, hallucinations).
   g. Unconsciousness. (This alone constitutes sufficient grounds to evidence extreme physical debilitation if it is apparent that the condition is related to alcohol consumption. **Unconsciousness,** even when the individual has consumed alcohol, **could be caused by other factors, i.e., diabetic shock.** Any individual found unconscious should be conveyed to a hospital for examination.)
2. **Physical harm (or threats)** to self, others, or property is evidenced by one or more of the following:
   a. Walking into streets or intersections, negligent of the flow of traffic.
   b. Sleeping on the street or gutter, where they may be hit by a motor vehicle.
   c. Sleeping on the sidewalk, where they are subject to being robbed, assaulted, or molested.
   d. Anger or hostility expressed towards individuals, e.g., family, friends, pedestrians.
   e. Threats of damage to property or persons, i.e., assault.
3. ~~An officer who assesses and determines a person to be "incapacitated by alcohol"~~ **~~has a statutory responsibility to take that person into protective custody, and to convey that person to a treatment facility.~~** Officers who have placed a person in protective custody due to incapacitation from alcohol ~~should first seek to convey and admit them to the Dane County Public Detoxification Center, 2914 Industrial Drive. This facility is Dane County's "approved public treatment facility" pursuant to Wis. Stat 51.45(2). Wis. Stat 51.45(11)(b) states *"a person brought to an approved public treatment facility . . . shall be deemed to be under the protective custody of the facility upon arrival."* Hence, persons incapacitated by alcohol and placed by officers in protective custody can be involuntarily held at a public treatment center until such time their medical condition improves.~~

   ~~If a treatment bed is currently not available at the Dane County Public Detoxification Center, the officer~~ shall convey the person whom they have placed in protective custody to an emergency medical facility (i.e., hospital emergency room) for medical evaluation and treatment. **Once admitted to the emergency medical facility, the role of law enforcement has been completed.** ~~Wis. Stat. 51.45(11)(i) requires emergency medical facilities to provide necessary and immediate medical care, but emergency rooms are not required to provide *"non-medical services including, but not limited to,*~~

~~*shelter, transportation, or protective custody."* Hence~~ Aan officer's protective custody status does not transfer to the emergency room or hospital (in contrast to where it does at Detox) and the person cannot be involuntarily held against their will at a hospital emergency room.

4. In the event that hospital staff calls back either because the incapacitated person is attempting to leave the hospital or has left the hospital, officers will respond to re-evaluate the condition of the person. If the person has left the hospital, prior to officers arriving, officers will attempt to locate and evaluate the condition of the person. Officers will make decisions in accordance with Wis Stat. 51.45 based on the current condition of the person.
5. **Protective Custody is NOT an arrest.** Officers acting in compliance with Wis. Stat. 51.45 are acting in the course of their official duty and are not criminally or civilly liable for false imprisonment (Wis. Stat. 51.45(11)(g)).
6. An officer must make every reasonable effort to protect the health and safety of persons incapacitated by alcohol and take reasonable steps to protect themselves (Wis. Stat. 51.45(11)(b)).
7. At no time will a person in protective custody be conveyed to their home.
8. At the discretion of the officer, a person in protective custody may be placed in handcuffs. Anyone in protective custody will routinely be searched for weapons.
9. The officer will advise the dispatcher once a person has been taken into protective custody for conveyance to a treatment facility.
10. Incapacitated persons placed by officers in protective custody who are in need of emergency medical care (e.g., unconscious, lacerations, fractures, concussions) shall be transported to a hospital by the Madison Fire Department. Officers need not follow or wait with subjects who are receiving emergency medical care at a hospital unless they are also under arrest or violent. Once emergency medical care has been provided by the hospital, the hospital may deem additional medical monitoring of the incapacitated person is necessary. ~~The hospital will contact the Dane County Public Detoxification Center and if a treatment bed is available, the hospital will contact Dispatch and request an officer to respond and complete a protective custody conveyance to Detox.~~
11. A case number and a case report are required whenever an officer places a person in Protective Custody and conveys that person to a ~~the Dane County Public Treatment Center (Detox) or~~ local hospital emergency room. The primary officer will complete the MPD Protective Custody Commitment Report form upon arrival at ~~Detox or at~~ the hospital. This form has been created to aid officers in detailing their probable cause as to why they believed someone was in need of protective custody pursuant to Wis. Stat. 51.45(11)(b). Once completed, a photocopy of the PC Commitment Report form should be left with ~~Detox or~~ hospital emergency room staff for their records. The original shall be submitted in a timely fashion to the Records Section thereby satisfying this reporting requirement.

Procedure - Warrant Checks

A routine warrant check of all persons taken into protective custody will be made.

1. If a misdemeanor/municipal warrant(s) exists, the person will be taken to a hospital ~~treatment facility~~. The following documents MUST be completed and stored in the file cabinet: Jail Booking Form, PC Affidavit, if required, Injured Prisoner Medical Clearance when appropriate, and the original incident reports should be completed and routed in accordance with current reporting practices.
2. If a felony warrant(s) exists, the officer will consult with the Officer-in-Charge or designee to arrange for disposition.
3. If the wanted person needs emergency medical attention, they will be taken to a hospital where, depending on the charge, at least one officer will remain. If the person is admitted, hospital staff should be advised to call prior to their release. Deviations will be with the approval of the Officer-in-Charge or designee.

Disorderly Conduct/Other Charges

Some behavior which evidences incapacitation by alcohol might also be used to substantiate a disorderly conduct charge, however, in order to ensure that officers' authority is applied in a manner consistent with the intent of the "Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act":

1. The Officer-in-Charge or designee may determine that a disorderly conduct arrest is not appropriate and if the person is incapacitated by alcohol, may direct that the person be released, taken into protective custody, and conveyed to a hospital ~~treatment facility~~.
2. Persons incapacitated by alcohol who have threatened or committed physical harm to themselves, others, or property should be taken into protective custody and conveyed to a local hospital ~~treatment facility~~.
3. Officers may encounter resistance and may be required to physically restrain an incapacitated person, particularly if the person is taken into protective custody involuntarily.
4. Officers will respond to the hospital ~~treatment facility~~, upon request, if a client becomes belligerent, physically abusive, threatening, or clearly disorderly and will assist the hospital staff. ~~facility staff in placing the person in restraints, if they are incapacitated by alcohol (reminder, use of force higher than compliance hold requires a report). Persons present at the facility on a voluntary basis and not incapacitated may be escorted from the facility.~~

OWI Charges

A person incapacitated by alcohol who has been arrested for O.W.I. violation may be taken to a treatment facility after being processed, at the direction of the Officer-in-Charge or designee. This will **not affect** subsequent prosecution but is intended to provide treatment. The person must be advised that a court appearance is mandatory on the day and time designated on the ticket.

Amnesty Through Responsible Action – Underage Consumption of Alcohol and/or Drugs

Amnesty through responsible action promotes community safety by removing potential concerns of legal consequences that could prevent callers from requesting medical assistance for underage persons incapacitated by alcohol and/or other drugs. WI SS 961.443 provides criminal prosecution immunity for persons aiding drug overdose victims. This policy expands on the philosophy of that statute by providing immunity for select Madison ordinance violations for both callers and victims. Citations for Madison ordinance 38.031 (underage alcohol violations) shall not be issued to a caller who requests medical assistance or to the subject in need of assistance under any of the following conditions:

- The caller remains with the impaired individual until assistance arrives and fully cooperates with emergency responders.
- The impaired individual is a victim of crime, such as sexual assault or violent crime.

This policy applies only to the caller and/or impaired individual's personal consumption of alcohol and/or drugs. This program **does not** apply to companion charges or in the following circumstances:

- When contact is initiated by police, EMS, or other emergency responders.
- To ordinance violations involving the supplying of alcohol or other drugs.
- To other crimes/violations not addressed in Madison City Ordinance 38.031

When a youth aged 17 or younger is taken into protective custody under this policy their parent, guardian, or legal custodian will be notified as soon as possible. The responsibility for notification rests with the officer taking the youth into protective custody. The person notified, as well as the date and time of the notification, is to be recorded in the narrative of the Incapacitated Person Report.

Original SOP: 03/06/2015
(Reviewed Only: 02/11/2016, 01/09/2017, 12/26/2017, 02/04/2022, 02/05/2024)
(Revised: 03/02/2016, 05/04/2016, 01/15/2020, 04/22/2025, 05/11/2026)

Special Events Team Specialty Teams

Eff. Date ~~03/28/2025~~ 04/01/2026

PURPOSE

The purpose of this standard operating procedure (SOP) is to establish guidelines for the Madison Police Department (MPD) Special Events Team (SET) Specialty Teams' functions and responsibilities outside of crowd event activations. SET Specialty Team crowd event activation details are available in the MPD Demonstrations and Assemblies SOP. The SET Specialty Teams include the following specialty teams: Bike Team, Community Dialogue Team (CDT), Advanced Security and ~~Dignitary~~ Protection Team (ASP~~DPT~~), Field Extrication Team (FXT), Grenadiers, Logistics, and Medics.

DEFINITIONS

SET Bike Team: The SET Bike Team, under the direct command of the MPD SET, provides a more nimble transportation and response option for SET personnel beyond the range and capabilities of on-foot SET personnel. SET Bike Team members have specialized training and skills to use police bikes to perform crowd engagement and management duties.

SET Community Dialogue Team (CDT): The SET Community Dialogue Team (CDT), under the direct command of the MPD SET, exists to provide informational and educational opportunities about event and demonstration activities. SET CDT members may be ~~work closely with Community Dialogue Representatives and are often~~ designated to serve as Demonstration/Event Liaisons when feasible.

~~**SET Dignitary Protection Team (DPT):** The SET Dignitary Protection Team (DPT), under the direct command of the MPD SET, may be used during dignitary visits within the jurisdiction of MPD. DPT members receive specialized training in skills related to planning a dignitary visit, providing direct protection to dignitaries, and driving in a motorcade. DPT members prepare to serve in both uniformed and plainclothes official capacities.~~

SET Advanced Security & Protection Team (ASP): The SET Advanced Security and Protection Team (ASP), under the direct command of the MPD SET, exists to conduct site and security assessments to enhance the safety of venues and events with elevated risks, and provides proactive protective services to address complex security needs. ASP members receive specialized training in skills related to close personal protections, site and security assessments, and protective surveillance and counter-surveillance. ASP members prepare to serve in both uniformed and plainclothes official capacities.

SET Field Extrication Team (FXT): The SET Field Extrication Team (FXT), under the direct command of the MPD SET, exists to better respond to protest events with an internal resource. SET FXT members have specialized training and skills to extricate persons from protest devices when demonstrators' actions and/or practices unreasonably impede traffic, restrict the public's freedom of movement, and/or jeopardize public safety.

SET Grenadiers: The SET Grenadier position, under the direct command of the MPD SET, exists to enhance the capabilities of SET. The SET Grenadier team members have specialized training, equipment, and skills in the use of chemical (CS) and oleoresin capsicum (OC or Pepper Spray) munitions, sprays, or aerosols, and in the deployment of impact munitions.

SET Logistics: The SET Logistics Team, under the direct command of the MPD SET, is responsible for the organization, standard guidelines, and maintenance of SET's physical assets. SET Logistics Team members ensure that needed SET assets are deployed and available for any given SET activation, and that the assets are properly stored at the conclusion of any activation.

SET Medics: The SET Medic position, under the direct command of the MPD SET, exists to better respond to protest and crowd events with an internal resource. The SET Medics have specialized training and skills to provide immediate emergency medical care to officers and to community members within an austere environment.

SET SPECIALTY TEAM PERSONNEL

SET Commanders will designate a primary SET command structure (sergeant(s), lieutenant, and captain) to supervise the overall operation of each SET Specialty Team.

When any SET Specialty Team needs to add new members, that team's primary commanders will select new members from eligible SET members through a process determined by SET commanders. The SET Medics and SET Grenadiers should maintain a number of team members sufficient to staff each SET platoon with at least two (2) SET Medics and two (2) SET Grenadiers. SET members can serve on more than one SET Specialty Team; however, given the equipment needs of SET Medics and SET Grenadiers, SET members will not be allowed to maintain simultaneous assignment to the SET Medics team and to the SET Grenadiers team.

TRAINING/STANDARDS

All members of any SET Specialty Team shall attend all full-team and specialty team trainings scheduled throughout the year unless excused by a SET commander or designee. Membership on any SET Specialty Team is a privilege and specialty team members shall remain dedicated to serving in their specialty role(s), shall remain committed to maintaining the core competencies of their specialty team assignment(s), and shall be physically able to perform the necessary tasks associated with their specialty team assignment(s). SET Specialty Team members shall also demonstrate the proper use and handling of all equipment and must be able to use their team's assigned equipment safely. Records of all trainings and activities shall be maintained in the participating officers' personnel file and SET commanders shall designate a SET supervisor or senior member of each SET Specialty Team to forward to MPD Training the records related to any training. Each SET Specialty Team further employs the following training and standards guidelines for each team:

- **SET BIKE TEAM**: The SET Bike Team trains biannually. SET Bike Team members must also take an International Police Mountain Bike Association (IPMBA) certification training, MPD Bike Training, or equivalent as soon as practicable after selection to the SET Bike Team if not already certified before selection.

- **SET COMMUNITY DIALOGUE TEAM**: The SET CDT convenes biannually, with at least one of these two sessions open to community attendance and participation.

- **SET ADVANCED SECURITY AND ~~DIGNITARY~~ PROTECTION TEAM:** The SET ASP ~~DPT~~ trains quarterly ~~at least biannually~~.

- **SET FXT**: The SET FXT trains quarterly. New SET FXT members will be sent to Field Force Extrication Tactics training as soon as practicable after selection to the SET FXT.

- **SET GRENADIERS**: The SET Grenadiers train biannually.

- **SET LOGISTICS**: The SET Logistics team convenes as a group when needed to coordinate details related to any new equipment acquisitions, storage location adjustments, or other logistical considerations.

- **SET MEDICS**: The SET Medics train quarterly. SET Medics shall maintain any required certifications or licenses as determined by the SET commander(s). SET Medics shall follow appropriate protocol for treatment as established by the following authorities: the State of

Wisconsin Department of Justice Law Enforcement Standards Board for Tactical Emergency Casualty Care and the directions, trainings, and protocol as ordered by the Medical Director of the Madison Police Department.

SET SPECIALTY TEAM DEPLOYMENT

SET Specialty Team(s) will be deployed to crowd events pursuant to the provisions of the MPD Demonstrations and Assemblies SOP.

MPD members shall use the following guidance when evaluating any request to employ the use of the following SET Specialty Teams within the City of Madison jurisdiction:

- **SET Bike Team**: At the request and/or with approval of a supervisor, SET Bike Team members may utilize MPD police bikes to respond to calls for service and as a mode of transportation during their work shift. Officers should have a City of Madison Police vehicle equipped with a bike rack accessible (i.e., available at a district station, parked near a deployment) when utilizing bikes as an alternate mode of transportation during their shift. SET Bike Team members should deploy in numbers no fewer than at least two (2) Bike Team members for any deployment on bikes.

- ~~**SET CDT:** SET CDT members should be selected to serve as Demonstration/Event Liaisons whenever available and requested by SET Command for known/planned events. In the case of a spontaneous crowd event, an MPD supervisor or the Officer in Charge (OIC) should notify a SET commander to determine if there are any available on-duty SET CDT members who could assist with communication attempts with the event organizers/person(s) in-charge.~~

- **SET CDT:** SET CDT members if available should assist the SET Commander or SET Supervisor who has been selected to serve as Demonstration/Event Liaisons. Having a single Commander or Supervisor identified as the point of contact for event organizers is best practice. SET CDT members can assist this commander as needed.

- ~~**SET DPT**: SET DPT members may be requested to provide support when there is a visiting dignitary. The request should include the extent of protection that is being requested, what kind of protection detail the dignitary will provide, known threats to the dignitary, the itinerary of the event, transportation being requested, and contact details the DPT event lead can contact for more information.~~

- **SET ASP**: SET ASP members may be deployed to provide support when there is an event that carries an elevated security risk. This may include, but is not limited to, events involving visiting dignitaries or other high-profile individuals. Members may also be tasked with conducting site security assessments, including residential assessments, as directed. Any request for the use of ASP should be made to a SET commander.

- **SET FXT**: SET FXT members should not carry FXT equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee. In the event that patrol personnel respond to an incident where a protest device is being used, officers on scene should notify a street supervisor and/or the Officer in Charge (OIC) that a protest device is being used. The OIC should then notify a SET commander to determine if the SET FXT should be activated. The SET FXT may be utilized for situations outside of a SET deployment under specific requests with the approval of a SET commander or designee and with the authorization of the Chief of Police or the Chief's designee.

- **SET Grenadiers**: SET Grenadiers should not carry Grenadier equipment outside of SET deployments or during the course of their regular duties unless authorized by a SET commander or designee. In exigent circumstances, SET Grenadiers may deploy specialized grenadier

equipment without the permission of a supervisor, but shall inform a SET commander as soon as practicable. Upon deployment of chemical, OC, or impact munitions by SET Grenadiers, available SET members should assist with decontamination and medical treatment of those affected, unless circumstances specifically prohibit rendering such assistance.

- **SET Logistics**: SET Logistics Team members may deploy SET vehicle assets (minivans, Utility Terrain Vehicles (UTVs)) outside of a SET deployment under specific requests with the approval of a SET commander.

- **SET Medics**: At the request of a supervisor, or at their own discretion, SET Medics may deploy to a call for service involving mass casualties or to a clear need for emergency medical care coverage. SET Medics may also respond to an emergent tactical call where there is a potential for injury to officers or others, but to which Madison Fire Department Tactical Emergency Medical Services (MFD TEMS) personnel have not yet arrived. In the event of such a deployment, the SET Medic shall notify SET command and/or the Officer in Charge (OIC) as soon as practicable. SET Medics may keep their SET-issued specialized medical equipment with their regular work equipment for this purpose.
    - Deployment of SET Medics on SET Bike Team:
        - SET Medics who deploy with the SET Bike Team for any assignment shall carry their medical gear with them on bike.
    - Deployment of SET Medics to SET Field Extrication Team extrications:
        - At least one SET Medic should be present during any extrication. A SET Medic, the FXT supervisor, or designee shall request a Madison Fire Department ambulance to be on standby in a reasonable staging location to the extrication.

MUTUAL AID

SET Specialty Teams may be deployed pursuant to a mutual aid request from another agency for the particular team's specialty with the approval of a SET commander and with the authorization of the Chief of Police or Chief's designee. In any mutual aid deployment, SET Specialty Team members shall always abide by the MPD Code of Conduct, MPD SOPs generally, and the SET Specialty Team's training and standards.

EQUIPMENT

Each SET Specialty Team shall maintain an inventory of all equipment and supplies assigned to that team and each team's equipment and supplies 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. Any SET Specialty Team munitions or supplies with identifiable expiration dates shall be used only in a training environment beyond the expiration date.

The Lieutenant of each SET Specialty Team shall submit an annual report documenting any use, maintenance, warranties, and repairs of the equipment assigned to that lieutenant's specialty team. These annual reports shall be submitted to the SET Lead Commander or designee.

SET Bike Team members shall conduct an inspection of their assigned bicycles and equipment prior to use to ensure proper working order of equipment. SET Bike Team members are responsible for the routine care and maintenance (i.e., tire pressure, chain lubrication, overall cleaning) of their assigned bike. If a needed repair is beyond the ability of the SET Bike Team member, an email should be sent to the PD SET Bike email group and the email should include a description of the issue and the location of the bicycle in need of repair. Each department-owned police bicycle will have an annual maintenance tune-up performed by members of the

SET Bike Team/MPD Bike Mechanics. Police bicycles requiring maintenance and/or repairs beyond the capabilities of the SET Bike Team members may be taken to a private bicycle repair shop with authorization from the SET Lead Commander.

SET CDT members shall perform an annual review of any printed—physical documents/brochures and online—informational/educational materials. SET CDT supervisors will also maintain a log of informational/educational sessions held throughout the course of the year.

SET ASP ~~DPT~~ members should be prepared to operate in a plainclothes capacity. The team will designate soft uniform standards as well as apparatus to clearly identify plainclothes officers as police officers in the event of a critical incident.

SET FXT members shall perform a function check of all FXT equipment on a regular basis and the department shall provide Personal Protective Equipment (PPE) for SET FXT members. SET FXT shall wear all appropriate PPE during deployments and trainings. During any extrication, SET FXT members shall provide any necessary PPE and take any reasonable precautions to ensure the safety of the arrested person, the public, and other officers.

Original SOP: 09/20/2022
(Special Events Team Field Extrication Team SOP, Special Events Team Grenadiers SOP and Special Events Team Medic Platoon SOP combined into this one SOP 09/20/2022)
(Revised: 01/31/2023, 01/03/2024, 03/28/2025, 04/01/2026)

Use of the SUPERHAILER Long Range Communication System

Eff. Date ~~10/03/2022~~ 04/16/2026

Purpose

The purpose of this standard operating procedure (SOP) is to establish guidelines for the deployment and use of the SUPERHAILER. The Madison Police Department (MPD) will utilize the SUPERHAILER to maximize the safety of all individuals involved in, or in close proximity, to an incident.

Definition

The SUPERHAILER is a high assurance, long range, audible communication system which allows the operator to gain the attention of a person, or persons, and to project extremely clear verbal messages to them (even at significant distances from the operator). The system can be used to de-escalate situations and to safely modify dangerous and criminal behavior through clear communication. Use of the SUPERHAILER may allow for communication at distance with persons in open-air environments, inside vehicles, and inside closed structures.

The SUPERHAILER is an audio communication device with built-in safety features to ensure subjects, operators, and bystanders will not exceed safe sound exposure levels as defined by Occupational Safety and Health Standards (OSHA) Standard Number 1910.95. To maximize safety, the SUPERHAILER should not be used at ranges less than six (6) feet between the device and the intended target of its audio output.

Procedure

AUTHORIZED USAGE

The SUPERHAILER shall only be used by MPD personnel who are trained in its deployment and it shall be used in a manner consistent with MPD standard operating procedures. The SUPERHAILER shall only be used when authorized by a Lieutenant or higher authority. The SUPERHAILER shall always be deployed with the acoustic foam collar attached to the device and should not be picked up or carried by the acoustic foam collar.

DEPLOYMENT CONSIDERATIONS

The SUPERHAILER may be used to communicate messages in the following circumstances when other forms of communication would be ineffective or not practical:

- To communicate lifesaving information to residents during natural disasters or civil emergencies
- To communicate information to large crowds during special events (such as concerts, festivals, demonstrations, etc.)
- To broadcast dispersal orders during crowd control and civil unrest situations
- To conduct Special Weapons And Tactics (SWAT) operations (such as serving warrants and responding to barricaded person incidents, hostage situations, and active shooter incidents)
- To communicate with persons threatening suicide who are in an inaccessible location, or who cannot be approached due to safety concerns
- To conduct search and rescue operations

Deviation from these approved circumstances shall be approved by a Captain or higher authority, unless exigent circumstances are present.

Attention Grabber Tone

The SUPERHAILER "Attention Grabber" tone is a safe and effective means of alerting and gaining the attention of a person, or persons, prior to the broadcast of a verbal message.

When authorized for use in the field, the "Attention Grabber" shall only be used in three (3) second bursts:

- To gain the immediate attention of a person or persons
- As needed during SWAT operations
- For other reasons determined by the incident commander

Unless extenuating circumstances are present under which the SUPERHAILER could be used to alert people to possible dangerous situations and/or to provide emergency instructions, the Attention Grabber tone should not be directed at distances less than 100 feet/33 yards and verbal messages at distances less than 50 feet/17 yards at vulnerable persons including, but not limited to, the following:

- Infants
- Young children
- Elderly persons
- Persons who are visibly pregnant or known to be pregnant
- Persons with visible physical limitations that would prevent them from leaving the immediate area
- Persons with an apparent altered state of mind due to alcohol, drugs, or some other influence

DOCUMENTATION OF USE

Officers shall document any use of the SUPERHAILER in an original or supplemental report on the involved incident.

PRESERVATION OF SYSTEM DATA

Following each pre-recorded verbal message broadcast or use of the Attention Grabber tone, the SUPERHAILER system will create video and telemetry data files. Following each broadcast of a verbal message recorded via the use of the SUPERHAILER'S SmartMIC, the SUPERHAILER system will create video, audio, and telemetry data files. The SUPERHAILER saves all files associated with broadcasted messages to an onboard Universal Serial Bus (USB) device.

After the conclusion of any deployment of the SUPERHAILER during which any audible sound was broadcast from the SUPERHAILER, a commanding officer overseeing the deployment (or designee) shall take the following steps to ensure the preservation of all evidentiary SUPERHAILER files under the appropriate MPD case number:

- Remove the USB device from the SUPERHAILER and insert the USB into a computer connected to the City of Madison network
- Move all SUPERHAILER files from the USB to an incident-specific folder on the network
- Return the blank USB drive or insert a new USB device into the SUPERHAILER
- ~~Compose and~~ Send an email message to the Forensic Video Analyst to request the transfer of video and audio files from the network folder to the secure audio/visual evidence server; telemetry files will remain in the incident-specific network folder
- Document the data transfer process in an original or supplemental police report on the involved incident

STORAGE OF SUPERHAILER

Prior to storing the SUPERHAILER after any field use, officers should ensure the device is ready for a subsequent deployment by doing the following:

- Place a fully charged battery in the device
- Place the other battery on the charging unit
- Insert a blank USB device into the USB port
- Inspect the device for any damage

Any damage or issues that would prevent the SUPERHAILER from deploying to the field should be reported as soon as practicable to a supervisor from the team overseeing the deployment. Small tears in the acoustic foam collar may happen over the life of the device and the device can still be used despite such tears; however, if the collar suffers the loss of sizeable chunks of foam, a new acoustic foam collar should be installed on the device before deployment.

If the SUPERHAILER or its case was exposed to precipitation or other sources of moisture during a deployment, the SUPERHAILER and its case shall be placed in a dry, climate controlled storage location separate from each other until both are completely dry. Once both are completely dry, the SUPERHAILER shall be placed in its case and stored in its designated storage location.

Original SOP: 09/19/2022
(Revised: 10/03/2022, 04/16/2026)
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