

# **Wisconsin Law Enforcement**

## **Accreditation Group**

### **Accreditation Standards**



**3rd Edition**

October 1, 2008

## **ACKNOWLEDGEMENT**

The WILEAG Governing Board gratefully acknowledges the members of the Wisconsin Police Accreditation Coalition and their 3<sup>rd</sup> Edition Re-write Committee as well as the members of the Board who participated in this project for their assistance in creating the 3<sup>rd</sup> Edition of Standards.

Without their cooperation, dedication, and volunteering of hundreds of hours of their time, this 3<sup>rd</sup> Edition of Standards would never have been completed.

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# Wisconsin Law Enforcement Accreditation Group

## Forward

Accreditation is a progressive and time-proven way of helping institutions evaluate and improve their overall performance. The key to any successful accreditation system lies in the consensus of published standards containing a clear statement of professional objectives.

The practice of accrediting institutions began in this country more than 200 years ago when New York State established a State Board of Regents to charter colleges and private academies. The concept has since been successfully applied in fields as diverse as corrections and health care services.

Law enforcement accreditation began in 1978 when William Dean, a staff officer of the International Association of Chiefs of Police convinced the Board of Officers that police service to the American public should be improved and the best vehicle to achieve this goal was to follow the accreditation model already being followed by many other institutions in society. A grant was successfully sought through the United States Department of Justice to begin the accreditation process.

A federal grant was subsequently awarded to the newly established Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA). The following four major law enforcement executive membership associations that founded CALEA developed the original standards:

- International Association of Chiefs of Police (IACP)
- National Organization of Black Law Enforcement Executives (NOBLE)
- National Sheriffs Association (NSA), and the
- Police Executive Research Forum (PERF).

As CALEA struggled to get national accreditation established, there were many law enforcement executives who bought into the accreditation concept, but could not afford the cost. Better-financed police agencies seemed to be able to find the moneys to pay the fees, but a large number of others simply could not.

This caused some states to develop their own systems, which they could justify to their city and county governments and were tailored to meet the needs of the people living in their region of the United States. The justification for a state law enforcement accreditation program is that police departments that have ten or fewer members serve the vast majority of the citizens living in the United States. If the majority of citizens in this country are to be protected and served efficiently by upgraded agencies, then the cost of an accreditation program must be within their reach.

The Standards, First Edition for the Wisconsin Law Enforcement Accreditation Group program were reviewed and approved by:

The Accreditation Committee of the Wisconsin Chief's of Police Association on June 2, 1995, meeting at Fond du Lac, Wisconsin;

The Wisconsin Police Leadership Foundation on August 14, 1995, meeting at Eau Claire, Wisconsin;

And were reviewed and revised by the Governing Board of the Wisconsin Law Enforcement Accreditation Group and officially approved as WILEAG Standards, First Edition by the Board on December 3, 1996.

From 2000 to 2001 the original Standards were reviewed and revised to be consistent with recognized procedural changes, both operational and administrative, and with a focus on being compliant with the 95 Core Standards newly designated by CALEA.

The WILEAG Standards, Second Edition were approved by the Governing Board at its scheduled meeting on March 14, 2001 at Oshkosh, Wisconsin.

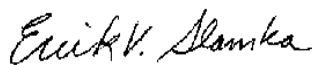
In recent years, WILEAG received a warning from CALEA that litigation was possible. Fundamentally, CALEA sought to end a relationship that had been established many years ago with affiliate agencies, like WILEAG. In the process of ending this relationship, CALEA sent out letters across the country demanding that affiliate agencies cease and desist from using CALEA standards. WILEAG had been using CALEA standards with its approval since its inception. Our primary purpose was to provide, and still is, an affordable alternative to the CALEA accreditation process to law enforcement agencies in the state.

Not wanting to engage in a possible protracted legal fight with CALEA, we enlisted the assistance of the Wisconsin Police Accreditation Coalition (WI-PAC) and together we re-created our own 3<sup>rd</sup> Edition Standards. The Standards and numbering system were revised to reflect the most up-to-date information regarding law enforcement practices. This process took over a year and a half to complete, and we are now ready to continue the accreditation of potential agencies and re-accreditation of member agencies.

The WILEAG Standards, Third Edition were approved by the Governing Board on September 24, 2008 at Madison, Wisconsin, effective October 1<sup>st</sup>, 2008.

It is a new day in law enforcement accreditation in the state of Wisconsin. WILEAG is here to provide an affordable accreditation process to the law enforcement agencies of Wisconsin. We look forward to addressing the professional needs of Wisconsin police departments and sheriffs' departments for many years to come

For the Governing Board,



Erick V. Slamka  
Chairperson

# **Standard, Dimension, And Context Manual**

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## 3<sup>rd</sup> Edition – Program Standards

# Wisconsin Law Enforcement Accreditation Group

## Standard, Scope and Dimension Manual

### Chapter #1 – Organization and Management Role

#### Section #1 – Agency Role

##### 1.1.1 Mission Statement

The agency has written mission statement that defines the agency's role.

##### *Context*

The agency shall have a written mission statement, which defines its role in and for the community and is distributed to all personnel. An agency may review its mission statement, at an interval a CEO deems appropriate but not to exceed five years.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

##### 1.1.2 Goals and Objectives

The agency has written goals and objectives that are reviewed and updated at least annually and are available to all personnel.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### Section #2 – Employee Role

##### 1.2.1 Oath of Office

A written directive requires all sworn personnel to take an oath of office to enforce the law and uphold The Constitutions of the United States of America and State of Wisconsin, Wisconsin State Statutes, and county and/or municipal ordinances where applicable.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

##### 1.2.2 Code of Ethics

The agency has a code or canon of ethics that is available to all agency personnel.

##### *Context*

Adherence to a code of ethics may be included as an element of the oath of office (1.2.1 above).

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 1.2.3 Code of Conduct

A written directive specifies a code of conduct and as well as personal appearance standards for agency personnel and agency personnel are provided a current copy.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 1.2.4 Harassment in the Workplace

A written directive prohibits harassment in the workplace.

1.2.4.1 The agency provides a means by which harassment can be reported, including a means by which it can be reported if the offending party is in the complainant's chain of command.

1.2.4.2 The agency establishes a policy on privacy in locker rooms in compliance with §175.22.

#### *Context*

Employees should be protected from any type of a hostile work environment, especially sexual harassment. Training, reporting procedures and support systems shall be provided to all employees. If an agency has a locker room(s), a policy shall be in place ensuring the privacy of persons using this room(s) according to the provisions of §175.22.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## **Section #3 – Structure and Accountability**

### 1.3.1 Organizational Structure

The organizational structure of the agency is described in a written statement or depicted in an organizational chart, which is updated as changes occur and made available to all personnel.

#### *Context*

All personnel should be able to readily determine the span of control and unity of command within the agency.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 1.3.2 Division Responsibilities

The responsibilities of each operational component within the agency are set forth in writing and are updated as needed and made available to all personnel.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 1.3.3 Accountability of Authority

A written directive requires each employee to be accountable for his/her use of delegated authority.



### *Context*

The agency makes clear that authority can be delegated and that while responsibility ultimately remains with the person doing the delegating, each person is accountable for his/her own actions and results.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 1.3.4 Supervisor Accountability

A written directive requires supervisory personnel to be accountable for the performance of employees under their immediate supervision.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 1.3.5 Administrative Reporting Program

The agency has an administrative reporting program, which requires the preparation of periodic reports of agency activities and includes summaries based on such reports.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 1.3.6 Legal Advice

The agency has arrangements for securing legal advice through employment of an agency legal advisor or consultation with the office of its city attorney and/or prosecuting attorney or other legal advisor.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **Section #4 – Command Authority**

#### 1.4.1 Chief Executive Officer Authority

The agency vests in the chief executive officer (CEO) full authority and responsibility for the management, direction, and control of the operations and administration of the agency.

### *Context*

There should be documentation that clearly establishes that the CEO has been duly appointed and is legally responsible for the operation of the agency. Local government resolution, ordinance and/or law may set this forth.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 1.4.2 Command Protocol

A written directive requires that at a minimum there are command protocols for the following situations:

1.4.2.1 Absence of the chief executive officer

1.4.2.2 Exceptional situations

- 1.4.2.3 Situations involving personnel of different functions engaged in a single operation
- 1.4.2.4 Normal day-to-day agency operations

*Context*

A system of succession should exist to ensure leadership continuity if and when the agency’s chief executive officer is incapacitated, off duty, out of town, or otherwise unable to command. For anticipated absences for extended periods, the CEO should designate, in writing, an “acting” authority. Command protocols covering management and supervisory functions may be predetermined for certain emergency or unusual occurrences and for specific operational activities. Command protocols should be designed to clarify authority, alleviate confusion, and ensure leadership continuity.

Last Reviewed: October 1<sup>st</sup>, 2008                      Last Updated: October 1<sup>st</sup>, 2008

1.4.3      Duty to Obey Lawful Orders

A written directive requires employees to obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank. There are specific procedures to be followed by an employee who receives inconsistent or conflicting orders.

Last Reviewed: October 1<sup>st</sup>, 2008                      Last Updated: October 1<sup>st</sup>, 2008

1.4.4      Written Directives

The agency has a system governing development and promulgation of written directives such as agency policies, procedures, rules, and regulations (including but not limited to):

- 1.4.4.1 Authority of the CEO to issue, modify, or approve written directives
- 1.4.4.2 Identity of others, by name or position, authorized to issue written directives
- 1.4.4.3 Procedures for formatting, indexing, purging, updating, and dissemination of written directives
- 1.4.4.4 Procedures for staff review of draft directives prior to implementation
- 1.4.4.5 System for acknowledging receipt of directives by personnel and subsequent placement of the directive into a manual.
- 1.4.4.6 A system requiring periodic reviews of all written directives.

*Context*

The intent is that the agency actively manages its array of policies, procedures, rules and regulations, general orders, or whatever written system an agency uses to convey direction to its personnel. The periodic review of all written directives must occur every three years at a minimum.

Last Reviewed: October 1<sup>st</sup>, 2008                      Last Updated: October 1<sup>st</sup>, 2008

## **Section #5 – Fiscal Management/Agency Owned Property**

### 1.5.1 Purchasing

A written directive governs procedures for the requisition and purchase of equipment, supplies and services.

#### *Context*

The agency has a system of standardized purchasing procedures.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 1.5.2 Accounting System

The agency has an accounting and budget format and procedures including periodic status reports showing:

- 1.5.2.1 Initial appropriations for each account or program
- 1.5.2.2 Beginning balances
- 1.5.2.3 Expenditures made and encumbrances incurred during the period
- 1.5.2.4 Ending balances

#### *Context*

The intent is that the agency follows generally accepted governmental fund accounting practices.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 1.5.3 Cash

A written directive governs all financial records and documentation of all cash transactions or accounts involving agency personnel who receive, disburse or maintain cash including but not limited to:

- 1.5.3.1 A balance sheet, ledger, or other system that identifies starting and ending balances and transactions - credits (cash income received), debits (cash disbursed) and adjustments
- 1.5.3.2 Receipts and other documentation for cash received
- 1.5.3.3 Authorization for cash disbursements, including CEO or other authorized personnel sign offs for expenses (depending on the amount)
- 1.5.3.4 Records, documentation, or invoice requirements for cash expenditures
- 1.5.3.5 A listing of authorized persons (or positions) responsible for disbursing or accepting cash
- 1.5.3.6 Quarterly accounting summary of all agency cash activities

#### *Context*

These systems and procedures include but are not limited to petty cash funds, cash received in records, investigative funds, and all other instances where cash funds are maintained or cash is received or disbursed. This does not include asset forfeiture funds.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 1.5.4 Audits

A written directive requires that the fiscal activities of the agency are monitored and subject to periodic audit.

##### *Context*

Generally accepted governmental auditing practices should be employed.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 1.5.5 Inventory Control

A written directive governs the systems and procedures for control of agency property, equipment, and other assets.

##### *Context*

Generally accepted governmental accounting practices should be employed. The intent of this standard is to have agencies account for high priority items such as weapons, vehicles, etc.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **Section #6 – Mutual Aid**

#### 1.6.1 Agency Jurisdiction - §175.40(6)(d)

A written directive governs the primary jurisdiction and any concurrent jurisdiction of the agency and specifies responsibilities and authorities therein.

##### *Context*

All personnel within the agency should know the limitations of their geographical jurisdiction, authority, and responsibilities.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 1.6.2 Mutual Aid - §66.0313

The agency has a plan for providing aid to other jurisdictions in unusual occurrence situations and special operations pursuant to formal mutual aid agreements.

##### *Context*

The intent of this standard is to encourage the formation of formal written agreements among law enforcement agencies to assist each other in time of need.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## **Section #7 – Law Enforcement Authority**

### **1.7.1 Legal Authority**

A written directive governs granting legal authority and responsibilities to agency personnel in the performance of their duties.

#### *Context*

While no specific Wisconsin State Statute grants law enforcement personnel legal authority to carry a firearm or perform their duties, an agency should delineate those related statutes and/or municipal/county ordinances that grant personnel this authority.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **1.7.2 Constitutional Requirements**

A written directive requires compliance with all applicable constitutional and statutory provisions related to interviews, interrogations and access to counsel.

#### *Context*

This standard refers to coerced or involuntary confessions and admissions, delay in arraignment, failure to inform defendants of their rights, deprivation of counsel, and pretrial publicity tending to prejudice a fair trial.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **1.7.3 Search and Seizure**

A written directive governs the conduct of agency personnel in effecting searches/seizures without a warrant in the following situations:

- 1.7.3.1 Search with subject's consent
- 1.7.3.2 "Stop and frisk" search in situations where the officer has grounds to fear for his/her safety or the safety of others
- 1.7.3.3 Search of a vehicle (movable vehicle exception)
- 1.7.3.4 Crime scene search
- 1.7.3.5 Exigent circumstances
- 1.7.3.6 Inventory searches (seized vehicles or other property)
- 1.7.3.7 Other authorized situations (federal or state constitutional provisions or case law)

#### *Context*

This standard provides guidance and procedures for agency personnel while conducting searches and seizures that have not been specifically subject to review/approval by judicial personnel.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **1.7.4 Arrest Procedures**

A written directive governs the procedures for arrests made with or without a warrant.

*Context*

The procedures should be dynamic, being updated in a timely fashion so that they reflect new decisions that add to the body of law governing arrest. They should include discussions about factors that influence a warrantless arrest, areas that may be searched incident to an arrest (both with and without a search warrant). Arrestee rights are spelled out in detail.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

1.7.5 Alternatives to Arrest

A written directive governs the authority, guidelines, and circumstances for when sworn personnel utilize alternatives to arrest, pre-arraignment confinement, and/or pretrial release.

*Context*

Guidance should be developed to ensure appropriate use of the alternatives by personnel. It should cover the authority of and situations in which sworn officers may use alternatives to physical arrest such as issuance of citations and summonses, referral, informal resolution, and warning.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

1.7.6 Use of Discretion

A written directive governs the use of discretion by sworn officers and prescribes its limits.

*Context*

The exercise of discretion is a fact of life in law enforcement work. Wise exercise of discretion can produce positive outcomes. The agency should prescribe limits on individual discretion and provide guidance for exercising discretion within those limits. The agency should provide training and on-going supervision of decisions and actions.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

1.7.7 Strip Searches - §968.255

A written directive regulates strip and body cavity searches. The directive shall include:

- 1.7.7.1 Strip and body cavity searches with and without a warrant;
- 1.7.7.2 Privacy and search by gender issues; and
- 1.7.7.3 Mandatory reporting requirements for any of these types of searches.

*Context*

These types of searches are highly sensitive because they are so intrusive. They must be conducted within the limits of legal authority, in private, and with appropriate respect for human dignity. Strip and body cavity searches are employed for safety and security reasons and/or to seize evidence of a crime.

Inherently, these searches can pose health risks. Some body cavity searches may require special hygienic procedures and involvement of qualified medical personnel. The purpose of these policies and guidance is to maximize safety, minimize health risk, acquire evidence, and assure reasonable conduct and circumstances surrounding searches.

These searches must also be documented with each agency having a mandatory reporting requirement for each incident.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 1.7.8 Biased-Based Policing

A written directive prohibits racial profiling or race-based decisions by agency personnel and includes the following:

- 1.7.8.1 A definition of racial profiling as including any law enforcement initiated action that relies upon the race, ethnicity or national origin of an individual rather than the behavior of that individual.
- 1.7.8.2 Agency personnel may not use racial or ethnic stereotypes as factors in selecting whom they stop and whom to search.
- 1.7.8.3 Agency personnel may use race or ethnicity in selecting whom they stop and whom they search when a person matches the specific description of an individual who is suspected of engaging in criminal behavior.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 1.7.9 Expander of Jurisdiction - §175.40 (6m)

A written directive governs off-duty arrest authority for agency personnel.

##### *Context*

The purpose of this standard is to delineate procedures to agency personnel on their authority to make an arrest or provide aid or assistance anywhere within the state while they are off-duty and outside of their territorial jurisdiction.

### **Section #8 – Contract Services**

#### 1.8.1 Contractual Services

The agency uses appropriate written agreements to governing provision or receipt of contractual services by the agency.

##### *Context*

Agencies should reduce to writing all agreements of a contractual nature. The contracts that are covered under this standard are only agency contracts, not contracts by or involving a county, city, village, or any other municipality.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## **Section #9 – Citizen Complaints**

### 1.9.1 Agency Investigation of Complaints - §66.0511(3)

A written directive requires that all complaints against the agency or its employees are investigated and specifies the authority and responsibility assigned by type of complaint as follows:

- 1.9.1.1 Complaints to be investigated by line supervisors.
- 1.9.1.2 Complaints to be investigated by the internal affairs function.
- 1.9.1.3 Complaints to be reviewed by the internal affairs function.

#### *Context*

The standard delineates who has responsibility for an investigation or review of a complaint based on the seriousness of the allegations. For example, situations involving complaints about officer driving behavior, rudeness, officer enforcement decisions to name a few that are assigned to a line supervisor while situations involving complaints of criminal activity, civil rights violations, use of force, corruption or brutality are handled by internal affairs.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 1.9.2 Responsible Individual or Position

A written directive governs the selection of a position or an individual (who may be the agency's chief executive officer) and grants that position or individual authority and responsibility for the internal affairs function.

#### *Context*

The intent of this standard is to designate an individual or a position within the agency that is responsible for internal investigations and to review the investigations of line supervisors.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 1.9.3 Complainant Notification

A written directive requires that complainants are periodically informed about the status of their complaint including but not limited to:

- 1.9.3.1 Acknowledgment of receipt of the complaint
- 1.9.3.2 Periodic updates on the progress of the investigation; and
- 1.9.3.3 Final disposition upon conclusion.

#### *Context*

The complainant must be provided information about the investigative process. That information can be incorporated into the receipt acknowledging the agency's receipt of the complaint or included on a separate document. The complainant should be kept apprised of the status of the complaint and should be advised of the final disposition. The agency prescribes limitations on the content of the notification consistent with current open record and privacy laws. By definition, this standard does not apply to anonymous complaints.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008



#### 1.9.4 Employee Notification

A written directive requires the agency to notify an employee in a timely manner that he/she is the subject of an internal affairs investigation by providing the employee a written statement of the allegations and a description of the employee's rights and responsibilities relative to the investigation.

##### *Context*

This standard is for notification to employees for "formal" internal affairs investigations, not for "minor" complaints.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 1.9.5 Maintenance of Records

A written directive governs the maintenance of all complaints against the agency or employees and protects the confidentiality and security of information by maintaining them in a secure area. The agency shall conduct an annual review of all complaints to determine any patterns, tendencies, etc. that may need to be addressed.

##### *Context*

By virtue of being personnel records, internal affairs records are confidential and require security precautions consistent with the Wisconsin open records law. In addition, complainant information and investigative details are generally not appropriate for unlimited access. The internal affairs unit is designated as records custodian rather than the records being housed in personnel or a centralized records system.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

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## **Chapter #2 – Personnel Services**

### **Section #1 – Collective Bargaining**

#### 2.1.1 Collective Bargaining Units

A written directive requires the agency to acknowledge duly constituted bargaining units representing any given groups of employees and also requires the agency to adhere to relevant portions of those collective bargaining agreements.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 2.1.2 Labor Agreements and Agency Policy

Upon final ratification of an agreement the agency will take steps to assure congruence between terms of the agreement and agency operating policies and procedures. To do so, the agency will:

- 2.1.2.1 Obtain a copy of the finalized, executed labor agreement.
- 2.1.2.2 Make sure all policies/procedures are aligned with the terms of the labor agreement.
- 2.1.2.3 Communicate information regarding the new/amended labor agreement and agency policies and procedures to managers and supervisors of affected bargaining unit employees in a timely manner.

#### *Context*

Operating policies and procedures must be congruent with labor agreements to avoid violating the labor contract. Managers and supervisors should be provided a copy of the agreement(s) for reference. Promoting labor harmony is an integral part of a manager's/supervisor's job responsibility. Changes in existing contract language should be disseminated to those same supervisors and managers. Training should be provided as appropriate.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **Section #2 – Grievance Procedures**

#### 2.2.1 Grievance Procedure

Unless there is controlling contract language, a written directive governs a grievance procedure. The published procedure should:

- 2.2.1.1 Enumerate issues that are permissible subjects of a grievance and what the filing and appeal protocols and timelines are within the agency or governmental subdivision.
- 2.2.1.2 Prescribe the minimum information needed for a grievance to be filed and considered.
- 2.2.1.3 Outline the actual procedural steps and time limitations at every level of the process and cover both grievant and receiving parties.
- 2.2.1.4 Set forth rules for employee representation.

*Context*

Clear, concise formal grievance procedures form the foundation of an effective system for resolving issues between employees and their employers. Given the size and complexity of the agency, it is possible that there be more than one grievance procedure covering different employee categories or types of issues subject to grievance.

Filing of a formal grievance is a serious matter that impacts agency resources. For that reason, the agency requires specific minimum information for a filing to be accepted into the process. Typically, the agency provides a form that outlines the required information which can include but is not limited to:

- A concise statement of the grievance itself
- Facts on which it is based
- Reference sources, where applicable
- Outcome of attempts to correct the situation, if any
- Remedy/correction being sought

Once filed, the grievance should be handled according to the protocols and timelines. There should be a thorough review of the assertions by the grievant and responses and input from relevant parties. Decisions including denials, remedies or other corrections should be set forth in writing. Each level in the process should make a bona fide attempt to resolve the matter.

An appeal, by definition, means the issue was not resolved at the entry or subsequent levels of the process and that the grievance goes to higher levels or another venue for further consideration, and ultimately final disposition, according to agency procedures, protocols and timelines.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

2.2.2 Grievance Coordination and Control - §19.34

A written directive requires a person/position within the agency to have responsibility as the coordinator of grievance procedures and custodian of grievance records.

*Context*

The importance of timely, discrete handling of grievances require that procedures be strictly and consistently followed and access to information about and records thereof be restricted in keeping with open records laws and standard personnel practices.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

**Section #3 – Job Classifications**

2.3.1 Personnel Responsibilities

The duties and responsibilities and minimum entry-level requirements of each position or assignment within the agency are spelled out in a written job or position description. They are reviewed and updated periodically and are available to all personnel.

*Context*

Each job, position, or assignment within an agency has varying and different duties and responsibilities; therefore each should have its own description of their individual duties and responsibilities. They should be updated when changes occur and all personnel should have ready access to them.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

**Section #4 – Compensation, Benefits and Conditions of Work**

2.4.1 Compensation

All personnel shall have access to complete and current information regarding:

- 2.4.1.1 Entry-level salaries within each rank or position.
- 2.4.1.2 Salary ranges within each rank.
- 2.4.1.3 Salaries for personnel with specialized skills or education.
- 2.4.1.4 Overtime and compensatory time policies.
- 2.4.1.5 Other factors such as but not limited to night, holiday and weekend differentials.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

2.4.2 Leave Policies

All personnel shall have access to complete and current information regarding:

- 2.4.2.1 Administrative leave
- 2.4.2.2 Holiday leave
- 2.4.2.3 Sick leave
- 2.4.2.4 Vacation leave
- 2.4.2.5 Other leaves such as but not limited to military or jury duty, family medical situations, including F.L.M.A. (Family Medical Leave Act).

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

2.4.3 Insurance and Retirement

All personnel shall have access to complete and current information regarding:

- 2.4.3.1 Health and dental insurance programs(s)
- 2.4.3.2 Disability and death benefits
- 2.4.3.3 Professional liability insurance and indemnification provided by the agency
- 2.4.3.4 Retirement program(s)

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

2.4.4 Uniforms/Equipment

A written directive governs agency policy regarding clothing and equipment used by employees in performing law enforcement functions.

*Context*

Each employee is provided information regarding articles of clothing and equipment provided by the agency; and if not provided, what the specifications are for each required article of clothing and each item of equipment.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

2.4.5 Medical Examinations

When required by the agency, physical, medical, and/or psychological examinations are provided at no cost to the employee.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

2.4.6 Physical Fitness

A written directive governs agency policy regarding standards of general health and physical fitness to which all specified personnel must adhere.

*Context*

All personnel are required to understand and comply with the agency's standards of physical fitness and general health that directly relate to the tasks performed and that do not eliminate or penalize employees who can otherwise perform the task of their assignment, with or without reasonable accommodation.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

2.4.7 Secondary Law Enforcement Employment

If the agency permits personnel to hold outside law enforcement employment, it does the following:

- 2.4.7.1 Requires that sworn personnel secure prior agency permission.
- 2.4.7.2 Prescribes behavior and activities of officers.
- 2.4.7.3 Has an approval and a revocation process.
- 2.4.7.4 Provides coordination and administration to ensure compliance with agency policies and processes.
- 2.4.7.5 Documents each officer's secondary law enforcement employment.

*Context*

This standard pertains to sworn personnel whose secondary employment is with another or multiple law enforcement agencies, i.e. outside employment wherein the actual or potential use of law enforcement powers is expected and identifies any special restrictions, responsibilities and administrative concerns. Also refer to 2.7, Auxiliary and Part-Time Personnel.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 2.4.8 Extra-Duty Employment

If the agency permits personnel to hold off-duty employment related to law enforcement duties, it does the following:

- 2.4.8.1 Requires that sworn personnel secure prior agency permission.
- 2.4.8.2 Prescribes behavior and activities of officers.
- 2.4.8.3 Has an approval and a revocation process.
- 2.4.8.4 Provides coordination and administration to ensure compliance with agency policies and processes.
- 2.4.8.5 Documents each officer's extra-duty employment.

##### *Context*

This standard pertains to sworn personnel who have extra employment that is related to law enforcement duties where the actual or potential use of law enforcement powers is anticipated. This would include security positions (in or out of uniform), traffic control for private parties, contracts through a law enforcement agency with private businesses, etc.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 2.4.9 Off-Duty, Non-Law Enforcement Employment

If the agency permits personnel to hold off-duty employment not related to law enforcement duties, it does the following:

- 2.4.9.1 Requires that sworn personnel secure prior agency permission.
- 2.4.9.2 Prescribes behavior and activities of officers.
- 2.4.9.3 Has an approval and a revocation process.
- 2.4.9.4 Provides coordination and administration to ensure compliance with agency policies and processes.
- 2.4.9.5 Documents each officer's extra-duty employment.

##### *Context*

This standard pertains to sworn personnel who have extra employment that is non-law enforcement related where the duties will not directly utilize law enforcement powers.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 2.4.10 High Visibility Clothing

The agency requires personnel to wear high visibility clothing when involved with traffic direction and control.

##### *Context*

Federal and state labor and industry laws may be applicable or useful in assisting an agency in developing a policy for when high visibility clothing should be worn. At a minimum, wearing high visibility clothing should be mandatory for traffic direction and control.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## **Section #5 – Performance Evaluations**

### **2.5.1 Annual Performance Evaluations**

A written directive governs the performance evaluation system that includes measurement definitions and requires an annual (minimum frequency) performance evaluation for every employee except employees on probation who have a separate schedule.

#### *Context*

The intent of this standard is to ensure that each employee is evaluated on an annual basis and that the performance being evaluated pertains only to that specific period of time.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **2.5.2 Performance Evaluation Training**

The agency requires that all personnel responsible for conducting performance evaluations must receive instruction on evaluation procedures before doing reviews.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **2.5.3 Sworn Probationary Employees**

The agency requires written performance evaluations on all sworn probationary employees on a quarterly basis (minimum frequency).

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **2.5.4 Performance Evaluation Counseling**

Upon the conclusion of the rating period, the supervisor completing the evaluation shall meet with the employee being evaluated and:

2.5.4.1 Explain the actual performance compared to expectations.

2.5.4.2 Establish expectations, measurement criteria and/or goals for the next rating period.

#### *Context*

All personnel should be fully informed about performance expectations and the evaluation process. Supervisors must utilize proper personnel methods throughout the process. Negative performance issues should be addressed as they arise, not solely reviewed during an annual performance evaluation.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **2.5.5 Signatures on and Copies of Performance Evaluations**

A written directive requires that employees being evaluated sign the completed performance evaluation form indicating they have read and discussed the contents with their supervisor, along with providing the employee with a copy of the evaluation if requested by the employee.



*Context*

Employee signatures on evaluations ensure that employees have read the evaluation of their performance and there was discussion with their supervisor regarding the contents of the evaluation. A notation should be made that a “refusal to sign” by an employee denotes the same meaning as a signature in that the employee has read the evaluation and discussed its contents.

If an employee requests a copy of their evaluation, the supervisor who prepared the evaluation and reviewed its contents with the employee shall provide one to the employee.

Last Reviewed: October 1<sup>st</sup>, 2008                      Last Updated: October 1<sup>st</sup>, 2008

2.5.6      Contested Evaluation Reports

A written directive requires the agency to have a process for review of contested evaluations.

*Context*

Employees should know the process for contesting any portion of their evaluation and how they will be able to use this process.

Last Reviewed: October 1<sup>st</sup>, 2008                      Last Updated: October 1<sup>st</sup>, 2008

2.5.7      Retention Period

A written directive requires the agency to have a prescribed retention period for performance evaluations.

*Context*

The retention period for performance evaluation reports should be consistent with proper personnel practices, applicable ordinances and statutes.

Last Reviewed: October 1<sup>st</sup>, 2008                      Last Updated: October 1<sup>st</sup>, 2008

**Section 6 – Promotional Processes**

2.6.1      Promotion Administration

The agency assigns responsibility and authority for administering the promotional process to an identified position within the agency.

Last Reviewed: October 1<sup>st</sup>, 2008                      Last Updated: October 1<sup>st</sup>, 2008

2.6.2      Promotion Procedures

The agency utilizes promotional procedures that are job-related and nondiscriminatory.

Last Reviewed: October 1<sup>st</sup>, 2008                      Last Updated: October 1<sup>st</sup>, 2008

### 2.6.3 Written Promotion Announcement

The agency provides timely, agency-wide written notice of promotional opportunities, which include but are not limited to:

- 2.6.3.1 A description of the position or job classification.
- 2.6.3.2 Requirements for participation in the promotional process.
- 2.6.3.3 A description of the process including testing and evaluation.
- 2.6.3.4 Dates, times, and locations for all components of the promotional process.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## **Section #7 – Auxiliary and Part-Time Sworn Personnel**

### 2.7.1 Part-Time or Auxiliary Officers

Agencies that utilize part-time officers or auxiliary personnel have a written directive that:

- 2.7.1.1 Describes duties and responsibilities.
- 2.7.1.2 Delineates authority and discretion.
- 2.7.1.3 Specifies the amount and type of supervision part-time officers are to receive.

#### *Context*

A written directive establishes and describes the agency's part-time officer program, to include: the authority of the part-time personnel; the duties and responsibilities of the part-time personnel; the requirement that part-time personnel successfully complete training in all tasks which they will be authorized to perform prior to performing the task; and all training requirements necessary to obtain and maintain auxiliary personnel status.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 2.7.2 Criteria/Selection Process for Part-time Officers

A written directive requires the selection criteria for part-time officers be the same as that for full-time officers.

#### *Context*

Generally the job description for a part-time officer is the same as for a full-time officer. In some cases, by virtue of who fills part-time officer jobs, part-time officers may have advanced or specialized skills not possessed by typical entry-level, full-time officers. To the extent expectations are the same for part-time officers, selection criteria including but not limited to educational background, work and life experience, physical condition and aptitude and psychological health, which are applicable to full-time officers, apply to part-time officers as well.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 2.7.3 Training for Newly Hired Part-time Officers

All part-time officers are required to complete the agency's recruit training program or alternatively to, within an acceptable time period, have completed an approved agency program with comparable content, such as a Field Training Officer program.

2.7.3.1 This training is required prior to any assignment, which involves or could involve carrying a weapon or affecting an arrest, except when the assignment is part of a formal field-training program.

2.7.3.2 If the job description for agency part-time officers limits or prohibits them from performing specific functions, training related to those functions is not required.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 2.7.4 In-Service Training for Part-time Officers

Part-time officers are required to receive in-service training comparable to that required for full-time officers where similar functions are performed.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 2.7.5 Weapons/Use-of-Force Training for Part-time Officers

Part-time officers are held to the same standard as full-time officers.

#### *Context*

Scheduling conflicts for part-time personnel may limit their ability to participate in regularly scheduled firearms training. The agency and part-time personnel must work out an acceptable timetable. The system used for scoring and qualifying full-time sworn personnel shall be used for all part-time personnel.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 2.7.6 Liability Protection of Part-time Officers

The agency provides liability insurance or indemnification for its personnel and those asked to assist them while acting within their scope of authority.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 2.7.7 Auxiliary Personnel Training

The agency requires that auxiliary personnel receive training related to their authorized and assigned duties.

*Context*

Auxiliary personnel may be assigned to provide support services to any law enforcement functions not requiring sworn officer status. To the extent the agency chooses to use auxiliary personnel, they should receive initial and on-going training appropriate to the duties.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## **Chapter #3 – Recruitment/Selection**

### **Section #1 – Recruitment**

#### 3.1.1 Equal Opportunity Plan

The agency maintains a policy of equal employment opportunity (EEO) in recruiting, hiring, retaining and promoting employees.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 3.1.2 Job Announcements

The agency has a system for job announcements and recruiting. The system shall:

- 3.1.2.1 Provide a description of the duties, responsibilities, requisite skills, educational level, and other minimum qualifications or requirements.
- 3.1.2.2 Advertise entry-level job vacancies through electronic, print, or other media.
- 3.1.2.3 Advertise the agency as an equal opportunity employer on all employment applications and recruitment advertisements.
- 3.1.2.4 Advertise official application filing deadlines.

#### *Context*

Prospective employees should be provided the most accurate, up-to-date and relevant information possible regarding the agency's employment opportunities and processes.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **Section #2 – Selection**

#### 3.2.1 Applicant Selection and Job Relatedness

A written directive governs criteria and the processes for applicant selection of full-time sworn personnel.

#### *Context*

Criteria and processes should be built on a foundation of job-relatedness tied to the purposes being served. Documentation is key to the effective administration, use, and defensibility of the selection criteria and process.

The background should be documented including the purpose, development, and job-relatedness, information about administration, scoring, and interpretation of all elements used in the selection process. It should describe the selection process in detail and include timetables, sequencing, administration, scoring, interpretation of test results, and other pertinent information.

Outside resources such as state or local civil service commissions, employment agencies, or other public or private organizations may be used to administer or provide a part(s) of the selection process. Just as in the case where the agency runs the process, copies of all relevant outside resource processes, activities and results should be maintained by the hiring agency

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 3.2.2 Records Maintenance/Storage

A written directive specifies that selection materials/applicant files be stored in a secure area and that the confidentiality of contents be protected at all times whether in use or storage.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 3.2.3 Background Investigations

A background investigation of each candidate for a sworn position is conducted prior to appointment to probationary status.

3.2.3.1 Criminal and driving history check.

3.2.3.2 Credentials (work, education, training, special skills) verification.

3.2.3.3 Personal reference checks (minimum three).

#### *Context*

A thorough background investigation is a key component of an effective selection system. It is best to conduct inquiries in person rather than by phone, mail or other means whenever possible due to the higher quality of information received from respondents (criminal, educational and driving histories excepted in which cases standardized documentation exists).

Whenever feasible, the investigation should include a visit with the candidate and his/her family at their home. Similarly, neighbors should be interviewed. Generally, background checks come toward the end of the overall process when the pool of eligible candidates has narrowed and more is known about the candidates still in the running.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 3.2.4 Pre-Employment Polygraph Exams - §111.37(5)(bm)

If the agency uses polygraph examinations in the selection process the following apply:

3.2.4.1 Candidates are provided notice of the required polygraph exam at the time of their formal application. The notice will include a list of potential subject areas from which polygraph questions may be taken.

3.2.4.2 The administration of examinations and evaluation of results are conducted by polygraphists trained in employment exam techniques.

3.2.4.3 Use of results of polygraph examinations as the sole determinant of employment status is prohibited.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 3.2.5 Medical Exams

Each candidate for a sworn position must undergo a medical examination and his/her general health status must be certified prior to appointment to probationary status with the agency.

#### *Context*

Qualified medical personnel shall be used for all medical examinations at the expense of the agency requesting these examinations.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 3.2.6 Psychological Exams

Each candidate for a sworn position must undergo a valid and job related psychological examination, which is administered and interpreted by a qualified professional prior to appointment to probationary status with the agency.

#### *Context*

Qualified professional personnel shall be used for all psychological examinations at the expense of the agency requesting these examinations.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

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## **Chapter #4 – Commendations/Disciplinary Procedures**

### **Section #1 – Commendations**

#### 4.1.1 Commendations

A written directive establishes the process for rewarding superior and/or exceptional performance.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **Section #2 – Disciplinary Procedures**

#### 4.2.1 Disciplinary System

A written directive governs a disciplinary system that includes:

4.2.1.1 Criteria and procedures for counseling.

4.2.1.2 Criteria and procedures for punitive actions, such as but not limited to: oral reprimand, written reprimand, loss of leave, suspension, demotion and dismissal.

4.2.1.3 Recognition of employment rights and procedural safeguards.

##### *Context*

The agency strives to stay abreast of evolving case law and disciplinary systems and to incorporate them into its policies, procedures and practices.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 4.2.2 Supervisory Role and Authority

A written directive governs the role and authority of supervisors in the disciplinary process.

##### *Context*

Supervisors should understand their role and authority as well as the principle of unity of command as it relates to disciplinary matters.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 4.2.3 Punitive Action

A written directive requires an employee subjected to punitive action receive the following information in a timely manner:

4.2.3.1 Reason, scope, and effective date for the punitive action.

4.2.3.2 Employee appeal and hearing rights.

##### *Context*

Employees receiving any punitive action need to know how the corrective action applies to their conduct, the type and length of the corrective action, and their rights to appeal the action.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 4.2.4 Disciplinary Records - §19.34

A written directive establishes the procedures for creating and maintaining records of disciplinary actions.

##### *Context*

The agency documents, files, and preserves disciplinary matters consistent with current personnel practices and open records laws.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## Chapter #5 – Management of Resistance/Aggression

### Section #1 – Use of Force

#### 5.1.1 Use of Force - §66.0511(2)

A written directive permits personnel to use only the force necessary to accomplish lawful objectives.

#### *Context*

The policy should be based upon state law and current professional standards and accepted practices.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 5.1.2 Deadly Force

A written directive governs the use of force. The written directive shall include;

- 5.1.2.1 An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in immediate danger of serious physical injury.
- 5.1.2.2 Use of deadly force against a fleeing felon must comply with all statutory requirements.
- 5.1.2.3 All sworn personnel receive a copy and demonstrate their understanding of the directive before being authorized to carry any firearm.

#### *Context*

The intent of this standard is that agencies have in place written directives that restrict the use of firearms by police to professional standards of the law enforcement community and in compliance with state law.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 5.1.3 Warning Shots

A written directive governs the discharge of “warning” shots.

#### *Context*

Warning shots generally should be restricted or prohibited.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 5.1.4 Use of Less Lethal Weapons

A written directive governs the use of less lethal weapons.

*Context*

The intent of this standard is for agencies to have a policy that permits personnel to use less lethal weapons to accomplish lawful objectives. Consideration should be given to safety and integrating a manufacturer’s recommended use of any type of these weapons.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

**Section #2 – Rendering Aid**

5.2.1 Medical Aid

A written directive establishes procedures for the provision of timely medical care following the use of lethal or less lethal weapons, or other applications of force by agency personnel.

*Context*

The application of force can have impacts lasting well beyond those needed to stabilize a situation. Injuries or trauma may be highly visible or concealed. The overriding goal of this standard is to minimize the impact on the recipient, once force has been used.

While some weaponless or hand-to-hand tactics (neck holds, hard blows to the head, heart, or other vital organs, or restricting respiratory function) may cause non-visible trauma, “appropriate, timely medical aid” does not mean having the recipient immediately evaluated by medical personnel. “Appropriate, timely medical aid” by agency personnel or others may include observation to detect obvious changes in condition or behavior, clearing chemical agents from the eyes, providing first aid, or evaluation by paramedics. In more serious, life-threatening incidents, immediate aid by medical professionals is required. Basic first-aid training for sworn personnel is encouraged.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

**Section #3 – Reporting and Review**

5.3.1 Use-of-Force Reporting

The agency requires a written report whenever an employee uses force under the following circumstances:

- 5.3.1.1 When a firearm is discharged except in a training situation or for lawful recreational purposes.
- 5.3.1.2 When an action results in, or is alleged to have resulted in, injury or death of another person.
- 5.3.1.3 When force is applied through the use of a lethal or less lethal weapon.
- 5.3.1.4 When weaponless physical force is applied at a level defined by the agency.

### *Context*

This standard requires use-of-force reporting systems within the agency to facilitate effective review, analysis and communication. The system should help identify trends, improve training, and public and officer safety, and provide timely, accurate information for public relations to help maintain agency credibility.

The reporting system may be developed by the agency or utilize software programs such as the I.A.C.P. national database on use of force incidents. Data elements captured should be commensurate with the severity of the incident and support the learning process.

The trigger for reporting and the level of detail should be based on agency history of use-of-force incidents.

Procedures should outline by whom, when, and how the report will be submitted, including who will do the report if multiple employees are involved in the same incident. The primary employee involved should be required to provide a verbal report within a specified period of time followed by a written report within time parameters established by the agency.

The pointing of weapons or using weaponless, hand-to-hand control techniques where there is little or no chance of resultant injuries does not necessarily trigger reporting unless deemed appropriate by the agency. These techniques include, but are not limited to; physical touching, gripping or holding, frisking, pain compliance measures, pressure point application, come-alongs, handcuffing, or other custodial procedures.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 5.3.2 Post Use-of-Force Review

The agency has a process for reviewing the report required by standard 5.3.1.

### *Context*

The review is designed to help determine policy issues, training or weapon/equipment deficiencies or disciplinary matters warranting attention.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 5.3.3 Post Use-of-Force Removal from Duty

A written directive requires that any employee whose actions or use of force results in a death or serious physical injury be removed from his/her line duty assignment pending administrative review.

### *Context*

Removal from line duty is intended to stabilize the environment pending the results of an administrative review, thereby:

- Protecting the community's interest in those cases where an officer's actions or use of force is found to have exceeded the scope of his/her authority.
- Protecting an officer's interests in those cases where his/her actions or use of force is found not to have exceeded the scope of his/her authority.

While the focus of this standard is on use-of-force situations, the agency may include removing from line-of-duty status any officer involved in a critical or traumatic incident such as a fatal motor vehicle collision involving the employee. Agencies may include a review of this standard and supporting procedures in the in-service training curriculum to reinforce awareness and understanding. Depending on circumstances, the agency should make provisions for post-incident debriefing or counseling for employees, and in some cases, the employee's family(s) as well.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## Chapter #6 – Operations

### Section #1 – Patrol

#### 6.1.1 24-Hour Coverage

The agency has procedures for providing continuous patrol coverage.

##### *Context*

There should be provisions for the immediate assignment of officers to emergencies at all times, either by providing 24-hour coverage or by utilizing another agency.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.1.2 Special Purpose Vehicles or Animals

If an agency utilizes special purpose vehicles or has horse or canine units, a written directive establishes guidelines for each area.

##### *Context*

A directive governs the operation of each special purpose vehicle, vessel, or aircraft and includes at a minimum, the following provisions:

- Objectives of their operation or usage;
- Instructions, conditions, and limitations of usage;
- Authorization for use in various situations;
- Qualifications and training for members assigned to operate the vehicle, vessel, or aircraft;
- Designation of a person or position responsible for the condition and maintenance of the vehicle, vessel, or aircraft;
- A list of equipment to be kept in or on the vehicle, vessel, or aircraft; and
- A list of persons or positions authorized to operate the vehicle, vessel, or aircraft and its equipment.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.1.3 Response to Routine and Emergency Calls

A written directive requires the agency to have policies and procedures for responding to routine and emergency calls and guidelines for the use of authorized emergency equipment.

##### *Context*

The agency has policies and procedures for and provides training on responding to routine and emergency calls and guidelines for the use of authorized emergency equipment that conform to state statutes.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.1.4 Vehicle Pursuits - §346.03(6)

A written directive requires the agency to have policies/procedures governing pursuit of motor vehicles that include:

- 6.1.4.1 Evaluation of the current situation and preceding events.
- 6.1.4.2 Authority and responsibility of officer initiating the pursuit.
- 6.1.4.3 Authority, responsibility and role of back up units.
- 6.1.4.4 Guidance on use of marked, unmarked, or other types of police vehicles involvement in the pursuit.
- 6.1.4.5 Authority and responsibility of dispatchers.
- 6.1.4.6 Authority and responsibility of supervisory personnel.
- 6.1.4.7 Guidance on use of roadblocks and other forcible means of stopping a fleeing vehicle.
- 6.1.4.8 Criteria for mandated and voluntary termination of pursuit.
- 6.1.4.9 Guidance for inter and intra-agency pursuits involving agency personnel initiating in but pursuing out of jurisdiction as well as request for assistance by out-of-jurisdiction agency in pursuit in or out of its jurisdiction.
- 6.1.4.10 Incident documentation, administrative review, and/or annual state reporting requirements.

##### *Context*

Given the risks and high profile nature of this type of activity, the agency should have clear-cut policy and procedures for pursuits. They should be cross-referenced with the agency's deadly force policy. After recruit training, agencies should periodically reinforce and review these policies/procedures in various venues. In addition, dispatch personnel, sworn and non-sworn, should be involved in periodic policy/procedure review. All affected personnel should be issued a copy of the policy.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.1.5 Missing Adult Investigations

A written directive governs the policies/procedures regarding the handling of missing adult cases.

##### *Context*

Missing adult cases should be handled in a manner similar to missing juvenile cases, also refer to Standard 6.6.5. Minimally, agency policy should include:

- Information to be gathered including a description of the missing person
- Entry and removal of the person in criminal justice information systems
- Follow up investigation
- Procedures for persons with Alzheimer's, mental health issues, drug dependencies, or any other at-risk adult persons

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008



### 6.1.6 Safety Restraining Devices

The agency requires that employees and passengers properly use safety restraining devices except as provided by law.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.1.7 Availability of Body Armor

Protective vests will be made available for all sworn, uniformed field personnel.

#### *Context*

Officer safety, proper fit and general health concerns dictate that the agency provide individual vests for each of its' sworn, uniformed field personnel. Because protective vests are designed to protect the wearer, officers should be expected to wear the vest with limited exceptions which could include, but are not necessarily limited to, extreme weather conditions, the regular assignment of uniformed personnel to non-line duties, etc. Either the agency or each individual officer can make the purchase of their protective vest.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.1.8 Body Armor Use (Defined High-Risk Situations)

A written directive establishes that the agency requires the wearing of protective vests by personnel involved in high-risk situations that are defined by the agency.

#### *Context*

Personnel involved in high-risk duties are required to wear agency provided protective vests whenever involved in those activities. Examples of high-risk situations include, but are not necessarily limited to planned warrant execution, tactical response team response to barricaded person, drug raids, etc.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.1.9 Anatomical Gifts

A written directive governs agency policy for locating anatomical gift donations for first responders as required by §157.06(12).

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## **Section #2 – Traffic**

### 6.2.1 Traffic Law Enforcement

A written directive requires the agency to have a procedures for taking enforcement action related to traffic law violations with alternatives ranging from warnings to citations to custodial arrest.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.2.2 Special Categories of Violators

A written directive requires the agency to have specific procedures covering traffic law violations committed by:

- 6.2.2.1 Non-residents of the agency's service area.
- 6.2.2.2 Juveniles.
- 6.2.2.3 Legislators.
- 6.2.2.4 Foreign diplomats and consulate officers.
- 6.2.2.5 Military personnel.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.2.3 Information Provided to Violator

The agency requires that at the time a motorist is charged with a violation that he/she be given information relative to the specific charge, court date, and information on how to pay the fine or contest the citation.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.2.4 Uniform Enforcement for Specified Violations

A written directive requires the agency to have uniform enforcement policies and procedures regarding:

- 6.2.4.1 Speed violations and other hazardous violations.
- 6.2.4.2 Public carrier/commercial vehicle and equipment violations.
- 6.2.4.3 Other non-hazardous violations.
- 6.2.4.4 Multiple violations.
- 6.2.4.5 Off-road vehicle violations.
- 6.2.4.6 Newly enacted laws and/or regulations.
- 6.2.4.7 Violations resulting in traffic crashes.
- 6.2.4.8 Pedestrian and bicycle violations.

#### *Context*

The intent of this standard is to help guide officers in making the final decision on the type of enforcement action to be taken based on his/her training, experience, common sense and first-hand knowledge of the facts of the case. The policy should reflect that changing driving behavior is the main purpose of traffic law enforcement.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.2.5 Traffic Stops and Approach to Violator's Vehicle

A written directive requires the agency to have procedures for stopping and approaching traffic law violators.

*Context*

The intent of this standard is to promote safety of officers, the general motoring public and violators. The agency should provide detailed instructions to officers on making effective stops that are safe for the officer and the motorist, approach procedures and requirements for calling in traffic stop information. The instruction should cover the range of potential situations from routine to high-risk stops.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

6.2.6 Impairment Due to Alcohol and/or Drugs.

A written directive requires the agency to have policies and procedures that govern enforcement action relative to persons operating a motor vehicle while impaired due to alcohol and drugs.

*Context*

The agency has a written directive for handling persons charged with driving while under the influence of alcohol or drugs that include, but is not limited to, the following:

- The proper administration of standard field sobriety tests.
- The safe transportation of the impaired arrestee.
- The proper administration of chemical tests to determine intoxication or impairment.
- The incarceration or release to a responsible third party.
- Disposition of the arrestee's vehicle.
- Other practices consistent with applicable statutes.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

6.2.7 Motor Vehicle Crash Reporting and Investigation and Officer Response

A written directive establishes agency protocol relative to officer response to the scene of a traffic crash and has procedures and assigns responsibility and accountability for reporting and investigating traffic crashes generally, and specifically involving:

- 6.2.7.1 Death or injury.
- 6.2.7.2 Hit and run.
- 6.2.7.3 Property damage only.
- 6.2.7.4 Damage to public vehicles or property.
- 6.2.7.5 Hazardous materials.
- 6.2.7.6 Occurrences on private property.

*Context*

The intent of this standard is to ensure timely capture of information relative to the civil tort interests of the involved persons by an objective third party and to facilitate law enforcement action when supported by the facts of the case. It also specifies those crashes that constitute a reportable crash according to state requirements that need to be sent to the state for processing.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## 6.2.8 Crash Scene Procedures

A written directive requires the agency to specify crash scene responsibilities for responding officers including procedures covering:

- 6.2.8.1 The role of the lead officer at the scene
- 6.2.8.2 Injured persons
- 6.2.8.3 Traffic and fire hazards and/or hazardous materials
- 6.2.8.4 Gathering of information
- 6.2.8.5 Protection of the crash scene

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## 6.2.9 Traffic Direction and Control Function

A written directive establishes the agency's policy or procedure for traffic direction and control functions.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## 6.2.10 Escort Services

A written directive requires that the agency has procedures for:

- 6.2.10.1 Routine law enforcement escort services.
- 6.2.10.2 Civilian vehicle escorts in medical emergencies.

### *Context*

The policy/procedures should define "routine" and "medical emergencies" and should specify authority, responsibility and processes for handling of requests. Routine escort services can include but not be limited to:

- Public figures
- Dignitaries
- Convoys or parades
- Funerals
- Oversize vehicles and oversized loads
- Hazmat, high value or unusual cargo.

If the agency is involved in the permitting process for hazmat or oversized transport employing private escort services, the agency must have procedures for ensuring the adequacy of those services.

Due to the considerable dangers involved, escort of civilian vehicles in emergencies is to be undertaken only if no viable alternatives exist. In most cases patients should be attended to and transported by trained EMS/medical personnel in an ambulance. If escorts are provided, safety of others on the roadway, the patient and officers is paramount and is governed by procedures.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.2.11 Roadblocks

A written directive requires the agency to regulate the use of roadblocks and specifies procedures for implementation.

#### *Context*

Roadblocks can pose serious danger to participants and innocent by-standers. Policy should cover but not be limited to:

- Circumstances/events leading up to possible need for roadblock
- Authority and responsibility for implementing and canceling a roadblock and on-scene coordination of personnel
- Types of roadblocks such as moving, fixed, vehicle disabling tire deflation devices, etc.
- Training on proper use – equipment and techniques

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.2.12 Assistance to Highway Users

A written directive establishes agency policies related to provision of assistance to and protection of highway users.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.2.13 Hazardous Highway Conditions

A written directive establishes agency procedures for taking action to correct hazardous highway conditions.

#### *Context*

The intent of this standard is to have an agency procedure that protects the public from street and highway hazards by having officers report these hazards and take action to have the problems corrected.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.2.14 Abandoned Vehicles

A written directive establishes that the agency has procedures for the handling of abandoned vehicles and the removal and towing of vehicles from public and private property.

*Context*

Guidance should be provided regarding abandoned vehicles (as defined by the agency) and those subject to towing for other reasons such as vehicles that are illegally stopped, standing, or parked; recovered stolen or evidence in another crime or traffic case.

The registered owner of the vehicle should be notified allowing him/her the chance to reclaim the vehicle or otherwise respond to the situation and to minimize the cost of storage.

The initiating officer will document the removal/towing including but not limited to:

- Date, time and place towed from and name of towing service and impoundment location
- Reason for removal or tow and pending charges, if any
- Notification or attempted notification of the registered owner.
- Identity of initiating officer

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

**Section #3 – Criminal Investigations**

6.3.1 Investigative Coverage

The agency has an “on-call” list of investigators if the criminal investigation function does not provide 24 - hour staffed coverage.

*Context*

Agencies should have a system where investigative coverage is always available, either through on-duty personnel, off-duty personnel, or an outside agency.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

6.3.2 Case File Management

A written directive requires a system of case file management for the criminal investigation function.

- 6.3.2.1 A case status control system.
- 6.3.2.2 Administrative designators for each case.
- 6.3.2.3 Form and substance of records to be maintained.
- 6.3.2.4 File access.
- 6.3.2.5 File purging guidelines.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

6.3.3 Conduct of Criminal Investigations

A written directive requires the agency to have procedures governing criminal investigations.

- 6.3.3.1 Development of information.
- 6.3.3.2 Use of interviews and interrogation.
- 6.3.3.3 Collection, preservation, and use of physical evidence.
- 6.3.3.4 Background investigations.

#### 6.3.3.5 Use of surveillance techniques and equipment.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.3.4 Preliminary Investigations

A written directive requires the agency to establish minimum steps for conducting preliminary investigations.

6.3.4.1 Observation and recording of conditions, events and remarks.

6.3.4.2 Identification, location and interview of complainants, witnesses and suspects.

6.3.4.3 Security of the crime scene and arrangements for the collection of evidence.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.3.5 Informants

If used, a written directive requires the agency to have policies and procedures governing the use of informants.

6.3.5.1 Criteria for selecting and, when appropriate, compensating informants.

6.3.5.2 Precautions to be taken with informants, generally, and special precautions to be taken with juvenile informants.

6.3.5.3 Special procedures for the use of informants by patrol officers.

6.3.5.4 Confidentiality requirements including security of identity of informants, their files and related codes

6.3.5.5 Creation and maintenance of an informant master name file.

6.3.5.6 Content requirements for individual informant files including biographical data, general background information as well as driving, if any.

6.3.5.7 Contact officer information and code information linked to that informant.

6.3.5.8 Maintenance and security of individual informant files.

#### *Context*

A policy should include but not necessarily be limited to the following depending on the types/uses of informants by the agency.

Use:

- Criteria for selecting and, when appropriate, compensating informants;
- Precautions to be taken with informants, generally, and special precautions to be taken with juvenile informants;;
- Special procedures for the use of informants by patrol officers.

## Information/Records

- Confidentiality requirements including security of identity of informants,
- Their files and related codes
- Creation and maintenance of an informant master name file;
- Content requirements for individual informant files including biographical data, general background information as well as driving and criminal histories, if any, contact officer information and code information linked to that informant;
- Maintenance and security of individual informant files.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.3.6 Adult Custodial Interrogation - § 968.073(2)

A written directive requires the agency to have procedures governing adult custodial interrogations, to include electronic recording for suspects arrested for a felony.

#### *Context*

Agencies should have written guidelines based upon the WI Department of Justice Electronic Recording of Custodial Interviewing Model Policy, available on Wilenet.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.3.7 Eyewitness Identification - §175.50(2)

A written directive specifies the procedures to be followed for eyewitness identification.

#### *Context*

Agencies should have written guidelines based upon the WI Department of Justice Model Policy and Procedure for Eyewitness Identification, available on Wilenet.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 6.3.8 Officer Involved Shooting

A written directive requires the agency to establish procedures for the response to, investigation and administrative review of an officer-involved shooting incident.

#### *Context*

Officer-involved shooting incidents are to be investigated with the utmost thoroughness, professionalism and impartiality to determine if an officer's actions conform to the law and the agency's Use of Force policy. The agency should have a comprehensive policy in place to ensure that all agency members understand the specific investigative and administrative procedures to be followed in an officer-involved shooting incident to help alleviate anxiety and confusion. Written procedures should:



- Identify responsibility for the criminal investigation and a separate administrative review.
- Provide that the officer's psychological well-being and legal rights are protected.
- Identify procedures for the removal from, and return to, full duty for the involved officer.
- Provide for the timely notification of the officer's family, with additional procedures if the officer was seriously injured or killed. Family members should never learn of the incident from the media.
- Identify post-incident procedures that address department debriefings and post-traumatic stress disorders.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.3.9 Domestic Abuse - §968.075(3)

A written directive establishes agency procedures for handling domestic abuse incidents (including but not limited to the following):

- 6.3.9.1 Actions of the responding officers.
- 6.3.9.2 The circumstances under which an officer should arrest a possible offender.
- 6.3.9.3 Informing the victim when the alleged offender will be released.
- 6.3.9.4 Preparation and delivery of a written report to the district attorney if an officer did not arrest a suspect, yet has reasonable grounds to believe that a person is committing or has committed domestic abuse

#### *Context*

Agencies should have clear guidelines regarding mandatory arrest that maximize the protection for victims of domestic abuse and holds the predominant aggressor accountable for their abusive behavior. Procedures should be identified for victim notification and referral services.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **Section #4 – Criminal Intelligence**

#### 6.4.1 Administration

The operations of the criminal intelligence function (if any), are designed to ensure legal and ethical behavior of agency personnel including, but not limited to:

- 6.4.1.1 Procedures limiting information collection to criminal conduct and activities that present a threat to the community.
- 6.4.1.2 Descriptions of the types or quality of information that may be included in the system.
- 6.4.1.3 Methods for purging or correcting out-of-date or incorrect information.
- 6.4.1.4 Procedures for the utilization of intelligence personnel and techniques.

#### *Context*

Due to the sensitive nature of a criminal intelligence function, accountability must be established by the agency to ensure the integrity and legality of this type of operation.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.4.2 Safeguards

A written directive requires that there are procedural safeguards for sharing and secure storage of intelligence information (if any) separate from all other records.

##### *Context*

Intelligence information should be distributed only on a need-to-know basis or consistent with applicable/prevaling law governing the collection, dissemination, and distribution of intelligence information.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **Section #5 – Special Investigations**

#### 6.5.1 Vice, Drugs, and Organized Crime

A written directive requires the agency to have policies covering receiving, processing, recording, and investigating vice, drug, and organized crime complaints.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **Section #6 – Juvenile Procedures**

#### 6.6.1 Juvenile Operations

A written directive requires the agency to have policies and procedures regarding agency functions and operations involving juveniles.

##### *Context*

Responsibility for the coordination of juvenile operations is assigned to a unit within the agency to assure that juveniles are dealt with fairly and within the constraints of prevailing law.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.6.2 Juvenile Offenders

A written directive establishes that the agency requires officers to use the least coercive reasonable alternative while protecting public safety, order and individual liberty in dealing with juvenile suspects. The directive should include at a minimum, provisions for:

6.6.2.1 Release with no further action.

6.6.2.2 Citations or summonses to appear at intake in lieu of being taken into custody.

6.6.2.3 Detention and referral to juvenile court.

### *Context*

Agencies should have a wide range of alternatives ranging from warnings to intake. They should provide guidelines for officers in making diversion decisions taking into account such factors as:

- The age and circumstances of the offender
- The nature and seriousness of the offense
- The offender's record
- The availability of community-based programs
- Recommendations for diversion from complainants or victims.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.6.3 Juveniles in Custody

The agency has a written directive for taking a juvenile into custody, that reflect at a minimum, provisions for the following:

- 6.6.3.1 Type of offense.
- 6.6.3.2 Threat of harm or danger to juvenile.
- 6.6.3.3 Protection of the constitutional rights of juveniles.
- 6.6.3.4 Expeditious transport to and processing at the intake facility (unless there is a need for emergency medical treatment).
- 6.6.3.5 Notification of parents/guardians that their child has been taken into custody.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.6.4 Juvenile Custodial Interrogation

A written directive establishes agency policies and procedures covering custodial interrogation of juveniles including but not limited to:

- 6.6.4.1 Contact with parents or guardians.
- 6.6.4.2 Duration of interrogation and the number of officers involved in the interrogation.
- 6.6.4.3 Mandatory electronic recording of custodial interviews.

### *Context*

Agencies should have written guidelines for juvenile interrogations based upon the WI Department of Justice Electronic Recording of Custodial Interviewing Model Policy, available on Wilenet

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 6.6.5 Missing Juvenile Investigations

A written directive requires the agency to have policies/procedures regarding the handling of missing juveniles, runaways, abducted children, or abandoned children including:

- 6.6.5.1 Requirements for activation of Amber Alert Systems
- 6.6.5.2 Requirements for an initial investigation
- 6.6.5.3 Follow up investigations
- 6.6.5.4 Supervisory control and notification

*Context*

The agency has comprehensive policies/procedures regarding handling of missing juvenile persons cases. When circumstances dictate, the Amber Alert shall be utilized and instructions for its use shall be included in the policy/procedure. The initial investigation should include requirements for communications personnel, first responders, supervisors, and investigators.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

6.6.6 Relinquishing Custody of Newborns - §48.195

A written directive requires the agency to have a policy or procedure that covers a person relinquishing custody of a newborn.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

6.6.7 Reporting of Child Abuse - §48.981(2), §48.981(3)(b)3

A written directive requires the agency to establish a policy for cases where child abuse is being reported.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## Chapter #7 – Care of Detainee

### Section #1 – Search/Transport of Detainee(s)

#### 7.1.1 Search of Prisoners

A written directive requires that transporting officers search all prisoners before being transported.

#### *Context*

The transporting officer is responsible for the safety of the public, other law enforcement personnel and the prisoner. The operating assumption is that prisoners may have obtained a weapon or contraband prior to being accepted for transport by the officer and that no one else has searched them. Prisoners should be searched/re-searched each time there is transfer of custody including medical visits or court appearances.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.1.2 Search of Transportation Vehicles

A written directive requires vehicles used for transporting prisoners must be inspected:

- 7.1.2.1 At the beginning of each shift, for mechanical condition, damage and required equipment weapons, contraband and/or personal effects.
- 7.1.2.2 Immediately before and after transporting a prisoner for weapons or contraband.

#### *Context*

Safety and integrity of evidence and personal property are the goal of this standard. Pre-use inspection helps to ensure that the vehicle is fit for use and that it is clear of weapons, contraband or personal effects. While the policy requires inspection prior to loading a prisoner, there may be a provision for waiving the pre-loading inspection in prescribed circumstances where there is no possibility the vehicle has been contaminated. The vehicle should be inspected after unloading the prisoner to ensure that it is clear of weapons, contraband or personal effects and that if any are found, an unbroken chain of possession can be established.

The transporting officer is responsible for ensuring the vehicle is properly equipped. A more thorough inspection than a basic pre-shift inspection is required in special transport situations involving the open road or long distances. In special transport situations, it is the transporting officer's responsibility to ensure that the vehicle is in good operating condition (engine running smoothly, acceptable tread and proper inflation of tires, proper lubricant and coolant levels) and properly equipped with basic items (serviceable spare tire, jack, lug wrench, fire extinguisher, and safety flares) as well as special items as indicated by the circumstances (tire chains, for example).

It is the responsibility of the transporting officer to have necessary means for purchase of fuel and or services. In addition, he/she must have all prisoner-related documentation.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.1.3 Placement of Prisoners and Officers in Vehicle

A written directive requires prescribes seating arrangements in the vehicle based on the number of prisoners and transporting officers.

#### *Context*

Prisoner should be observable at all times and secured to the maximum degree using appropriate personal and vehicle restrain systems to minimize the chance for escape or attack on transporting officer or injury to the prisoner The prisoner should be as comfortable as possible commensurate with the demands of the trip being made.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.1.4 Limitation of Communications by Prisoners

A written directive outlines the circumstances in which a prisoner may communicate with others while being transported.

#### *Context*

Safety and security dictate that a prisoner's ability to communicate with attorneys and others is not normally permitted during transport.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.1.5 Transfer of Custody at Destination of Transport

A written directive dictates the actions of transporting officers at the point of transfer of custody, including but not limited to:

- 7.1.5.1 Adherence to receiving authority's requirements.
- 7.1.5.2 Securing firearms.
- 7.1.5.3 Documenting transfer of prisoner custody.
- 7.1.5.4 Alerting receiving authority to unusual security threats or medical issues.

#### *Context*

Handling of prisoner medical information must be consistent with prevailing privacy laws. As an alternative to issuance of a receipt an agency may require the transport officer submit a written report documenting the above and including the name of the receiving official.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.1.6 Prisoner Escape

A written directive requires officers to perform the following in the event of a prisoner escape:

- 7.1.6.1 Notification per prescribed protocol, including notification of officials in the jurisdiction where the escape occurs.
- 7.1.6.2 Submission of a report on the incident.

*Context*

Note that escapes occurring out of jurisdiction can pose unique issues such as the legal authority of the transporting officer to apprehend the prisoner.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

7.1.7 Unusual Security Risks

A written directive requires notification to the destination agency or court when a prisoner deemed to be an unusual security risk is being transported to that location.

*Context*

Advance notice allows the receiving agency or court time to implement such additional security measures as it deems appropriate, including additional screening, staffing or restraints.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

7.1.8 Transport of Prisoners with Special Needs

A written directive dictates:

- 7.1.8.1 Allowable and prohibited restraining devices and methods and use of specialized equipment during transport of disabled prisoners.
- 7.1.8.2 Procedures for transporting sick or injured prisoners.

*Context*

Improper restraint during transport can pose elevated risk of injury to the prisoner or transporting officers as well as elevated escape risk. Thus, policy prescribes when, how and with what types of devices prisoners are to be restrained and when, where, and how particular restraining devices are to be used. Further, prohibit practices that could lead to injury, exacerbate pre-existing problems or cause death are listed. Lastly, the policy covers transports involving travel of more than several hours.

Physically disabled or mentally challenged prisoners can pose unique challenges to transporting officers.

Physical disabilities - depending on the circumstances and nature of the disability, a prisoner who is wheelchair bound or uses other mobility aids may need to have restraining devices applied. The policy defines when restraints may or may not be used as well as the latitude transporting officers have. The nature of the disability may dictate the use of specialized transport equipment and vehicles.

Mental disabilities - prisoners may pose a significant threat to the public, themselves, and/or the transporting officers if appropriate restraints are not employed. The devices should be sufficient to restrain the prisoner from inflicting injury. In some situations handcuffs may be required. Documentation of the transport should include a description of and reason for any special restraints.

If a prisoner is injured while being arrested or is arrested and found to have unrelated sickness or injuries, immediate medical attention should be sought prior to transport to the custodial facility. Agency policy should provide guidance on what to do when that is not feasible and also on the handling of medicine and other medical supplies.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.1.9 Medical Care

A written directive governs the procedures for transportation and confinement of prisoners in medical care facilities or hospitals.

##### *Context*

To minimize chance for attempted escape, suicide, or assault of medical staff, bystanders or law enforcement personnel, prisoners should be kept in appropriate restraints and visually monitored at all times. Special precautions should be undertaken in those rare cases where the prisoner is out of sight or unrestrained.

Prisoners admitted to the hospital create on-going security challenges. Policy and procedural considerations should include:

- Prisoner profile
- Length and type of treatment
- Facilities and associated risk factors
- 24-hour coverage
- Restraints
- Medications, medically necessary appliances, meals and utensils
- Prisoner contacts and communication. Visitors should be prohibited (including telephone contact with the prisoner).

Vigilance is key. Provisions for rotational scheduling, training, and supervision of guards will help assure incident-free confinements. Irregular incidents should be documented and communicated.

All agency and medical documentation, including written instructions and medication regimens should accompany the prisoner back to the confinement facility.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.1.10 Special Transport Situations

A written directive governs the procedures for transporting prisoners in special situations.

- 7.1.10.1 Attendance at funerals or reading of wills.
- 7.1.10.2 Visitations with critically ill persons.
- 7.1.10.3 Commingling of opposite sex prisoners.
- 7.1.10.4 Other unique circumstances as may arise.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008



**Section #2 – Holding Facility - DOC 349 (Register, June, 1994, No.462).**

**7.2.1 Holding Facility (HF) - Operations Training**

A written directive requires that personnel be trained on the general use of the holding facility, including use of fire suppression, first aid and other equipment to ensure overall security and safety of agency personnel and detainees.

*Context*

Form and substance of training will be consistent with the nature of assignments and responsibilities.

- Personnel in direct, continuing contact with detainees require training covering application of physical restraints.
- Other personnel not working in direct contact with detainees should receive a general orientation on the operation of the holding facility and specifics to their role, if any.

Fire suppression training may include, but need not be limited to, operation of smoke and fire detectors, use of fire extinguishers, and fire hoses up to one and one-half inches and use of air packs.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

**7.2.2 H F - Minimum Conditions**

The agency ensures holding facilities meet or exceed the following minimum conditions for detainees that comply with DOC 349:

- 7.2.2.1 Code compliant lighting and HVAC.
- 7.2.2.2 Access to a toilet and drinking water.
- 7.2.2.3 For detainees held in excess of 8 hours: Access to wash basin or shower, a bed and clean, fire retardant bedding for each detainee.
- 7.2.2.4 Has an automated fire alarm system.
- 7.2.2.5 Has a heat and smoke detection system.
- 7.2.2.6 Has approved (in writing by state or local fire officials) fire suppression equipment.
- 7.2.2.7 Has a written directive prescribing fire prevention practices, procedures and required documentation for weekly visual inspections, semiannual testing and service of fire suppression equipment, periodic visual inspections, vendor service, and testing of the automatic fire detection devices and alarm systems as required by local codes, if any.

*Context*

Detainee health and safety are the responsibility of the agency while in custody. Exceptions may be made for detainees who are deemed to be suicidal. System integrity/reliability should be periodically tested (vendor or appropriate self-testing) adhering to industry protocols. The agency should implement and support procedures for the prevention and prompt control of fire as promulgated by a recognized fire safety authority such as the NFPA.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.3 H F - Evacuation Plan

The agency has a posted emergency evacuation plan which includes but is not limited to a designated and clearly signed emergency exit (preferably more than one) and other markings directing evacuees to hazard-free location(s).

#### *Context*

In addition to routes, exits and meeting areas, the plan also should cover first aid, transport to medical facilities and subsequent housing of detainees if facility is not immediately useable.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.4 H F - Weapons Security

A written directive specifies that firearms (as well as any other weapons the agency chooses to limit) will be secured before entering the holding facility. There may be an exception permitted in emergencies, if spelled out in the procedure.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.5 H F - Security Checks

A written directive requires a security check, including searching for weapons and contraband and assessing overall conditions, prior to each use of an unoccupied cell. It should be again searched immediately upon being vacated.

#### *Context*

The written directive should assign responsibility for these security checks and spell out the form and substance of reporting requirements, if any.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.6 Tools/Culinary Control in the Holding Facility

A written directive establishes agency control and movement of, and access to, tools and culinary utensils.

#### *Context*

There is a comprehensive system of controls applying to both agency personnel and outside maintenance personnel and vendors. An inventory should be made of all tools and utensils coming in and going out of the facility. There should be strict visual supervision of their use while inside the facility.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.7 Emergency Control Point

The agency has a system in the holding facility to alert a designated control point in the event of an emergency.

### *Context*

Visual supervision by staff is supplemented by appropriate technology including, but not limited to, audio and video surveillance as well as panic alarms. Detainees also can use the system to advise staff of emergency needs.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.8 Detainee Search and Property Inventory

A written directive requires a search of the detainee to include:

- 7.2.8.1 A physical inventory search of the detainee prior to entry to the holding facility.
- 7.2.8.2 Property taken from detainees is maintained in secure storage while in the holding facility.
- 7.2.8.3 Disposition of detainee property upon release.

### *Context*

The agency clearly specifies the types and scope of searches to be conducted by agency personnel. The directive should be consistent with current legal standards concerning the conduct of strip searches and body cavity searches (see 1.7.7).

The written directive should also specify which items the detainee may or may not retain. It is important to record carefully all property pending its return at the time of release. Unauthorized items and confiscated contraband should be shown on the inventory along with the detainee's signature, and a copy placed in the detainee's file. If possible, this process should be witnessed. If the detainee refuses to sign the inventory, it should be so noted.

Inventoried property should be returned to the detainee in return for a signed receipt. Contraband or other property of questionable nature or with possible evidentiary value may be retained by agency personnel for future disposition. Retained items should be noted as such on the receipt.

If the detainee is released to the custody of a transporting officer for transfer to another facility, the property should be turned over to the transporting officer in return for a signed receipt. The holding facility should keep a copy of all property receipts.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.9 Intake Forms

A written directive requires that a booking intake form be completed on every detainee placed in the facility. The form should capture arrest information and a property inventory including disposition, at a minimum, and as permitted by law.

### *Context*

The information is designed to help facilitate a safe and healthy environment for detainees and staff and to ensure security of detainee property. Further, it should help ensure proper identification of detainees.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.10 Separation by Age and Sex

The agency requires that males, females, and juveniles be detained in holding areas that have visual and auditory separation.

#### *Context*

Commingling of people from these groups while in a processing/detention setting can have undesirable consequences. The intent of this policy is to ensure separation. Agencies can implement procedural alternatives to properly separated facilities.

The threshold for sound level is normal to loud conversation. Deliberate yelling and/or screaming must be controlled by other means.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.11 Detainee Segregation

A written directive requires procedures for detention of persons under the influence of alcohol or other drugs or who are violent or self-destructive.

#### *Context*

Detainees exhibiting signs as noted can pose additional challenges since holding facilities are not normally designed or equipped to provide treatment or safe confinement.

Whenever possible, they should be detained in other facilities. When that is not possible, special consideration should be given to the safety of detainees and others. Staff should closely observe them.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.12 Detainees from Other Agencies

The agency has specific procedures for receiving detainees from outside agencies. Positive identification is required of the person presenting the detainee for detention as well as confirmation of the person's authority to make the commitment.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 7.2.13 Mass Arrest

A written directive governs the standards for space arrangements and procedures in the event of a mass arrest that exceeds the capacity of the holding facility.

#### *Context*

Provisions are made for additional staff, extra space, and booking and detention procedures, all of which are consistent with the agency's basic holding facility requirements.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.2.14 Identification of Detainee upon Release

A written directive requires that each detainee be positively identified before being released to ensure the right person is being released.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.2.15 Medical Assistance Procedures

A written directive requires the agency to have physician-approved policies and procedures governing detainee medical assistance.

##### *Context*

This standard is designed to help staff respond appropriately and immediately to, and report on, recognized detainee medical emergencies. A staff member certified in first aid should be on duty at all times.

Support in the form of standing arrangements for detainee emergency health care should be in place with local medical facilities including, where possible, a licensed health care professional identified as the emergency health care contact person

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.2.16 First-Aid Kit

The agency requires a properly stocked first aid kit be available in all holding facilities and monitored through documented weekly inspections.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.2.17 Receiving/Screening Information

A written directive requires the following information be collected and documented at the time detainees are booked into the holding facility. At a minimum this “receiving screening” must cover (through inquiry and observation):

- 7.2.17.1 Current physical and mental health of the detainee.
- 7.2.17.2 Medications (prescriptions and over the counter) taken by detainee.
- 7.2.17.3 Behavior, including state of consciousness and mental acuity.
- 7.2.17.4 Physical impairments, deformities, trauma markings, bruises, lesions, jaundice, mobility issues, injuries (treated or untreated) etc.

##### *Context*

This standard is designed to help determine if immediate medical attention is required for the health and safety of the detainee, other detainees and staff and also to help minimize subsequent successful claims of injury, etc. while in custody. The substance of the screening should reflect the needs of differing detainee populations.

The information obtained may be recorded separately or recorded on the form with other information obtained during the booking process consistent with applicable confidentiality requirements. Properly trained officers or others should perform the incoming screening at the time of booking.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.2.18 Pharmaceuticals

The agency monitors and controls storage, distribution, administration and documentation of pharmaceuticals within the facility including over the counter medications and medications belonging to the prisoner.

##### *Context*

Procedures should be in place to verify prisoner medication and dosage limits and requirements. A record should be kept of all treatments and medications administered to a detainee, including circumstances or events necessitating such treatment and adverse reactions, if any.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.2.19 24-Hour Supervision

A written directive requires the agency to maintain 24-hour supervision of detainees by agency staff. This includes visual observation at least once every 60 minutes with head counts of the detainee population at least once every eight hours.

##### *Context*

Twenty-four-hour supervision helps establish and maintain a safe and secure environment for detainees, staff and others. Proper supervision requires agency staff be present in the same building that houses the holding facility and not at a remote location. Supervision cannot be delegated to a trustee.

Additional headcounts may be appropriate beyond those conducted every eight hours, based on local circumstances such as counts prior to and following nightly lockup, recreation and meal periods.

To the extent possible, physical checks should be random so that the detainees cannot anticipate the checks. Special care such as increased type and frequency of monitoring is required for detainees who are security risks (violent, suicidal, mentally ill or those with bizarre or unusual behavior).

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.2.20 Surveillance Equipment

A written directive requires the agency to regulate the use of audio and/or visual electronic surveillance equipment (if used) to reduce the possibility of invading a detainee's personal privacy while helping maintain a safe environment.

*Context*

Generally, television cameras and listening devices should be positioned at locations of movement and group assembly in the facility. Their use in such a way that violates the personal privacy of detainees is prohibited except as may be spelled out in policies and procedures noted elsewhere.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

7.2.21 Mail

A written directive regulates detainee mail and/or packages. This may include a complete prohibition on all in-bound mail/packages. The rules and practices chosen must be applied consistently. The written directive shall address the following:

- 7.2.21.1 Procedures for accepting and inspecting items;
- 7.2.21.2 A listing of items that are prohibited;
- 7.2.21.3 Documentation of received/rejected items
- 7.2.21.4 Distribution to and obtaining a receipt from the detainee.

*Context*

Detainee-held property poses hazards and problems that holding facilities are not equipped to deal with. Therefore, agencies may wish to prohibit all deliveries.

If allowed, cash, checks, money orders or other items of value received from incoming mail or from visitors should be carefully inspected, receipted, inventoried, and stored with the detainee's other property. Any items received and given directly to the detainee should be carefully inspected for weapons, use as a weapon or escape tool, contraband, or other threat to the safety, security and order of the holding facility and the staff and detainees.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

7.2.22 Visitors

A written directive regulates visitation of detainees.

*Context*

Holding facilities by function are generally not designed or equipped to safely and efficiently accommodate visitors. Visits should be postponed until detainees are at their assigned correctional institution or otherwise released.

Security of the holding facility and safety of detainees and staff are the top priority. If visitations are allowed, visitors and detainees should be closely monitored at all times to prevent the transfer of weapons or contraband. Visitors should be required to register providing acceptable documentation of identity, address, and relationship to the detainee prior to admission. Visitors (their person and any belongings coming into direct contact with detainees) should be searched.

Preferably, when a detainee needs to meet with someone such as an attorney, the detainee should be removed from the holding facility and taken to another location for the meeting. The detainee should be carefully searched before leaving and re-entering the holding facility consistent with agency search and inventory procedures.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### **Section #3 – Temporary Holding Facility**

#### **7.3.1 Temporary Holding Facility (THF) Procedures**

A written directive requires the agency to have procedures for the following:

- 7.3.1.1 Supervision and accountability for temporary detainees;
- 7.3.1.2 Authorization for use of the temporary holding area;
- 7.3.1.3 Temporary restraint of detainees by securing them to fixed objects;
- 7.3.1.4 The separation of males, females, and juveniles.

#### *Context*

Agency personnel often need to interview or otherwise detain persons before they are placed under arrest or booked. Due to the vagaries of the flow of business it may be necessary to temporarily use part of a facility not designed or designated as a holding facility to detain persons. The policy and procedure spell out minimum expectations.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### **7.3.2 THF Minimum Conditions**

A written directive requires the agency to have minimum standards regarding physical characteristics for the temporary holding area and requires detainee access to water, restrooms, and other needs.

#### *Context*

While these amenities are not required to be directly in the THF area, agency staff must ensure they are available in a timely manner.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### **7.3.3 THF 2-Hour Continuous Supervision**

The agency requires that if a temporary holding area is used, a detainee may not be held without continuous control or supervision of agency personnel for more than two hours.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### **7.3.4 THF Securing to Immovable Objects**

The agency requires that if a detainee is to be secured to an immovable object, it must be designed and intended for such use.



### *Context*

Detention by this means should only be used as a last resort when no alternative is available. Immovable objects designed for this purpose may include a bar or ring to which restraints can be attached.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.3.5 THF Evacuation Plan

The agency has a plan for fire prevention and fire suppression as well as emergency evacuation that covers the temporary holding area.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.3.6 THF Security

A written directive requires the agency to have policies and procedures covering the following key security issues in the temporary holding area:

- 7.3.6.1 Weapons.
- 7.3.6.2 Searches of detainees and area inspections.
- 7.3.6.3 Limitations on access to area and detainees.
- 7.3.6.4 Visual monitoring of detainees (minimum once per half hour).
- 7.3.6.5 Alarm systems, if any.
- 7.3.6.6 Escape prevention.

### *Context*

Most of the security issues in a THF are the same as for a permanent holding facility while some are unique and created by the fact the setting is not a dedicated space designed and used solely as a holding facility.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 7.3.7 THF Operations Training

A written directive requires that agency staff with any responsibility for detainees in temporary custody be trained on the agency's applicable policies and procedures.

### *Context*

Form and substance of training will be consistent with the nature of assignments and responsibilities.

- Personnel in direct, continuing contact with detainees require training covering application of physical restraints.
- Other personnel not working in direct contact with detainees, should receive a general orientation on the operation of the temporary holding facility and specifics to their role, if any.

Fire suppression training may include, but need not be limited to, operation of smoke and fire detectors, use of fire extinguishers and fire hoses up to one and one-half inches and use of air packs.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## Chapter #8 – Community Relations

### Section #1 - Public Information Processes

#### 8.1.1 Public Information Function

A written directive governs the public information function to include but not be limited to:

- 8.1.1.1 Providing news media with timely access to information about newsworthy occurrences, both at the scene and on a follow up basis.
- 8.1.1.2 Handling on-call requests from the news media.
- 8.1.1.3 News releases and news conferences.
- 8.1.1.4 Release of information about victims, witnesses, and suspects as well as confidential agency investigations and operations.
- 8.1.1.5 Joint release of information involving other agencies or entities.

#### *Context*

This standard sets the tone for the public information function of the agency. It is intended to ensure timely media access to accurate, up to date information while preserving the integrity of pending cases and confidentiality, as appropriate, when required.

The function is situated within, and staffed to best meet the needs of the agency consistent with its operations and reflective of the local media situation. Protocols exist for routine and exigent circumstances including the absence of the CEO and/or designated public information officer. In those cases there is a requirement that all information released should be forwarded to the CEO/PIO as soon as practical.

A comprehensive policy governs release of information including but not limited to:

- Criminal or driving record, if any, and the character, background or reputation of the suspect
- Mug shots of the suspect
- The existence (or lack thereof) and types of evidence
- The existence of any confession, admission of guilt, or statement or contents thereof made by the suspect or his/her failure or refusal to make a statement
- The results of any examinations or tests conducted or refusal by the suspect to submit to any examinations or tests
- The mere existence of, or the identity, testimony, or credibility of any witness
- Opinions about the guilt or innocence of the suspect, merits of the case or quality of evidence expressed by agency personnel
- Identity of victims or juveniles
- Information received from other law enforcement agencies without their concurrence in releasing that information
- In situations involving multiple law enforcement or other public entities such as the fire marshal, fire department, State Crime Lab, coroner, and EMS service responsibility for release of information rests with the lead agency (one with primary jurisdiction).

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## 8.1.2 Media Access

A written directive governs the access of media representatives, including photographers in certain situations.

- 8.1.2.1 Scenes of major non-criminal events such as fires, natural disasters, or other catastrophes
- 8.1.2.2 Inside the perimeter of a crime scene.

### *Context*

The intent of this standard is that the agency has media access procedures that are understood by all agency personnel. They are designed to enhance public safety and the integrity of the investigative process.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## Chapter #9 - Communications

### Section #1 – Communications Processes

#### 9.1.1 Accountability and Responsibility

If the communications function is performed by another agency, there should be written agreements and/or authorizing documents/contracts that specify the authority and responsibility of the agency and the entity, including, at a minimum, provisions that the other parties will comply with all applicable standards on behalf of the agency.

##### *Context*

To achieve compliance with this standard, it is necessary to establish accountability when the communications function is either delegated to another agency or this is a shared function with multiple agencies.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 9.1.2 Federal Communications Commission Requirements

A written directive requires the agency's radio operations to be in compliance with Federal Communications Commission (FCC) rules and regulations.

##### *Context*

If the communications function is delegated or shared, the agency responsible for the function shall be required to follow FCC procedures and requirements.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 9.1.3 Emergency Calls for Service by Telephone

The agency provides 24-hour, 7 day a week phone coverage using toll-free for emergency calls for service or other area single police emergency numbers such as 911.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 9.1.4 Continuous Communications with On-Duty Officers

The agency has 24-hour, 7 day a week two-way radio capability providing continuous communication between the communications center and officers on duty.

##### *Context*

Instantaneous communications capability enhances overall law enforcement effectiveness and responsiveness. More importantly, it helps ensure the safety and security of the community and officers. This standard requires that on-duty uniformed officers be supplied the means for continuous radio communication with the communications center.

Portable transceivers are required to enable officers on foot patrol and those away from their mobile units to maintain communications except in areas where topography or other factors limit their functionality, in which case mobile transceivers may be acceptable.

This standard does not require 24 hour, 7 day a week patrol coverage but rather assures that proper resources are provided for on duty personnel.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 9.1.5 Information Capture

A written directive requires a record be made and information be maintained related to each request for service (criminal or non-criminal) as well as officer self-initiated activity. Information should include but need not be limited to:

- 9.1.5.1 Control (case or incident) number
- 9.1.5.2 Date and time of request or self-initiated activity
- 9.1.5.3 Complainant information (name, address), when possible
- 9.1.5.4 Type of incident
- 9.1.5.5 Location of incident
- 9.1.5.6 Officer(s) assigned/responding
- 9.1.5.7 Dispatch time
- 9.1.5.8 Arrival time
- 9.1.5.9 Officer return-to-service time
- 9.1.5.10 Disposition or status of case

#### *Context*

This summary information system can be in the form of a card, continuous log, or computer entry that creates a permanent record.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 9.1.6 Radio Communications To and From Field Personnel

A written directive governs the protocols and procedures for the form and substance of radio communications to and from field personnel including but not limited to:

- 9.1.6.1 Enumeration of situations requiring contact with the communications center by field personnel.
- 9.1.6.2 Reporting and recording of out-of-service status of officers.
- 9.1.6.3 Proper call signs.
- 9.1.6.4 Interagency communication.
- 9.1.6.5 Criteria for dispatching personnel (number, types of units, etc) in response to a call for service or as backup on self-initiated activities including situations requiring a supervisory presence.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 9.1.7 Resource Availability for Communications Personnel

The agency requires that communications staff have immediate access to the following:

- 9.1.7.1 Current officer in charge (name and contact information).
- 9.1.7.2 Current duty roster of all personnel.
- 9.1.7.3 Contact information (on and off-duty) on agency personnel.
- 9.1.7.4 Maps and other information covering the agency's service area.
- 9.1.7.5 Officer status indicators.
- 9.1.7.6 Procedures and contact information for securing support services from outside the agency.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 9.1.8 Immediate Playback Capability

A written directive requires continuous recording of all radio transmissions and telephone requests for service within the communications center, as well as the capability of immediate playback of recorded telephone and radio conversations. The directive also requires procedures for the following:

- 9.1.8.1 Security (access to, handling and storage) of recordings
- 9.1.8.2 Retention of recordings for at least 30 days
- 9.1.8.3 Procedures for reviewing recordings

#### *Context*

The recordings are a vital component of agency operations. The playback feature can help clarify information in emergency situations. The agency should have the capability to replay a conversation while recording other calls and radio transmissions.

Further, the recordings can be used to support criminal or internal investigations, identify training needs, serve as a training aid, and provide the basis for service audits.

The agency should have a policy/procedure governing access to recordings (current and stored).

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 9.1.9 Criminal Justice Information Systems

The agency utilizes the local, state, and federal criminal justice information systems.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 9.1.10 Inter-Jurisdictional Communications

If required, the agency's communication center has, at a minimum, the necessary equipment to access inter-jurisdictional, regional, or area law enforcement radio systems.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 9.1.11 Misdirected Emergency Calls

A written directive requires prompt handling and appropriate routing of misdirected emergency calls.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 9.1.12 Private Security Alarms

A written directive requires procedures for monitoring and responding to private security alarms.

#### *Context*

In some cases, local jurisdictions may have ordinances/laws that pertain to private security alarms and false alarms in particular.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 9.1.13 First Aid Instruction

If the agency communication center staff is authorized to provide emergency first-aid instruction over the telephone or radio, those staff members must be trained and appropriate support materials (first aid guidelines, etc.) must be immediately available.

#### *Context*

The intent is that communications center staff be able to provide basic emergency life saving information until emergency medical personnel arrive at the scene. The curriculum for training and retraining should be designed and provided by a competent authority and coordinated with the support materials available in the communications center.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 9.1.14 Communications Center Security

The agency employs security measures for the communications center function including but not limited to:

- 9.1.14.1 Limitations on access to the communications center.
- 9.1.14.2 Protection of equipment including security of transmission lines, antennas and power sources.
- 9.1.14.3 Provision of back-up resources.

#### *Context*

Safety and security of communications personnel, facilities, and equipment is key to maintaining the communications function in all situations. This can include a combination of physical design features (location, building materials such as bullet resistant glass in areas of public access), restricted access to the communications center, and security devices such as security cameras, fences, or other measures as deemed appropriate for the circumstances.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008



### 9.1.15 Alternate Power Source

The agency has an alternate source of electrical power capable of operating emergency communication equipment in the event the primary power source becomes unavailable. There is a documented inspection and test of the alternate power source at least monthly or consistent with manufacturer recommendations.

#### *Context*

System reliability is critical. Thus, a dependable properly sized, alternate source of power is required. The readiness of the alternate source should be routinely tested (or self-tested) on a scheduled basis.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

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## Chapter #10 - Records

### Section #1 – Records

#### 10.1.1 Records Security

A written directive requires the agency to undertake privacy and security precautions for the agency's records which at a minimum include:

- 10.1.1.1 Separation of juvenile criminal records from adult criminal records.
- 10.1.1.2 Policies and procedures governing collection, retention, storage and release of juvenile fingerprints, photographs, and other methods of identification.
- 10.1.1.3 Appropriate security measures for, and limitation of access to, agency files.

#### *Context*

The records system should identify the difference between adult and juvenile criminal records. Separation of records can be accomplished through electronic means with a computerized records system. The agency should have procedures in place for access, security and release of records.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 10.1.2 Access to Records by Personnel

The agency assures that central records information is available to operations personnel at all times.

#### *Context*

There is 24-hour access to the records system by all operations personnel.

Last Reviewed: June 1<sup>st</sup>, 2008

Last Updated: June 1<sup>st</sup>, 2008

#### 10.1.3 Field Reports

A written directive governs a system for field reporting that includes:

- 10.1.3.1 Types of calls and self-initiated activity subject to reporting.
- 10.1.3.2 Format of reports.
- 10.1.3.3 Substance (information) required.
- 10.1.3.4 Procedures including timelines for completion and submission of reports.

#### *Context*

The agency has adopted forms to standardize field reporting. Reports have been designed to capture basic information for all crimes and incidents. A field reporting manual or samples of the forms should be provided with clear instructions for completion and submission of reports. The system addresses both paper and electronic reporting.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 10.1.4 Required Reporting

A written directive requires the agency to have a comprehensive reporting system that, at a minimum, requires a report on every call for service or self-initiated activity in the following categories:

- 10.1.4.1 Citizen reports of crimes.
- 10.1.4.2 Criminal and non-criminal cases initiated by law enforcement employees.
- 10.1.4.3 Situations involving arrests, citations, or summonses.
- 10.1.4.4 Citizen reports of incidents other than crimes.
- 10.1.4.5 Any time an agency employee is dispatched or assigned.

##### *Context*

Field personnel complete most reports. The system can provide for completion of certain reports by communications center staff even if field personnel are involved.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 10.1.5 Case Numbering System

A written directive requires the agency to use a case numbering system, which requires the assignment of a unique number to every situation subject to reporting.

##### *Context*

The system is designed to ensure that all reportable situations receive a number, that no numbers are omitted, and that no numbers are duplicated.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 10.1.6 Supervisory Review of Reports

A written directive requires the agency to conduct timely supervisory review of reports to ensure compliance with its field reporting system requirements.

##### *Context*

The records system should have the capability of tracking reports through the approval process and contain procedures for correcting incomplete reports. Supervisory review and acknowledgement of field reports can be accomplished through manual or electronic means.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 10.1.7 Alphabetical Master Name Index

The agency maintains an alphabetical master name index, which includes names of people mentioned in field reports.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 10.1.8 Traffic Citation Records Maintenance

A written directive governs control of traffic citations, including but not limited to:

- 10.1.8.1 Recording, by number, blocks of citation forms as assigned to officers
- 10.1.8.2 Accounting for all citations
- 10.1.8.3 Storage of citations in a secure area.

##### *Context*

Issuance and accountability for traffic citations should be rigidly controlled including accounting for “spoiled” citations, which may include TRACS software or other paperless accounting systems.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 10.1.9 Identification Numbers and Criminal History Files

The agency has a system for assigning identification numbers and maintaining criminal history files for each person arrested (custodial).

##### *Context*

The system is designed and intended to maintain the integrity of the numbering scheme (no duplicates or skips).

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 10.1.10 Arrest Information

A written directive governs the requirements for capturing, recording and updating arrest information, including but not limited to:

- 10.1.10.1 Reports.
- 10.1.10.2 Fingerprints.
- 10.1.10.3 Photographs.

##### *Context*

This requirement is intended to provide guidance in keeping existing file information current for persons subsequently arrested, e.g., address, photograph.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 10.1.11 Warrant and Wanted Person Files

A written directive requires the agency to have a system governing warrant and wanted persons files, to include:

- 10.1.11.1 Entry of locally generated information in agency files and subsequently in regional, state, and federal information systems.
- 10.1.11.2 Receipt and entry of information from other jurisdictions.
- 10.1.11.3 Verification of information.
- 10.1.11.4 Cancellation of information.

10.1.11.5 Requirement for 24-hour access to the agency's warrant and wanted person information.

*Context*

The system is intended to assure that such records are current and immediately accessible to all agency personnel.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

**Section #2 – Release of Records**

10.2.1 Open Records - §19.34(1)

A written directive requires the agency to establish procedures and criteria for the release of agency records and display a public notice as required in §19.34(1).

*Context*

A public notice containing Open Records information required under WI Statute 19.34(1) is displayed in an appropriate location of the agency open to the public.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## **Chapter #11 – Evidence/Property Integrity**

### **Section #1 – Collection and Preservation of Evidence/Property**

#### 11.1.1 24 Hour Availability

The agency has 24-hour access to qualified personnel for processing crime scenes or other prescribed incidents such as but not limited to serious traffic collisions.

##### *Context*

Timely 24-hour processing capacity is required due to the time-sensitivity of many scenes. Effective processing often requires sequencing of activities. Therefore, there should be immediate access to qualified persons to establish the protocol even before their arrival and to ensure certain things are done prior to their arrival. Smaller departments may have an on-call system or use services provided by another agency.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 11.1.2 Evidence Collection

A written directive governs guidelines and procedures covering collection, processing, and preservation of physical evidence.

##### *Context*

To sustain a successful prosecution, agency personnel must utilize currently acceptable methods for field and lab processing of potential evidence including maintenance of the chain and integrity of evidence from scene to trial. Processes must be supported with proper equipment, trained personnel and facilities. Security and record keeping are essential parts of the process.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 11.1.3 Photographic Evidence

A written directive governs the procedures for photography and video taping as part of the evidence collection process. Required supporting information and storage specifications are provided.

##### *Context*

Photographs and/or videotapes are critically important as evidence. When possible, they should be taken by a trained photographer.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 11.1.4 Fingerprint Processing

A written directive governs the processing, developing, lifting, labeling and storage of all fingerprints collected as evidence.

*Context*

This standard addresses fingerprints taken from known individuals, as well as the processing of latent fingerprints.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

11.1.5 DNA (Deoxyribonucleic acid) Evidence

A written directive governs agency policy for DNA evidence including:

- 11.1.5.1 First responder precautions and responsibilities
- 11.1.5.2 Collecting, transporting, and storage of DNA evidence
- 11.1.5.3 Submission of DNA evidence to the Wisconsin State Crime Lab or other DNA processing agencies
- 11.1.5.4 Training for personnel collecting and preserving DNA evidence

*Context*

Personnel collecting, preserving, and storing DNA evidence need to understand the complexities surrounding this type of evidence to ensure proper preservation and avoid contamination. Specialized training is required for personnel involved in DNA evidence.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

11.1.6 Computer/Electronic Evidence

A written directive governs agency policy for computer or other devices storing data in an electronic format including:

- 11.1.6.1 First responder precautions and responsibilities
- 11.1.6.2 Collecting, transporting, and storage of computer/other electronic evidence
- 11.1.6.3 Submission of computer/other electronic evidence to the Wisconsin State Crime Lab or other processing agencies
- 11.1.6.4 Training for personnel collecting and preserving computer/other electronic evidence

*Context*

Personnel involved in collecting, preserving, storing, and transporting computer/other electronic evidence need to be trained in this specialized area in the proper legal formats and methods for the seizure and analyzing of this type of evidence.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

11.1.7 Documentation of Transfer of Custody of Evidence

A written directive requires that any transfer of custody of physical evidence be documented.



*Context*

This standard applies to all persons and functions within the agency. Documentation should include the date and time of transfer, name of person transferring property and name/title/agency of person receiving property, laboratory name and location (if applicable), reason for the transfer, if any processing is required, and a brief synopsis of the case.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

11.1.8 Transmittal of Evidence to a Lab

A written directive governs the submission of evidence to forensic laboratories (including, but not limited to):

- 11.1.8.1 Name and contact information of the person submitting the evidence
- 11.1.8.2 Packaging and conveyance of evidence to the laboratory
- 11.1.8.3 Documentation needed to accompany evidence at time of transmittal
- 11.1.8.4 Adequate receipts to support chain of evidence
- 11.1.8.5 Instructions directing that lab results be submitted in writing.

*Context*

The intent of this standard is to specify procedures for assuring the integrity and proper processing of evidence by outside resources and the transmittal thereto. There should be appropriate differentiation for perishable and non-perishable evidence.

The policies and procedures should also fix responsibility for decision-making relative to use of outside resources due to time and expense involved.

Written reports from all labs must document the results and findings on all work done. Verbal reports from the lab may be accepted as an interim or progress report. This applies to agency labs and outside resource.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

**Section #2 – Maintenance of Evidence/Property**

11.2.1 Receipt of Property

A written directive requires that all property and evidence obtained by agency personnel be:

- 11.2.1.1 Inventoried and logged into agency records as soon as possible.
- 11.2.1.2 Transferred to the property and evidence control function before personnel end their tour of duty.
- 11.2.1.3 Documented in a written report identifying all property and how the property came into the agency's possession and properly referenced to case numbers.
- 11.2.1.4 Properly packaged and labeled prior to being put in storage
- 11.2.1.5 Properly secured and that necessary steps be taken for handling high value, sensitive or high-risk property.
- 11.2.1.6 Researched as to ownership when ownership is not previously known and that an attempt is made to notify the owner.

11.2.1.7 Temporarily or permanently released from storage according to Agency protocol.

*Context*

The agency has a general duty to protect all property coming in its possession including a special duty to maintain a chain of evidence when called for. It's policies and procedures should be designed and function to protect rights of owners of legal property as well as agency personnel and the agency itself.

A supervisor must approve exceptions to the agency's policies and procedures with interim steps taken to protect the property as dictated by the situation.

Personnel are not allowed to keep property in their office, desk, locker, vehicle, home, or other places not designated for storage of property. Policy should prohibit personal use of any property.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

11.2.2 Evidence and Property Security

The agency requires that all in-custody property and evidence be stored in designated, secure areas.

*Context*

Dedicated facilities, equipment, restrictions on access and other security procedures should contribute to the control and protection of property in agency custody. Storage capacity and security measures should be commensurate with risks and exposures posed by different types of property.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

11.2.3 After Hours Temporary Storage of Property

The agency has policies, procedures and provisions for storage of property or evidence when the property room is closed.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

11.2.4 Authorized Access to Property Storage

A written directive governs policies and procedures limiting access to designated storage area(s) for property or evidence.

*Context*

Access to property storage areas is restricted to ensure the integrity of all property and to maintain chain of custody of evidence.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 11.2.5 Records Status

The agency requires that records reflect the status of all property under agency control.

#### *Context*

Records should provide an historical “paper” trail as well as indicate current status and location of storage. Automated systems such as bar coding may be used.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 11.2.6 System Integrity

The agency requires that periodic and event-specific inspections, inventories and audits be completed and results documented (including but not limited to):

- 11.2.6.1 Semi-annual inspections by the person in charge of the property and evidence control function (or his/her designee) assessing compliance with procedures.
- 11.2.6.2 A complete inventory matching current records against a current physical inventory of property whenever the person responsible for the property and evidence control function is replaced for whatever reason. The newly designated property custodian and a representative of the CEO conduct the process jointly.
- 11.2.6.3 A supervisor who is not a part of the property control function performs an annual audit.
- 11.2.6.4 Random, unannounced inspections and/or audits are conducted at the discretion of the agency’s chief executive officer.

#### *Context*

The standard is designed and intended to ensure the integrity of the system, not to require an accounting for every item of property. Thus, random sampling of property may be used to assess compliance with policies and procedures. For the purposes of this standard, inspections mean “to look at, either physically or in print”, inventories mean “a complete listing”, and audit means “a random sample, such as 10 articles of property”.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

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## Chapter #12 – Training

### Section #1 – Weapons and Ammunition

#### 12.1.1 Firearms, Ammunition and Other Weapons

A written directive requires that only weapons and ammunition approved by the agency are authorized for use in law enforcement responsibilities. This standard applies both on and off duty and addresses:

- 12.1.1.1 Types and specifications of authorized/approved lethal and less lethal weapons.
- 12.1.1.2 Types and specifications of authorized/approved ammunition.
- 12.1.1.3 The protocol for review, inspection, and approval of all weapons intended for use by each employee in the performance of duty prior to carrying. The process is maintained by a qualified weapons instructor or armorer and includes a process for removing unsafe weapons.
- 12.1.1.4 Maintaining a record of each firearm approved for official use

#### *Context*

Strict control is maintained over all firearms, weapons, and ammunition authorized for carry and use in performance of official duties, both on and/or off duty. Clear guidelines are provided for exact types and specifications of each weapon category.

For firearms, the agency has an approval process. Each firearm should be identified, meet the agency's established criteria and be safe and in good working order. A certified firearms instructor or armorer inspects and approves firearms.

The record should list the type, description, manufacturer, model, and serial number of each firearm, as well as the name of the owner or assignee.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 12.1.2 Weapons Proficiency

A written directive requires that agency personnel must demonstrate proficiency in the use of agency-authorized weapons prior to being approved to carry/use such weapons.

#### *Context*

Evidence of proficiency can include but is not limited to:

- Completion of prescribed classroom work
- Demonstrated knowledge of the laws covering the use of weapon(s) and knowledge of agency policy(s) on all aspects of the use of force;
- Demonstrated safe handling of all approved weapon(s).
- Satisfactory completion of a course of fire utilizing live fire or simulation technology
- Instruction and evaluation of proficiency is done by a certified weapons instructor

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 12.1.3 Weapons and Tactics Training/Qualification

At least annually, all agency personnel authorized to carry weapons are required to receive in-service training on the agency's use-of-deadly force policies and demonstrate proficiency with all approved lethal weapons that the employee is authorized to use.

- 12.1.3.1 If the agency authorizes use of neck restraints or similar weaponless control techniques with a potential for serious injury, training on such techniques is included in the annual in-service use of force curriculum.
- 12.1.3.2 A certified weapons instructor must monitor proficiency training.
- 12.1.3.3 Training and proficiency must be documented.
- 12.1.3.4 The agency must have procedures for remedial training for those employees who fail to meet minimum agency defined proficiency levels with an authorized weapon. Remediation must occur prior to resuming official duties.
- 12.1.3.5 Training for less lethal weapons shall occur at least biennially for employees authorized to use such weapons or techniques.

#### *Context*

This use-of-force refresher training need not be as formal as entry level or recruit training. Content can be delivered through one or more of the following or similar mechanisms:

- Live modules delivered at shift briefings;
- Recorded modules delivered at briefings or available for self-study
- Written or skills tests during annual firearms qualifications courses
- As a segment of a broader in-service training program

Minimum proficiency levels should be based on relevant criteria with input from certified weapons instructors, others in the agency and other sources as deemed necessary.

For an employee failing to meet minimum proficiency levels, successful remediation with appropriate documentation is required prior to the employee being allowed to return to duty with that weapon.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## **Section #2 – Employee Training**

### 12.2.1 Training Records

A written directive requires updating the records of employees following their participation in training programs.

#### *Context*

Upon completion of training, the agency should record such information as program date(s), curriculum content, certificates earned, attendance, and results of testing, for every participating employee.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 12.2.2 Class Records

The agency maintains a historical record of each training program it conducts including course title and content, date(s) of offering, names of attendees, and test results, if any, for individual attendees.

#### *Context*

Training records should include course title and content, training date, names of attendees and, if applicable, test results. Copies of lesson plans, handouts and tests used by the course instructors can be used as documentation to fulfill part of the standard requirement.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 12.2.3 Recruit Training

The agency requires that all sworn officers satisfactorily complete a recruit-training program prior to any assignment in which the officer is allowed to carry a weapon or is in a position to make an arrest (other than while involved in the agency's formal field training program).

#### *Context*

The intent of this standard is to ensure that recruits have successfully completed a structured basic training course prior to unsupervised carrying of a weapon, enforcing the law, or making arrests. They could be used in such positions as communications, records, or other activities not involving enforcement activities or carrying of a weapon.

Trainees participating in the formal field-training program are considered to be supervised for purposes of this standard.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 12.2.4 Field Training

A written directive requires a field-training program for newly sworn officers. The program should be based on a recognized field training officer program and include:

- 12.2.5.1 Comprehensive training of objectives and tasks.
- 12.2.5.2 Planned rotation of recruit field assignments to ensure full exposure.
- 12.2.5.3 Structured evaluation of, and reporting on, recruit's performance by field training officers.
- 12.2.5.4 Selection and training criteria for field training officers.
- 12.2.5.5 Active supervision of field training officers.

#### *Context*

Agencies with extensive recruit training programs may intersperse the field training segments into the larger program tied to material just covered in the classroom. The field-training program is a key supplement to the formal recruit classroom training and should be as actively managed as the classroom training.

There should be close supervision by well-trained FTO's since the initial field experiences of a recruit often set the tone for his/her entire career. The selection of FTO's is crucial as they serve as role models for desired values, tactics, and attitudes.

The agency should provide guidelines defining the responsibilities of the FTO.

The program includes an evaluation process and training for the FTO as well as for the trainee.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 12.2.5 Annual Training

A written directive requires all sworn personnel complete training annually, as prescribed by the State of Wisconsin Training and Standards Bureau.

##### *Context*

It is important that personnel keep up-to-date on new laws, changes in case law, technology, defense and arrest tactics, topics relevant to law enforcement and revisions in agency policy, procedures, rules, and regulations. Generally there is core content applicable to all sworn personnel. In addition, specialized training courses may be appropriate for career development or those seeking promotion to certain positions. The objective of the program should be to motivate veteran personnel and to enhance the professionalism of personnel and the agency generally.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 12.2.6 Career Development

The agency provides knowledge and skill development to all personnel including:

- 12.2.6.1 Offering career counseling covering topics such as advancement, specialization, or training, to enhance performance in the employee's current position.
- 12.2.6.2 Providing post-promotional or assignment to specialized position training.

##### *Context*

The agency has a career development program/plan that utilizes an ongoing inventory of skills, knowledge, and abilities for each employee to further their careers. The program/plan is evaluated as needed. Upon being promoted or assigned to a specialized position, an employee is trained and provided performance expectations for their new position.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 12.2.7 Tactical/Negotiator Training

If the agency has tactical and negotiation team(s), all assigned personnel participate in training that involves skill building and readiness exercises.



### *Context*

It is important that team members build and practice their special skills. It is equally important that they have the ability to function effectively as a team. Effectiveness is dependant on team members being able to function at a high level on short notice. Role playing and operational simulations should be an integral part of the program. Joint team training is required if the agency has a separate tactical and hostage negotiation team.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 12.2.8 Employee Orientation

A written directive requires all newly appointed civilian personnel be provided information regarding their position to ensure that they understand their role, responsibilities and rights.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 12.2.9 Remedial Training

A written directive requires a policy establishing remedial training requirements.

### *Context*

The agency has a policy for remedial training that establishes at a minimum:

- Specific areas that require remedial training
- Timelines for completion of the training
- Consequences for non-completion of remedial training

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

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## Chapter #13 – Critical Incidents

### Section #1 – Operations

#### 13.1.1 All Hazard Plan

The agency has a written plan for responding to critical incidents such as:

- 13.1.1.1 Civil disturbances.
- 13.1.1.2 Mass arrests.
- 13.1.1.3 Bomb threats.
- 13.1.1.4 Hostage/barricaded person situations.
- 13.1.1.5 Acts of terrorism.
- 13.1.1.6 Other unusual incidents or disasters.
- 13.1.1.7 Search and rescue teams.

#### *Context*

The Incident Command System (ICS) has proven very effective in federal and fire services emergencies over the past two decades. This system permits a clear point of control and can be expanded or contracted with ease to escalating or diminishing situations. The Federal Emergency Management Agency's (FEMA) ICS is comprehensive, available on the Internet, and widely used.

The Incident Command System (ICS) establishes standardized incident management processes, protocols, and procedures that all responders-federal, state, tribal, and local-will use to coordinate and conduct response actions. With responders using a common language and standardized procedures, they will all share a common focus, and will be able to place full emphasis on incident management when a critical incident occurs-whether terrorism or natural disaster.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 13.1.2 Special Operations

If the agency has tactical teams, a written directive governs procedures for special operations involving:

- 13.1.2.1 Either full or part time tactical teams.
- 13.1.2.2 Deployment to supplement other operational components.
- 13.1.2.3 Coordinated and required cooperation between tactical teams and other operational components.

#### *Context*

The intent of this standard is to identify where such assistance is available, how it is requested, and what responsibilities agency personnel are to assume until assistance arrives.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 13.1.3 Tactical Teams Selection and Training

A written directive governs criteria for the selection and training of officers assigned to tactical operations, if the agency has either full or part time tactical teams.

#### *Context*

Special screening and training is required because of the inherent physical and psychological stressors impacting tactical operations personnel.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 13.1.4 Specialized Equipment

An agency shall provide specialized equipment for either a full or part time tactical team(s).

#### *Context*

To ensure acceptable quality, uniformity, and interchangeability of special equipment, it is provided by the agency.

Last reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 13.1.5 Hostage Negotiator Selection and Training

A written directive governs criteria for the selection and training of officers assigned as hostage negotiators, if the agency has hostage negotiators.

#### *Context*

Special screening and training is required because of the inherent psychological and physical stressors impacting hostage negotiators.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## **Section #2 – Planning and Organization**

### 13.2.1 Planning Responsibility

A written directive specifies a position in the agency tasked with planning a response to critical incidents.

#### *Context*

The person holding this position should be the principal planner and advisor on critical incidents to the agency's chief executive officer. In larger agencies, an important part of the duties attendant to this position may be to act as an expediter of resources during critical incidents.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## 13.2.2 Incident Command System

A written directive specifies agency use of the Incident Command System to manage a critical incident and specifies the specific role functions and their responsibilities. The implementation of specific functions is dependant upon the scope and duration of the incident. Functions include, at a minimum:

- 13.2.2.2 Command
- 13.2.2.2 Operations
- 13.2.2.3 Planning
- 13.2.2.4 Logistics
- 13.2.2.5 Finance/Administration

### *Context*

The Incident Command System is a process to effectively manage a critical incident that identifies specific responsibilities to assist in the command and coordination of objectives and resources. The objective is to identify specific persons in charge of specific functions, thereby limiting the span of control to an effective level. Each function has specific responsibilities to address, which include at a minimum:

#### Command Function:

- Activating the incident command system.
- Establishing a command post.
- Initiating the notification and mobilization of additional agency personnel.
- Obtaining support from other agencies.
- Establishing a staging area, if necessary.
- Providing public information and maintaining media relations.
- Maintaining the safety of all affected personnel.
- Preparing a documented after-action report.

#### Operations Function:

- Establishing perimeters.
- Conducting evacuations.
- Maintaining command post and scene security.
- Providing for detainee transportation.
- Processing and confinement.
- Directing and controlling traffic.
- Conducting post-incident investigation.

#### Planning Function:

- Preparing a documented incident action plan.
- Gathering and disseminating information and intelligence.
- Planning post-incident demobilization.

Logistics Function:

- Communications.
- Transportation.
- Medical support.
- Supplies.
- Specialized team and equipment needs.

Finance/Administration Function :

- Recording personnel time,
- Procuring additional resources,
- Recording expenses,
- Documenting injuries and liability issues.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 13.2.7 Equipment Inspection

The agency completes a documented quarterly inspection for operational readiness of equipment designated for use in support of its critical incident plan.

*Context*

To ensure the readiness of equipment to be used in support of emergency operations, critical incident plans should show the numbers and types of equipment and supplies needed for various emergencies.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

### 13.2.8 Annual Training

A written directive provides for documented annual training on the agency's Incident Command System for affected agency personnel.

*Context*

Training should include tabletop, actual exercises, multiple agency involvement, and may be in conjunction with specific plans required in other standards and operations.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

## Chapter #14 – Victim/Witness Assistance

### Section #1 – Victim/Witness Assistance

#### 14.1.1 Victim and Witness Rights

A written directive requires the agency to conduct its affairs in a manner that recognizes rights of victims and witnesses as defined in the State of Wisconsin Victim's Bill of Rights.

Last Reviewed: October 1<sup>st</sup>, 2008

Last Updated: October 1<sup>st</sup>, 2008

#### 14.1.2 Victim and Witness Services

A written directive governs the policies and procedures covering information to be given to victims/witnesses during the investigation, including:

- 14.1.2.1 Providing referral information about applicable services, such as counseling, medical attention, compensation programs or emergency financial assistance, and victim advocacy.
- 14.1.2.2 Advising victims/witnesses about steps to take if the suspect (or his/her associates or family) threatens or otherwise attempts to intimidate him/her.
- 14.1.2.3 Providing information about subsequent steps in the processing of the case and the case number, if available.
- 14.1.2.4 Providing contact information so that the victim/witness can report additional information or receive information about the status of the case.

#### *Context*

Information regarding victim/witness services shall be supplied by the agency directly; and if applicable, additional referral information regarding services offered within the agency's jurisdiction by other organizations (governmental or private sector) for victims/witnesses should be made available. The agency may complete a documented review of victim/witness assistance needs and available services within the agency's service area.

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