Wisconsin Law Enforcement Accreditation Group Accreditation Standards

5th Edition

May 02, 2016

Wisconsin Law Enforcement Accreditation Group

Foreword

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.

The move to accredit law enforcement agencies began in 1979 when the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA®) was established by the following four major law enforcement membership organizations.

- 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).

CALEA® established the first body of professional standards by which a law enforcement agency could be evaluated. They also developed an administrative process by which an agency could demonstrate its compliance with their standards and achieve law enforcement accreditation. CALEA® accredited its first agency in 1984.

In the years that followed, many agencies successfully completed the accreditation process. Unfortunately, many others with a desire to achieve and demonstrate professional excellence were stymied by the cost and administrative burden associated with pursuing accreditation at a national level. This, coupled with an interest in programs that were tailored to meet the specific needs of law enforcement agencies operating within various regions of the country, led many states to develop their own systems. In 1995, Wisconsin joined the ranks of states developing accreditation programs designed to embrace best practices emerging throughout the country, while addressing circumstances unique to policing in our state.

On June 02, 1995, the Accreditation Committee of the Wisconsin Chiefs' of Police Association approved the initial draft of *Standards, First Edition*, at a meeting in Fond du Lac. This approval was followed by a similar endorsement by the Wisconsin Police Leadership Foundation on August 14, 1995. Finally, the standards were again reviewed, revised and ultimately adopted by the Governing Board of the Wisconsin Law Enforcement Accreditation Group as *WILEAG Standards, First Edition*, on December 3, 1996. Two years later, WILEAG would accredit its first agencies.

In 2000, the WILEAG Governing Board undertook its first review of the original standards. The goal of this process was to ensure the standards remained consistent with evolving law enforcement professional doctrine on a national level. The result of this review was the adoption of the *WILEAG Standards, Second Edition* on March 14, 2001.

Over the next several years, the Governing Board began to recognize the increasing value of tailoring the WILEAG accreditation program to the policing environment within the state. That recognition led to another review process, initiated in 2007, which focused extensively on the unique nature of policing in Wisconsin. During this review, an effort was made to incorporate the various statutory mandates and administrative rules that significantly impact policing in the state. An additional goal of that process was to simplify and clarify standard language and format. That process resulted in the *WILEAG Standards, Third Edition*, which became effective October 1, 2008.

While the introduction of the *Third Edition* was a significant accomplishment, the Governing Board did not stop there. At that time, they also made a commitment that the accreditation process would continue to evolve; thereby ensuring the program would always remain focused on achieving professional law enforcement excellence in the State of Wisconsin. That commitment involves an ongoing review of national trends in the field, new legislation that impacts policing and new administrative rules that require our attention. The process resulted in the adoption of the *WILEAG Standards, Fourth Edition* in 2013, and now, in 2016, it has led to the introduction of the *WILEAG Standards, Fifth Edition.* It is our hope that this latest offering of the standards manual will ensure that accredited agencies in the State of Wisconsin are embracing the best policing practices emerging throughout the country, while also addressing those issues unique to policing in Wisconsin.

WILEAG remains committed to providing a meaningful and affordable accreditation process to the law enforcement agencies of Wisconsin. Toward that end, we look forward to addressing the professional needs of Wisconsin police and sheriffs' departments for many years to come.

For the Governing Board,

Greg Peterson
President, Wisconsin Law Enforcement Accreditation Group

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Section 1 – Required Compliance

1.1 An agency must demonstrate compliance with all applicable standards.

Context

All standards are presumed to be applicable unless the agency demonstrates otherwise.

1.2 An agency declaring a standard to be not applicable can be held accountable for the functions or responsibilities governed by the standard if the Governing Board deems that an agency of its size and/or type should be expected to carry out such a responsibility or function.

Context

Questions regarding the applicability of any standard should be brought to the attention of the Governing Board as soon as possible, and always prior to an on-site assessment.

1.3 An agency that delegates mandatory functions or responsibilities to other agencies is, nevertheless, accountable for compliance with the standards governing those functions or responsibilities.

Context

The practices, policies or procedures necessary to demonstrate compliance may be those of the agency actually fulfilling the responsibility or function. For example, an agency may delegate its communication requirements to a county-wide or multi-jurisdictional dispatch center, and that agency or entity may provide immediate playback capability for all radio communications. While the applicant agency remains responsible for the requirement, the requirement is satisfied by the immediate playback capability provided by the agency actually performing the function.

1.4 An agency for which functions or responsibilities are performed on its behalf by another agency or entity is, nevertheless, accountable for verifying compliance with all standards governing those functions or responsibilities.

Context

The practices, policies or procedures necessary to demonstrate compliance may be those of the agency actually fulfilling the responsibility or function. For example, an agency may rely upon the human resources department of its political subdivision for conducting hiring or promotional processes; however, the applicant agency must verify that such processes are conducted in accordance with relevant standards, such as adhering to Equal Employment Opportunity guidelines.

1.5 Standards incorporating a Wisconsin statute require compliance with both the language of the standard, as well as the associated statute.

Context

There is a presumption that a state statute referenced in the body of a standard will be fully complied with by the applicant agency.

Section 2 – Standards

2.1 An agency may exceed the requirements of a standard.

Context

The requirements of a standard represent the minimally acceptable agency response. The agency is permitted to establish performance expectations that exceed the minimum requirement. For example, standard 2.5.3 requires written performance evaluations on all sworn probationary employees on a quarterly basis. The agency is permitted to establish a more stringent requirement, such as an evaluation of probationary officers on a monthly basis.

2.2 If an agency does not have responsibility for the requirements established by a standard, the standard might be not applicable to the agency. The final determination rests with the Governing Board.

Context

The intent of an applicant agency to declare an otherwise required standard not applicable should be brought to the attention of the Governing Board prior to the completion of an onsite assessment.

2.3 Standards related to personnel matters apply to all agency employees unless the standard specifies a particular class or category of employee.

Context

Certain standards pertain only to a specific category of employee; e.g., sworn, civilian, part-time, full-time, etc. Where no differentiation is made, the agency should consider the standard as applying to all employees.

2.4 Standards including the following language, "If the agency . . .," or language of a similar nature, are only applicable if the agency performs the function governed by the standard.

Context

An example of this is found in standard 1.2.5, which states, "If the agency has a locker room, a written directive addresses privacy in the locker room, as required by §175.22, Wis. Stats." In this example, the standard is not applicable if the applicant agency does not have a locker room. In this, and other examples, however, Guiding Principle 1.3 or 1.4 could apply, if the agency utilizes services provided by another agency.

Section 3 – Written Directives

3.1 A written directive is defined as a policy, plan, procedure, rule, general or special order, or other document that is binding upon agency personnel.

Context

The intent of a written directive is to establish agency policy that will serve to ensure consistent performance or conduct of agency employees. In evaluating whether a document meets the definition of written directive, consideration should be given to whether the document satisfies the requirements established in standard 1.4.4.

3.2 A written directive may, but need not be, developed for each individual standard. Rather, a written directive may be used to demonstrate compliance with multiple standards.

Context

The format of the written directive system or manual is left to the agency. As such, some agencies may elect a format that corresponds to the numbering system utilized in the standards manual, while other agencies may prefer a format that utilizes directive topics or titles that encompass several standards.

3.3 A written directive serves as the foundation for, and presumes functional compliance with, the standard. This notwithstanding, while a written directive presumes functional compliance with the standard, compliance will not be established if a determination is made that the directive is not adhered to.

Context

Establishing functional compliance with the written directive requirement will involve more than merely verifying the existence of a directive. It will also involve verifying that the content of the directive satisfies the various conditions identified in the standard and that the directive is being followed within the agency.

3.4 A written directive, newly created or revised for the purpose of demonstrating compliance with a standard, is generally associated with an agency's first accreditation process or a new or substantially revised standard(s). Agencies seeking reaccreditation are expected to have a well established system of written directives, with those directives deemed necessary to demonstrate compliance in place for the entire accreditation period.

Context

These newly created or revised written directives, often referred to as a "wet ink" directives, will reflect recent implementation or revision dates. Directives that have been in place for a lengthy period of time are not considered "wet ink" simply because an agency is in its first accreditation process, and assessors may request proofs of compliance commensurate with the length of time the policy has been in effect, up to three years. It is also understood that assessors might request an agency make changes to a written directive to establish compliance. Such a change occurring during an onsite would also constitute "wet ink." Significant "wet ink" changes during a reaccreditation onsite may be considered by the Governing Board during deliberations regarding the agency's pending status.

Section 4 – Proofs of Compliance

4.1 An agency pursing accreditation for the first time is expected to provide functional proofs of compliance for each year the agency has been in self assessment, up to a maximum of three years, with the exception of newly created or revised written directives or procedures. In such cases, proofs will be required for each year that follows the implementation date of the newly created or revised written directive or procedure.

Context

It is understood that the self-assessment process may be ongoing virtually until the onsite assessment is scheduled. Assessors will have the discretion to waive the one year requirement associated with newly created or revised written directives or procedures, but shall note the prevalence of such discoveries in the final report. The Governing Board will consider the magnitude of the deficiencies during deliberations regarding the pending status of the agency.

4.2 An agency pursuing reaccreditation is expected to provide proofs demonstrating compliance in each of the years for which the agency was accredited (the typical accreditation period is three years). The three year period begins with the date the most recent accreditation award was granted and concludes with the current onsite assessment.

Context

The exception to this requirement relates to new or substantially revised standard(s) that may have been introduced during the agency's current accreditation period.

4.3 Missing proofs or gaps in compliance will be noted by the lead assessor in the final report to the Governing Board. The Board will consider the magnitude of the deficiencies during deliberations regarding the pending status of the agency.

Context

Gaps in compliance or missing proofs are occasionally found during onsite assessments and can be caused by various factors such as a change in accreditation manager or CEO. The Governing Board will consider, among other factors, whether the deficiencies are a result of oversight or neglect of program requirements.

4.4 Written documentation is the preferred proof of compliance, when it is available.

Context

This principle should not be construed in such a way that a document is created merely to show compliance. If adherence to the standards results in the creation of a written document, such a document should be used to demonstrate compliance. If no such document exists, it is the agency's prerogative to create a document to demonstrate compliance, though compliance can also be ascertained through observation and interview.

Section 5 – Assessors

5.1 An agency having achieved accredited status shall make personnel available to serve as WILEAG assessors. This contribution of assessors serves as an in-kind contribution for the assessor time committed during their on-site. The number of assessor commitments during a three-year accreditation period shall generally be equivalent to the number of assessors required to conduct the agency's triennial on-site assessment.

Context

The exchange of assessors between accredited agencies has long been a method used to ensure the cost of participating in the program remains reasonable. An agency may be exempt from this requirement if it can establish the requirement represents a substantial hardship on the organization. Such determination shall be made by the Governing Board.

5.2 Assessors conducting an onsite assessment on behalf of the Wisconsin Law Enforcement Accreditation Group are representatives of WILEAG. As such, their behavior reflects upon this organization. Assessors shall present and conduct themselves in a professional manner.

Context

While assessors are selected based on their professional experience and subject matter expertise related to the WILEAG standards, it is important to remember that it is the Governing Board's interpretation of the standards, not the personal interpretation of the assessor or the manner in which an issue is handled in his or her agency, which must prevail during the onsite assessment. An assessor may provide suggestions to the agency based upon his or her own experience and that of the police agency he or she represents.

5.3 Assessors may examine factors beyond the proofs of compliance offered by the agency in an effort to ascertain compliance.

Context

Assessors will routinely make observations and discover information during the onsite assessment that will help formulate a decision regarding agency compliance. For example, an assessor may review a written directive mandating seatbelt use by officers, and then casually observe an officer wearing a seatbelt while riding with the officer. This information can be used in making a compliance determination. Furthermore, should an assessor have doubts regarding compliance for any given standard after reviewing all proofs of compliance provided by the agency, the assessor should take steps to reach a conclusion, which may involve seeking additional proof beyond that offered by the agency.

5.4 Assessors may seek proof of compliance outside the agency.

Context

Assessors may seek input from citizens, colleagues in other law enforcement agencies, members of the court, representatives of other departments within the political subdivision, other partner organizations, etc., in an effort to establish compliance.

5.5 Upon conclusion of the onsite assessment, assessors must have verified compliance with every applicable standard.

Context

In the event compliance cannot be verified or achieved during a scheduled onsite, the team leader should notify a representative of the Governing Board as soon as practicable after reaching such a determination. The Governing Board representative will determine whether the onsite will continue and the manner in which the deficiency will be addressed by the Governing Board.

5.6 In the event a dispute arises between the assessor team and representatives of the agency, the team leader will attempt to mediate the situation, however, the authority to interpret standards, or suspend or terminate an onsite assessment, rests solely with the Governing Board.

Wisconsin Law Enforcement Accreditation Group

May 02, 2016

Chapter 1 – Organization and Management

Section #1 – Agency Role

1.1.1 Mission Statement

The agency has a written mission statement that defines the agency's role and is available to all personnel. The mission statement shall be reviewed at an interval determined by the chief executive officer of the agency, but not to exceed five years.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 2008

Section #2 – Employee Conduct

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: May 02, 2016 Last Updated: October 1, 2008

1.2.2 Code of Ethics

A written directive requires that all agency personnel abide by a code of ethics that is made available to all 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: May 02, 2016 Last Updated: December 10, 2012

1.2.3 Code of Conduct

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

Last Reviewed: May 02, 2016 Last Updated: October 1, 2008

1.2.4 Harassment in the Workplace

A written directive prohibits harassment in the workplace and 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.

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

1.2.5 Locker Room Privacy

If the agency has a locker room, a written directive addresses privacy in the locker room, as required by §175.22, Wis. Stats.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

Section #3 – Structure and Accountability

1.3.1 Organizational Structure

The organizational structure of the agency is described in a written directive 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: May 02, 2016 Last Updated: December 10, 2012

1.3.2 Division Responsibilities

The responsibilities of each operational component within the agency are set forth in a written directive and are updated as needed.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

1.3.3 Accountability for 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, while responsibility ultimately remains with the person doing the delegating, each person is accountable for his/her own actions and results.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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: May 02, 2016 Last Updated: October 1, 2008

1.3.5 Administrative Reporting Program

The agency has an administrative reporting program, which requires the preparation of periodic reports of agency activities.

Context

Examples of administrative reports might include daily, monthly, or annual reports of department activity; use of force reports, cash audits, property room audits or inspections, or other periodic reports required by WILEAG standards.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

1.3.6 Legal Advice

The agency has arrangements for securing legal advice through employment of a legal advisor or consultation with the office of its municipal attorney, county corporation counsel, the district attorney, or other legal advisor.

Last Reviewed: May 02,2016 Last Updated: May 02, 2016

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: May 02, 2016 Last Updated: October 1, 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 Normal day-to-day agency operations.

1.4.2.2 Exceptional situations.

1.4.2.3 Situations involving personnel of different organizational components engaged in a single operation.

1.4.2.4 Absence of the chief executive officer.

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: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 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, which includes, but is not limited to:

1.4.4.1 Authority of the chief executive officer 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 Assurance that all personnel read, acknowledge, and understand written directives upon issuance, and that subsequent to issuance, all directives are placed in a manual, either physical or electronic, that is available to all personnel.

1.4.4.6 Periodic review of all written directives at a minimal interval of three years.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #5 – Fiscal Management/Agency Owned Property

1.5.1 Purchasing

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

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

1.5.2 Accounting System

The agency has accounting and budget procedures which include 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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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, to include credits (cash 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 signatures by the CEO or other authorized personnel for expenses over a certain amount, as determined by the

agency.

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 A 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: May 02, 2016 Last Updated: December 10, 2012

1.5.4 Audits

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

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

1.5.5 Inventory Control

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

Context

The intent of this standard is to have agencies account for high value property or that requiring a high degree of control such as weapons, vehicles, etc.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #6 – Jurisdiction

1.6.1 Agency Jurisdiction

A written directive establishes the limits of the agency's jurisdiction, to include:

1.6.1.1 The geographic boundaries of the agency's territorial jurisdiction.

1.6.1.2 Guidelines for exercising extraterritorial jurisdiction, both on and off duty, as outlined in §175.40.

1.6.1.3 Agency responsibilities with respect to incidents involving concurrent jurisdiction.

Context

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

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

1.6.2 Mutual Aid

The agency has a plan for providing aid to other jurisdictions in unusual occurrence situations and special operations pursuant to formal mutual aid agreements and §66.0313, Wis. Stats.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

Section #7 – Law Enforcement Authority

1.7.1 Legal Authority

A written directive defines the legal authority and responsibilities vested in all sworn personnel.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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 is intended to prevent 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: May 02, 2016 Last Updated: December 10, 2012

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 in situations where the officer has reasonable suspicion 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 Search incident to arrest.

1.7.3.8 Search of persons on probation, parole, or extended supervision pursuant to Chapter 302, Wis. Stats.

1.7.3.9 Other authorized situations derived from federal or state constitutions, case law, or local/state statute; e.g., licensed premises inspections.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

1.7.4 Arrest Procedures

A written directive governs the procedures for all arrests, and shall include:

1.7.4.1 Arrest with a warrant.

1.7.4.2 Circumstances permitting a warrantless arrest.

1.7.4.3 Safeguard of arrestee rights.

1.7.4.4 Required reports.

1.7.4.5 Fingerprinting, photographing, and DNA collection requirements consistent with §§165.84(1) and 165.84(7)(ah), Wis. Stats.

Context

The directive should incorporate procedures imposed by the U.S. and Wisconsin Supreme Courts, Appellate Courts, and any legislation governing laws of arrest. It should be updated in a timely fashion so as to reflect new decisions that add to the body of law governing arrest.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

1.7.5 Alternatives to Arrest

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

Context

The directive 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: May 02, 2016 Last Updated: December 10, 2012

1.7.6 Use of Discretion

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

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

1.7.7 Strip Searches

A written directive establishes guidelines for conducting strip and body cavity searches in accordance with §968.255, Wis. Stats.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

1.7.8 Bias-Based Policing

A written directive prohibits bias based profiling or decisions by agency personnel, and includes the following:

1.7.8.1 A definition of bias based profiling, to include any law enforcement initiated action that relies upon common traits associated with belonging to a certain group; such as race, color, national origin, ancestry, religion, political affiliation, disability, marital status, ethnicity, gender, sexual orientation, economic status, age, cultural group, or any other identifiable characteristics.

1.7.8.2 Agency personnel may use common traits as outlined above in selecting whom they stop when a person matches the specific description of an individual who is suspected of engaging in criminal behavior.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

Section #8 – Contract Services

1.8.1 Contractual Services

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

Context

This standard relates to the provision or receipt of traditional law enforcement services; e.g., patrol, investigation, communication, etc. for which a fee is paid. It does not relate to agreements with commercial vendors; e.g., copy machine leases, towing services, etc. Additionally, this standard does not address extra-duty assignments.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #9 – Citizen Complaints

1.9.1 Agency Investigation of Citizen Complaints

A written directive requires that all complaints against the agency or its employees are investigated, and further specifies:

1.9.1.1 Complaints that are to be investigated by line supervisors.

1.9.1.2 Complaints that are to be investigated by the internal affairs function.

1.9.1.3 Complaints that are to be reviewed by the internal affairs function.

1.9.1.4 Written procedures for filing a complaint are made available to the public and include a prohibition against filing a false complaint as outlined in §§66.0511(3) and 946.66, Wis. Stats.

Context

The written directive should delineate 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 may be assigned to a line supervisor while situations involving complaints of criminal activity, civil rights violations, use of force, corruption or brutality would be handled by internal affairs.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

1.9.2 Responsible Individual or Position

A written directive identifies a position or individual (who may be the agency's chief executive officer) responsible for the internal affairs function.

Last Reviewed: May 02, 2016 Last Updated: October 1, 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, acknowledgment of receipt of the complaint, periodic progress updates on the investigation, and final disposition upon conclusion.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

1.9.4 Employee Notification

A written directive requires the agency to notify an employee in a timely manner that he or 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, including the right to representation as outlined in the Law Enforcement Officers' Bill of Rights, §164..02, Wis. Stats.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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 with limited, controlled access.

Context

Internal affairs records should generally be maintained within the unit, or by the person, responsible for the internal affairs function within the agency. These records should not be comingled with personnel records or stored in a centralized records system.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

1.9.6 Annual Review

The agency shall conduct an annual review of all complaints to determine any patterns, tendencies, etc. that may need to be addressed. The results of the annual review will be documented and forwarded to the CEO.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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 collective bargaining agreements as applicable to those bargaining units.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.1.2 Labor Agreements and Agency Policy

Upon final ratification of any agreement the agency will assure congruence between terms of the agreement and agency operating policies and procedures by:

2.1.2.1 Obtaining a copy of the finalized, executed labor agreement.

2.1.2.2 Making sure all policies/procedures are aligned with the terms of the labor agreement.

2.1.2.3 Communicating information regarding new/amended labor agreements 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.

Section #2 – Grievance Procedures

2.2.1 Grievance Procedure

Unless there is controlling contract language, a written directive governs grievance procedures. The directive 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 made by the grievant and responses and input from relevant parties. Decisions including denials, remedies or other corrections should be set forth in writing. Responsible persons at 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 a final disposition, according to agency procedures, protocols and timelines.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

2.2.2 Grievance Coordination and Control - §19.33

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

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #3 – Job Classifications

2.3.1 Personnel Responsibilities

The duties, 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 as needed and are available to all personnel.

Context

Each job, position or assignment within an agency has varying duties and responsibilities; therefore each should have its own written position description. Position descriptions should be updated when changes occur and all personnel should have ready access to them. The position descriptions can serve as part of the foundation for the compensation and performance review systems and as a reference for career planning.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

Section #4 – Compensation, Benefits and Conditions of Work

2.4.1 Compensation

All personnel shall have access to complete and current compensation information including, but not limited to the following:

2.4.1.1 Entry-level salaries and ranges for each rank or position.

2.4.1.2 Overtime and compensatory time policies.

2.4.1.3 Other factors such as, but not limited to, special skill or education pay and night, holiday and weekend differentials.

Last Reviewed: May 02 ,2016 Last Updated: December 10, 2012

2.4.2 Leave Policies

All personnel shall have access to complete and current information regarding all available paid and unpaid leave, including, but not limited to, administrative, holiday, sick and vacation leave, as well as other leaves including, but not limited to, military leave, jury duty, and family medical leave (FMLA – Family Medical Leave Act).

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.4.3 Insurance, Retirement and Other Benefits

All personnel shall have access to complete and current information regarding retirement programs, as well as insurance benefits, including, but not limited to, health, dental, life, disability and professional liability including indemnification provided by the agency. Other benefits might include, but not be limited to, career planning and employee assistance programs.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

2.4.4 Uniforms/Equipment

A written directive establishes standards regarding clothing and equipment used by employees in performing their official duties.

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. The directive should also detail prohibited items.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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: May 02, 2016 Last Updated: October 1, 2008

2.4.6 Physical Fitness

A written directive establishes 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 they perform and that do not eliminate or penalize employees who can otherwise perform the task of their assignment, with or without reasonable accommodation.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

2.4.7 Secondary Employment

If the agency permits personnel to engage in secondary employment, a written directive governs the type of employment permitted and includes the following:

2.4.7.1 Requirement that sworn personnel secure prior agency permission.

2.4.7.2 Permitted behavior and activities of officers.

2.4.7.3 An approval and a revocation process.

2.4.7.4 Required compliance with agency policies and processes.

2.4.7.5 Documentation of each officer's secondary 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, as well as that related to law enforcement duties, where the actual or potential use of law enforcement powers is anticipated. This would include employment with another law enforcement agency, security positions (in or out of uniform), traffic control for private parties and contracts through a law enforcement agency with private businesses, etc.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

Section #5 – Performance Evaluations

2.5.1 Annual Performance Evaluations

A written directive establishes a 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 focuses on that specific period of time. The system should be designed to promote consistency throughout the organization.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.5.2 Performance Evaluation Training

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

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.5.3 Sworn Probationary Employees

Minimally, the agency requires written performance evaluations on all sworn probationary employees on a quarterly basis. The evaluations may be done more frequently.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.5.4 Performance Evaluation Counseling

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

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 evaluation 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 in a timely manner as they arise, not solely reviewed during an annual (or other scheduled) performance evaluation.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.5.5 Required Signatures and Copies of Performance Evaluations

A written directive requires that each performance evaluation be reviewed and signed by the rater's supervisor and that employees being evaluated be given the opportunity to sign the completed evaluation and add written comments.

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 his or her evaluation, the supervisor who prepared the evaluation and reviewed its contents with the employee shall provide one to the employee.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.5.6 Contested Evaluation Reports

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

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 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(s) within the agency.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.6.2 Promotion Procedures

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

Last Reviewed: May 02, 2016 Last Updated: October 1, 2008

2.6.3 Announcement of Promotional Opportunities

The agency provides timely, agency-wide written notice of promotional opportunities. The notice shall include, but not be 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 and dates, times, and locations for all components of the promotional process.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

Section #7 – Part-Time Officers

2.7.1 Part-time Officers

Agencies that utilize part-time officers have a written directive that describes duties and responsibilities, delineates authority and discretion and 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 part-time personnel status.

Part-time officers shall be defined as any person employed by the state or any political subdivision of the state, in a capacity less than full-time, for the purpose of detecting and preventing crime and enforcing laws or ordinances, and who is authorized to make arrests for violations of the laws or ordinances the person is employed to enforce. Part-time officers shall have satisfied all requirements for certification by the Law Enforcement Standards Board.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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: May 02, 2016 Last Updated: October 1, 2008

2.7.3 Training for Newly Hired Part-time Officers

The agency requires that all part-time officers satisfactorily complete the Wisconsin law enforcement officer preparatory training or the Wisconsin Department of Justice, Training and Standards Bureau Reciprocity Examination, 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).

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.7.4 Field Training for Part-time Officers

The agency requires part-time officers to complete a field training program comparable to that of full-time officers. If the job description for a part-time officer limits or prohibits him or her from performing specific functions, training related to those functions is not required.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.7.5 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: May 02, 2016 Last Updated: October 1, 2008

2.7.6 Weapons/Use-of-Force Training for Part-time Officers

Part-time officers are held to the same weapons/use-of-force 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: May 02, 2016 Last Updated: May 02, 2016

2.7.7 Liability Protection of Part-time Officers

The agency provides liability insurance or indemnification for its part-time personnel while acting within their scope of authority.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #8 – Auxiliary Personnel

2.8.1 Auxiliary Personnel

If the agency utilizes auxiliary personnel, a written directive describes the auxiliary program, to include:

2.8.1.1	A statement establishing auxiliaries as non-sworn personnel.
2.8.1.2	An explanation of the duties and scope of authority of auxiliary personnel.
2.8.1.3	A requirement that uniforms, if worn, clearly distinguish auxiliary personnel from sworn officers.
2.8.1.4	A requirement that auxiliary personnel receive training related to their authorized and assigned duties.
2.8.1.5	Liability protection and indemnification for auxiliary personnel acting within the scope of their authority.

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.

Auxiliary personnel are defined as non-sworn personnel, uniformed or non-uniformed, who support the operational policing mission of the organization, and may include, but not be limited to, community service officers, police aides or cadets, code enforcement officers, parking enforcement personnel, police Explorers, and police volunteers.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

2.8.2 Reserve Police Officers

If the agency utilizes reserve police officers, a written directive describes the reserve police officer program, to include:

2.8.2.1	A description of the selection process for reserve police officers, which must satisfy all requirements for the hiring of police officers established by the Wisconsin Law Enforcement Standards Board. It is understood that the selection process for reserve police officers might vary from the selection process for full and part-time officers used by the agency.
2.8.2.2	An explanation of the duties and responsibilities, scope of authority, and supervision of reserve police officers.
2.8.2.3	A requirement that uniforms, if worn, clearly distinguish reserve police officers from full or part-time officers.
2.8.2.4	A requirement that reserve police officers receive training related to their authorized and assigned duties, as well as all training necessary to achieve and maintain their status as certified law enforcement officers.
2.8.2.5	Liability protection and indemnification for reserve police officers acting within the scope of their authority.

Context

Reserve police officers are defined as part-time, sworn personnel, uniformed or non-uniformed, who perform limited scope duties, such as court security, prisoner transport, cold-case investigations, etc. Unlike part-time officers, the primary role of reserve police officers shall not include detecting and preventing crime, responding to calls for service, enforcing laws or ordinances, or making arrests. The availability of reserve police officers does not permit their use to augment full or part-time sworn staff.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Chapter 3 – Recruitment/Selection

Section #1 – Recruitment

3.1.1 Equal Employment Opportunity

The agency has a written directive establishing guidelines that ensure equal employment opportunity (EEO) in recruiting, hiring, retaining and promoting employees.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

3.1.2 Job Announcements

The agency has a system for job announcements and recruiting that:

3.1.2.1 Provides a description of the duties, responsibilities, requisite skills,

educational level, and other minimum qualifications or requirements.

3.1.2.2 Advertises entry-level job vacancies through electronic, print, or other media.

3.1.2.3 Identifies the agency as an equal opportunity employer on all employment applications and recruitment advertisements.

3.1.2.4 Clearly spells out official application filing deadlines.

Context

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

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

Section #2 – Selection

3.2.1 Applicant Selection and Job Relatedness

A written directive establishes the criteria and processes for selection of personnel.

Context

The written directive should describe the selection process, to include any elements unique to particular positions. It should describe the sequence of events and address job relatedness, administration and scoring of various steps in the process. The directive should also address documentation, as it is critical to the effective administration, use, and defensibility of the selection criteria and process.

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: May 02, 2016 Last Updated: May 02, 2016

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: May 02, 2016 Last Updated: October 1, 2008

3.2.3 Background Investigations

A background investigation of each candidate for a sworn position is conducted prior to appointment to probationary status, and includes, at a minimum:

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 process. 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 case standardized documentation exists).

Whenever feasible, the investigation of candidates for sworn positions 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 remaining candidates.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

3.2.4 Pre-Employment Polygraph Exams

If the agency uses polygraph examinations in the selection process, they shall be conducted in accordance with §111.37(5)(bm), Wis. Stats. Additionally,

3.2.4.1 Candidates must be provided notice of the required polygraph exam at the time of their formal application. The notice must 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 must be conducted by a polygrapher trained in employment exam techniques.

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

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 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. The exam shall be at agency expense.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 2008

Section #2 – Disciplinary Procedures

4.2.1 Disciplinary System

A written directive establishes a disciplinary system that includes:

4.2.1.1 Criteria and procedures for the use of counseling and remedial training.

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 as outlined in Chapter 164, Wis. Stats., Law Enforcement Officers' Bill of Rights.

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: May 02, 2016 Last Updated: May 02, 2016

4.2.2 Supervisory Role and Authority

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

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

4.2.4 Disciplinary Records

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

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Chapter 5 – Management of Resistance/Aggression

Section #1 – Use of Force

5.1.1 Use of Force

The agency has a written directive governing the use of force, as required by §66.0511(2), Wis. Stats. The written directive shall include a requirement that personnel use only the force reasonably necessary to accomplish lawful objectives.

Context

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

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

5.1.2 Deadly Force

A written directive governs the use of deadly force, and includes:

5.1.2.1 Language that an officer may use deadly force as a last resort, in self defense or defense of another person, only when the officer reasonably believes he or she, or another person, is in imminent danger of death or great bodily harm.

5.1.2.2 A requirement that 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 deadly force by police to professional standards of the law enforcement community and in compliance with state law.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 2008

5.1.4 Use of Less Lethal Weapons

A written directive governs the use of less lethal weapons.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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

The purpose of this standard is to create a use-of-force reporting system within the agency to facilitate review and analysis of use of force incidents. The system should help identify trends, improve training, improve safety and maintain agency credibility.

Procedures should outline when, how and by whom 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: May 02, 2016 Last Updated: December 10, 2012

5.3.2 Post Use-of-Force Incident Review

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

Context

The review is designed to accomplish an administrative and legal review of officer actions.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

5.3.4 Annual Use-of-Force Analysis

The agency conducts a documented annual analysis of use-of-force incidents to identify trends that could reveal the need for training, equipment, or policy modifications.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Chapter 6 – Operations

Section #1 – Patrol

6.1.1 24-Hour Coverage

The agency has procedures for providing continuous patrol coverage which include 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: May 02, 2016 Last Updated: May 02, 2016

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.

6.1.2.1 Authorization, conditions and limitations for use in various situations.

6.1.2.2 Persons or positions authorized to operate the vehicle, vessel, or aircraft and its equipment, or perform canine or equine duties, including required qualifications and training.

6.1.2.3 A list of equipment to be kept in or on the vehicle, vessel, or aircraft.

6.1.2.4 The designation of a person or position responsible for the condition and maintenance of the vehicle, vessel, or aircraft and equipment, or care of the animal.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.1.3 Response to Routine and Emergency Calls

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

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.1.4 Vehicle Pursuits - §346.03(6)

A written directive establishes procedures governing pursuits of motor vehicles that incorporate the requirements of §346.03(6), Wis. Stats., and address or include the following:

6.1.4.1 Evaluation of the current situation and preceding events.

6.1.4.2 Authority, responsibility and role of the officer initiating the pursuit, back up units, supervisory personnel and dispatchers.

6.1.4.3 Guidance on use of marked, unmarked, or other types of police vehicles in the pursuit.

6.1.4.4 Guidance on use of roadblocks and other forcible means of stopping a fleeing vehicle.

6.1.4.5 Criteria for mandated and voluntary termination of pursuit.

6.1.4.6 Guidance for inter-agency pursuits involving agency personnel who initiate a pursuit that leaves the jurisdiction, as well as requests for assistance by another agency in pursuit within or out of its jurisdiction.

6.1.4.7 Incident documentation, administrative review, and/or annual state reporting requirements.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

6.1.5 Missing Adult Investigations

A written directive governs procedures regarding the handling of missing adult cases and addresses the following:

6.1.5.1 Information to be gathered including a description of the missing person.

6.1.5.2 Entry and removal of the person's information in criminal justice information systems.

6.1.5.3 Follow up investigation.

6.1.5.4 Procedures for persons with Alzheimer's, mental health issues, drug dependencies, or any other at-risk adult persons, to include, as appropriate, the use of the Wisconsin Silver Alert program.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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: May 02, 2016 Last Updated: October 1, 2008

6.1.7 Availability of Body Armor

The agency makes protective vests available for all sworn personnel and has a written directive establishing guidelines for wearing protective vests, to include requiring the wearing of protective vests in high risk situations. The directive should also address the purchase and replacement of protective vests.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

6.1.8 Anatomical Gifts

A written directive requires officers to make a determination of prospective donors of anatomical gifts, or those who have refused such a donation, as outlined in §157.06(12), Wis. Stats.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.1.9 Mobile/Wearable Video Recorders

If the agency utilizes mobile or wearable video or audio recording systems, a written directive establishes guidelines for the following:

6.1.9.1 Circumstances requiring system activation/deactivation.

6.1.9.2 Data security and access.

6.1.9.3 Data storage and retention.

Context

The written directive should provide clear guidelines to personnel regarding the use of this equipment, address how the data will be used by the department, and distinguish between general data retention and that which has evidentiary value.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

6.1.10 Emergency Detentions

A written directive establishes procedures for conducting emergency detentions as authorized by Chapters 51 and 55, Wis. Stats.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

6.1.11 Criminal Trespass to Dwellings

A written directive establishes procedures regarding the investigation of complaints alleging a violation of §943.14, Wis. Stats., Criminal trespass to dwellings, which shall, minimally, require an officer who has probable cause to arrest a person for a violation of §943.14 to remove the person from the dwelling.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #2 – Traffic

6.2.1 Traffic Law Enforcement

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

Last Reviewed: May 02, 2016 Last Updated: October 1, 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, foreign diplomats and consulate officers.

6.2.2.4 Military personnel.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 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 Non-hazardous violations.

6.2.4.3 Operating while revoked or suspended.

6.2.4.4 Vehicle equipment violations.

6.2.4.5 Public carrier/commercial vehicle violations.

6.2.4.6 Multiple violations.

6.2.4.7 Off-road vehicle violations.

6.2.4.8 Newly enacted laws and/or regulations.

6.2.4.9 Violations resulting in traffic crashes.

6.2.4.10 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 department philosophy and the officer's training, experience, judgment 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: May 02, 2016 Last Updated: December 10, 2012

6.2.5 Traffic Stops and Approach to Violator's Vehicle

A written directive requires the agency to have procedures for stopping and approaching vehicles, to include:

6.2.5.1 Approach contacts.

6.2.5.2 Non-approach contacts.

6.2.5.3 High-risk contacts.

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, to include approach procedures, requirements for selecting a stop location, and calling in traffic stop information.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

6.2.6 Impairment Due to Alcohol and/or Drugs

A written directive establishes procedures that govern enforcement action relative to persons operating a motor vehicle while impaired due to alcohol and/or drugs, and, minimally, addresses the following:

6.2.6.1 The proper administration of standard field sobriety tests.

6.2.6.2 The safe transportation of the impaired arrestee.

6.2.6.3 The proper administration of chemical tests to determine intoxication or impairment.

6.2.6.4 The incarceration or release to a responsible third party.

6.2.6.5 Disposition of the arrestee's vehicle.

6.2.6.6 Other practices consistent with applicable statutes.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.2.8 Crash Scene Procedures

A written directive requires the agency to specify crash scene responsibilities for responding officers to include:

6.2.8.1 The role of the primary investigator at the scene.

6.2.8.2 Tending to injured persons.

6.2.8.3 Safety hazards.

6.2.8.4 Gathering information.

6.2.8.5 Protection of the crash scene.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.2.9 Traffic Direction and Control Function

A written directive establishes the agency's policy or procedure for traffic direction and control functions, to include wearing high visibility clothing when involved with traffic direction and control.

Context

Reflective clothing should minimally adhere to ANSI II standards for high visibility safety apparel.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

6.2.10 Escort Services – §346.215

A written directive requires that the agency has procedures for law enforcement escort services, to include:

6.2.10.1 Escorts for dignitaries, convoys, parades, funeral, and oversized vehicles.

6.2.10.2 Civilian vehicle escorts in medical emergencies.

Context

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: May 02, 2016 Last Updated: May 02, 2016

6.2.11 Roadblocks and Forcible Stopping Techniques

A written directive requires the agency to regulate the use of roadblocks and forcible stopping techniques, specifies procedures for implementation, and includes, at a minimum:

6.2.11.1 Circumstances justifying the use of roadblocks or forcible stopping techniques.

6.2.11.2 Authority and responsibility for implementing and canceling a roadblock or forcible stopping technique and on-scene coordination of personnel.

6.2.11.3 Types of roadblocks or forcible stopping techniques permitted, such as moving, fixed, vehicle disabling tire deflation devices, ramming, etc.

6.2.11.4 Training on proper use of equipment and techniques.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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: May 02, 2016 Last Updated: October, 1st, 2008

6.2.13 Hazardous Highway Conditions

A written directive establishes agency procedures for taking action or notifying the proper authority to correct hazardous highway conditions.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.2.14 Abandoned Vehicles

A written directive establishes procedures for the handling of abandoned vehicles and the removal and towing of vehicles from public and private property, to include:

6.2.14.1 Noting the date, time and place towed from and name of towing service and impoundment location.

6.2.14.2 Reason for removal or tow and pending charges, if any.

6.2.14.3 Notification or attempted notification of the registered owner.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #3 – Criminal Investigations

6.3.1 Investigative Coverage

The agency has a system that ensures investigative coverage is always available, either through on-duty personnel, off-duty personnel, or an outside agency.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

6.3.2 Case File Management

A written directive requires a system of case file management for the criminal investigation function, which addresses:

6.3.2.1 A case status and control system.

6.3.2.2 Administrative designators for each case.

6.3.2.3 Form and substance of records to be maintained.

6.2.2.4 File access and purging guidelines.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.3.3 Preliminary Investigations

A written directive establishes procedures for conducting preliminary investigations, to include:

6.3.3.1 Observing and recording conditions, events, and remarks.

6.3.3.2 Identifying, locating, and interviewing complainants, witnesses, and suspects.

6.3.3.3 Providing crime scene security and arranging for the collection of evidence.

6.3.3.4 Preparing required reports.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.3.4 Follow-up Investigations

A written directive establishes procedures for conducting follow-up investigations, to include:

6.3.4.1 Reviewing reports prepared during the preliminary investigation.

6.3.4.2 Conducting additional interviews and interrogations.

6.3.4.3 Gathering additional information from officers, other agencies, electronic databases, informants, etc.

6.3.4.4 Conducting surveillance.

6.3.4.5 Disseminating information to other officers.

6.3.4.6 Obtaining search warrants and planning and executing searches.

6.3.4.7 Collecting additional evidence.

6.3.4.8 Identifying and apprehending suspects and determining their involvement in other crimes.

6.3.4.9 Preparing required reports.

6.3.4.10 Preparing cases for court presentation and assisting with prosecution.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.3.5 Informants

If used, a written directive requires the agency to have policies and procedures governing the use of informants. The directive shall address the following:

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

6.3.5.2 Precautions to be taken with informants, including 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 the 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, criminal history and driving record.

6.3.5.7 Contact officer information and code name or number linked to that informant.

6.3.5.8 Maintenance and security of individual informant files.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.3.6 Adult Custodial Interrogation

A written directive requires the agency to have procedures governing adult custodial interrogations, to include electronic recording for suspects arrested for a felony in conformity with § 968.073(2) Wis. Stats.

Context

A model policy regarding Recording of Custodial Interviews is available on Wilenet.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.3.7 Eyewitness Identification

A written directive specifies the procedures to be followed when using an eyewitness to identify a suspect by viewing the suspect in person or by viewing a representation of the suspect, as required by §175.50(2), Wis. Stats.

Context

A model policy regarding Procedures for Eyewitness Identification is available on Wilenet.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.3.8 Officer Involved Critical Incidents

A written directive establishes procedures for the agency's response to an officer involved critical incident, including investigation and administrative review of the incident. The directive shall address:

6.3.8.1	Separation of the criminal investigation and administrative review.
6.3.8.2	Responsibility for the criminal investigation and administrative review.
6.3.8.3	Adherence to guidelines outlined in §175.47, Wis. Stats., in the event the critical incident involves the death of an individual from an act or omission of an officer, or is likely to result in death.
6.3.8.4	Protection of the officer's legal rights and psychological well being.
6.3.8.5	Removal from, and return to, full duty for the involved officer.
6.3.8.6	Timely notification of the officer's family, to include procedures for when the officer is seriously injured or killed.
6.3.8.7	Post incident procedures such as critical incident stress debriefing and post-traumatic stress.

Context

For the purpose of this standard, an officer involved critical incident is an incident involving the death of, or serious injury to, a person resulting from the action or involvement of an officer while on duty or while off duty but performing activities that are within the scope of his or her law enforcement duties.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

6.3.9 Domestic Abuse

A written directive establishes agency procedures for handling domestic abuse incidents to conform to requirements of §968.075(3), Wis. Stats., and include:

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	Informing the victim of the availability of shelters and services in the community, the availability of legal rights and remedies, and the right to contact a domestic violence victim service provider to create a personal safety plan.
6.3.9.5	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.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

6.3.10 Officer Involved Domestic Violence

A written directive establishes agency procedures for handling officer-involved domestic abuse incidents, and includes:

6.3.10.1 Early intervention and education efforts.

6.3.10.2 Incident response guidelines, to include seizing and removing agency-issued weapons from an involved officer.

6.3.10.3 Victim safety and protection measures.

6.3.10.4 Procedures for post-incident administrative and criminal decisions.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

6.3.11 Prescription Drug Monitoring Program

A written directive establishes the agency's requirement to report controlled-substance violations, opioid-related drug overdoses or deaths, and reports of stolen prescription drugs to the prescription drug monitoring program, as outlined in §961.37, Wis. Stats.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #4 – Criminal Intelligence and Information Sharing

6.4.1 Criminal Intelligence and Information Sharing

A written directive establishes procedures for the collection, processing, utilization, dissemination and purging of intelligence information, to include:

6.4.1.1 Limiting intelligence information to that which pertains to criminal conduct or activities that present a threat to the community.

6.4.1.2 Ensuring safeguards for the security and storage of intelligence information separate from other records.

6.4.1.3 Establishing responsibility for the management of intelligence information.

Context

The criminal intelligence function relates to the collection, analysis, and dissemination of information that enables members of the organization or other law enforcement agencies to identify, investigate, deter, or solve criminal activity. In a larger organization, this function may be performed by a designated person or unit, while in a smaller organization; it may simply involve procedures that enable the sharing of pertinent information between shifts or organizational units. Intelligence information is often sensitive or confidential in nature, requiring additional security and separate storage from other agency records.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 2008

6.5.2 Event Deconfliction Systems

If the agency participates in a formal event deconfliction system, a written directive establishes guidelines regarding its use.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #6 – Juvenile Procedures

6.6.1 Juvenile Operations

A written directive describes the agency's juvenile function, to include responsibility for juvenile operations.

Last Reviewed: June 27, 2016 Last Updated: June 27, 2016

6.6.2 Juvenile Offenders

A written directive establishes that the agency requires officers to use the least restrictive 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 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: May 02, 2016 Last Updated: December 10, 2012

6.6.3 Juveniles in Custody

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

6.6.3.1 Type of offense.

6.6.3.2 Threat of harm or danger to, or by, the 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 Assurance that a juvenile status offender will not be held in a secure setting, to include municipal lockups, temporary detention areas, or securing to an immovable object.

6.6.3.6 Notification of parents/guardians that their child has been taken into custody.

Context

Further information on taking juveniles into custody can be found in the State of Wisconsin Compliance Manual for Implementing the Core Requirements of the Juvenile Justice and Delinquency Prevention Act of 2002, located at www.wilenet.org.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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 Mandatory electronic recording of custodial interviews.

6.6.4.2 Contact with parents or guardians.

6.6.4.3 Duration of interrogation and the number of officers involved in the interrogation.

Context

A model policy regarding recording of custodial interviews is available on Wilenet.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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, and 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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

6.6.6 Relinquishing Custody of Newborns

A written directive establishes procedures for taking custody of a newborn child in accordance with §48.195, Wis. Stats.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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

A written directive establishes an officer's role as a mandatory reporter of actual or suspected child abuse or neglect, as required by §48.981(2)(a)29, Wis. Stats., and specifies the type of reports of suspected or threatened abuse, as defined in §48.02(1)(b) to (f), Wis. Stats., that the department will routinely refer to the district attorney for criminal prosecution.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

Chapter 7 – Transport, Processing, and Temporary Confinement of Detainees

Context

For the purpose of complying with Chapter 7, the following definitions shall apply:

1. Confinement (temporary) – means placing a person who has been arrested and is awaiting an initial appearance in court or posting of bond in a cell or holding room of a municipal lockup or jail.

2. Constant Supervision – as used in Section 7.2, means that during the period of contact with the detainee, an officer remains in close proximity to the detainee at all times and immediately attentive to the detainee's needs and condition. It does not imply uninterrupted visual observation of the detainee.

3. Detainee – means a person transported to the law enforcement facility by an officer or who arrives at a law enforcement facility voluntarily and is subsequently taken into custody, and one of the following conditions apply:
   a. A person arrested pursuant to §968.07, Wis. Stats.
   b. A juvenile taken into custody pursuant to §938.19, Wis. Stats.
   c. A person arrested pursuant to §§345.21 or 345.22, Wis. Stats.
   d. A person arrested pursuant to §800.02(5) or (6), Wis. Stats.
   e. A person otherwise arrested or lawfully detained or taken into custody and not free to leave.

4. Detainee Processing – means the completion of various tasks associated with the detention that must be performed prior to transfer to a municipal lockup or jail or eventual release. These tasks might include identification; investigation; interview/interrogation; performance of standardized field sobriety or chemical tests; collection of evidence from the detainee; booking activities, such as the collection of fingerprints, photographs, or DNA samples; release to a responsible adult/parent; etc. Detainee processing can occur within a municipal lockup or jail, or in other areas of a law enforcement facility outside the secure perimeter of a lockup or jail.

5. Jail – means a place of confinement operated by a sheriff for the purposes listed in §302.31, Wis. Stats., and governed by Department of Corrections Administrative Code Chapter 350. For the purposes of Chapter 7, Transport, Processing, and Temporary Confinement of Detainees, a jail can be considered a destination for detainees following the completion of processing, however, **Section 7.3 does not apply to jails**, since the temporary confinement of persons under arrest before being brought before a court or posting bond is but one of many functions of a jail as outlined in §302.31, Wis. Stats. The full extent of jail operations, including temporary confinement, is beyond the scope of these standards and more appropriately governed by Department of Corrections Administrative Code Chapter 350.

6. Municipal Lockup – means a facility within a police station that is used for the temporary confinement of persons under arrest until they can be brought before a court or post bond.

7. Temporary Detention – as used in Chapter 7, means securing a detainee in a locked room or to a fixed object outside of the secure perimeter of a municipal lockup or jail, without constant supervision of the detainee.

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

7.1.1 Search of Detainees

A written directive requires that transporting officers search all detainees before being transported. The agency will ensure compliance with the requirements of §968.256, Wis. Stats., governing the search of a physically disabled person.

Context

The transporting officer is responsible for the safety of the public, other law enforcement personnel, and the detainee. Detainees should be searched/re-searched each time there is transfer of custody, including medical visits or court appearances.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.1.2 Search of Transport Vehicles

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

7.1.2.1 At the beginning of each shift, for mechanical condition, damage, required equipment, weapons, contraband, and/or personal effects.

7.1.2.2 Immediately before and after transporting a detainee for weapons or contraband.

Context

Pre-use inspection helps to ensure the vehicle is fit for use and is clear of weapons, contraband or personal effects. While the written directive requires inspection prior to loading a detainee, 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 detainee to ensure it is clear of weapons, contraband or personal effects, and 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 the vehicle is in good operating condition and properly equipped with basic items, as well as special items as indicated by the circumstances.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.1.3 Placement of Detainees and Officers in Vehicle

A written directive requires prescribed seating arrangements in the vehicle based on the number of detainees and transporting officers, and addresses transports of opposite sex detainees.

Context

Detainees should be observable at all times and secured using appropriate personal and vehicle restraint systems to minimize the chance for escape, attack of the transporting officer, or injury to the detainee. The detainee should be as comfortable as possible, commensurate with the demands of the trip being made.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.1.4 Limitation of Communications by Detainees

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

Context

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

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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 detainee custody.

7.1.5.4 Alerting receiving authority to unusual security threats or medical issues.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.1.6 Escape

A written directive requires officers to perform the following in the event of a detainee 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.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.1.7 Unusual Security Risks

A written directive requires notification of the destination agency or court when a detainee 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: May 02, 2016 Last Updated: May 02, 2016

7.1.8 Transport of Detainees with Special Needs

A written directive establishes procedures for transporting sick, injured, or disabled detainees.

Context

Improper restraint of sick, injured, or disabled detainees during transport can pose elevated risk of injury to the detainee or transporting officers, as well as elevated escape risk. Agency policy should prescribe when, how, and with what types of devices such detainees are to be restrained, and how particular restraining devices are to be used. The policy should prohibit practices that could lead to injury, exacerbate pre-existing problems or cause death.

If a detainee 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.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.1.9 Medical Care

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

Context

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

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

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

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

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

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #2 –Processing and Temporary Detention

7.2.1 Detainee Process Areas

A written directive identifies rooms within the law enforcement facility outside the secure perimeter of a lockup or jail, which may be used for the processing, testing, or interview/ interrogation of detainees, or the temporary detention of such persons pending their release or transfer to a municipal lockup or jail. If the agency elects to conduct all detainee processing within the secure perimeter of a lockup or jail, the written directive must clearly establish that detainee processing in other areas of the facility is prohibited.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.2.2 Security During Detainee Processing and Temporary Detention

A written directive establishes guidelines for security during detainee processing and temporary detention, to include:

7.2.2.1 Weapons security in processing and detention areas.

7.2.2.2 Search of detainees and area used for processing.

7.2.2.3 Limitations on access to the area in which detainees are being processed.

7.2.2.4 Alarm systems, if any.

7.2.2.5 Escape prevention.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.2.3 Supervision of Detainees

A written directive requires a detainee be under constant supervision during processing, testing, and/or interview/interrogation. Absent exceptional circumstances, a detainee may not be held more than two hours following the conclusion of processing, testing, and/or interview/ interrogation before being transferred to a municipal lockup or jail, and must be under constant supervision during this period of time, unless temporarily detained according to 7.2.4, below.

Context

The agency may disregard the constant supervision requirement following processing, testing, and/or interview/interrogation by showing the detainee is held in accordance with Section 7.2.4, below, or Section 7.3, Temporary Confinement of Detainees.

Last Reviewed: May 02, 2016 Last Updated: May 02,2016

7.2.4 Temporary Detention Procedures

If, upon conclusion of processing, testing, and/or interview/interrogation, the agency permits the temporary detention of detainees, without constant supervision, in an area other than a municipal lockup or jail, that area must be designed for the purpose of temporary detention. Furthermore, a written directive shall establish guidelines for the practice, to include, at a minimum:

7.2.4.1 Completion of an intake form on each detainee as outlined in 7.3.9.

7.2.4.2 Security inspection for weapons, contraband, and overall condition prior to the use of a temporary detention room and immediately after the room is vacated.

7.2.4.3 In-person, visual monitoring of detainees at 15 minute intervals.

7.2.4.4 Maintenance of observation logs documenting the visual monitoring activities required by 7.2.4.3.

7.2.4.5 Visual and auditory separation of adult and juvenile detainees.

7.2.4.6 Absent exceptional circumstances, a period of temporary detention of no more than two hours.

7.2.4.7 Personnel in direct, continuing contact with detainees require training covering the practice of temporary detention.

Context

Temporary detention of detainees outside of a municipal lockup or jail creates the same concerns as those associated with temporary confinement in either of the two aforementioned facilities. Unlike a municipal lockup or jail, however, such detention is not regulated by the Department of Corrections. As such, the temporary detention requirements of this standard and subsequent standards in this section are designed to regulate temporary detention outside of a municipal lockup or jail in a manner similar to those facilities.

In 7.2.4.3, in-person, visual monitoring cannot be replaced by video monitoring.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.2.5 Securing to Immovable Objects

A written directive addresses securing detainees to immovable objects. If the agency permits securing detainees to immovable objects, the object must be designed and intended for such use.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.2.6 Detainee Amenities

A written directive requires the agency to make certain amenities available to detainees, to include access to water, restrooms, and other needs.

Context

While these amenities are not required to be directly in the areas utilized for detainee processing or temporary detention, agency staff must ensure they are available in a timely manner.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.2.7 Detainee Evacuation Plan

The agency has a plan for fire prevention and fire suppression, as well as emergency evacuation, which covers areas designated for detainee processing and temporary detention.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #3 – Temporary Confinement of Detainees in a Municipal Lockup

7.3.1 Municipal Lockups

If the agency operates a municipal lockup, a written directive identifies the specific areas within the law enforcement facility used for the temporary confinement of detainees before being brought before a court or released on bond.

Context

This section applies to agencies that maintain a lockup facility, as defined by Department of Corrections Administrative Code Chapter 349. The DOC defines "lockup facility" or "lockup" as a temporary place of detention within a police station which is used exclusively for confinement of persons under arrest before those persons are brought before a court or post bond. It is presumed that detainees not expeditiously released or transferred to a correctional facility following processing, testing, and/or interview/interrogation are being confined according to DOC 349 and the facility in which they are confined constitutes a lockup facility.

This section does not apply to jails, since the temporary confinement of persons under arrest before those persons are brought before a court or post bond is but one of many uses of a jail as outlined in §302.31, Wis. Stats. As such, the full extent of jail operations is beyond the scope of these standards and more appropriately governed by Department of Corrections Administrative Code Chapter 350.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.3.2 Operations Training

A written directive requires personnel to be trained on the general operation of the lockup facility, including fire safety, first aid, suicide prevention, and other topics deemed necessary by the agency or the Department of Corrections, 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 lockup facility or jail specific to their role.

Fire safety 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: May 02, 2016 Last Updated: May 02, 2016

7.3.3 Annual Inspection

The lockup facility is inspected and approved by the Department of Corrections on an annual basis.

Context

The annual inspection by the Department of Corrections ensures compliance with critical requirements, such as:

- Compliance with lighting and HVAC requirements.
- Access to toilets and drinking water.
- Access to a wash basin or shower, a bed, and clean, fire retardant bedding for detainees held in excess of 8 hours.
- Presence of an automated fire alarm system.
- Presence of a heat and smoke detection system.
- Presence of approved fire suppression equipment.
- Presence of 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.
- Presence of a conspicuously posted evacuation route.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.3.4 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 lockup facility. There may be an exception permitted in emergencies, if spelled out in the procedure.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.3.5 Cell 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, and an additional search immediately upon the cell 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: May 02, 2016 Last Updated: May 02, 2016

7.3.6 Tools/Culinary Control

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

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: May 02, 2016 Last Updated: May 02, 2016

7.3.7 Emergency Control Point

The agency has a system in the lockup 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 apprise staff of emergency needs.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.3.8 Detainee Search and Identification

A written directive requires the detainee be positively identified and searched prior to being confined in the lockup facility, and includes:

7.3.8.1 A process to positively identify the detainee.

7.3.8.2 A physical inventory search of the detainee prior to entry to the lockup facility.

Context

The agency should clearly specify the types and scope of searches to be conducted. The directive should be consistent with current legal standards governing strip searches and body cavity searches (see 1.7.7).

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.3.9 Intake Forms

A written directive requires that a booking intake form be completed on every detainee placed in the lockup facility. At a minimum, the form should capture the following information:

7.3.9.1 Reason for detention.

7.3.9.2 Current physical and mental health of the detainee, to include any suicidal thoughts or past attempts.

7.3.9.3 Medications (prescriptions and over the counter) taken by detainee.

7.3.9.4 Behavior, including state of consciousness and mental acuity.

7.3.9.5 Physical impairments, deformities, trauma markings, bruises, lesions, jaundice,

mobility issues, injuries (treated or untreated) etc.

7.3.9.6 Inventory of property taken from a detainee and maintained in secure storage while in the lockup facility, to include disposition of detainee property upon release.

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.

The written directive should specify 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 lockup facility should keep a copy of all property receipts.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.3.10 Separation of Adults and Juveniles

The agency requires that adults and juveniles confined in the lockup facility have visual and auditory separation.

Context

Commingling of adults and juveniles, 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: May 02, 2016 Last Updated: May 02, 2016

7.3.11 Special Circumstances Detainees §349.12(1)

A written directive requires procedures for confinement of inmates who have been identified by lockup staff as having a special problem, such as mental disturbance, a suicidal tendency, severe impairment by alcohol or other drugs, severe alcohol or drug withdrawal, or who are otherwise violent or self-destructive.

7.3.11.1	These procedures shall include the requirement that areas occupied by such inmates shall be physically inspected at least once every 15 minutes.
7.3.11.2	Each inspection conducted according to 7.3.11.1 shall be recorded in the lockup log, including the time of the inspection and the inspecting staff member's initials.

Context

Detainees exhibiting signs as noted can pose additional challenges since lockup 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: May 02, 2016 Last Updated: May 02, 2016

7.3.12 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 confinement, as well as confirmation of the person's authority to make the commitment.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.3.13 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 lockup 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 lockup facility requirements.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.3.14 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: May 02, 2016 Last Updated: May 02, 2016

7.3.15 Medical Assistance Procedures

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

Context

This standard is designed to help staff respond appropriately and immediately to 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: May 02, 2016 Last Updated: May 02, 2016

7.3.16 First-Aid Kit

The agency has a properly stocked first aid kit available inside the lockup facility and it is inspected weekly.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.3.17 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: May 02, 2016 Last Updated: May 02, 2016

7.3.18 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.

Context

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

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: May 02, 2016 Last Updated: May 02, 2016

7.3.19 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: May 02, 2016 Last Updated: May 02, 2016

7.3.20 Mail

A written directive regulates detainee mail and/or packages. This may include a complete prohibition on all in-bound mail/packages. If mail or packages are allowed, the written directive shall address the following:

7.3.20.1 Procedures for accepting and inspecting items.

7.3.20.2 A listing of items that are prohibited.

7.3.20.3 Documentation of received/rejected items.

7.3.20.4 Distribution to and obtaining a receipt from the detainee.

Context

Detainee-held property poses hazards and problems that lockup 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 lockup facility, staff and detainees.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

7.3.21 Visitors

A written directive regulates visitation of detainees.

Context

Temporary confinement settings, 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 lockup 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 temporary confinement area and taken to another location for the meeting. The detainee should be carefully searched before leaving and re-entering the temporary confinement facility consistent with agency search and inventory procedures.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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 News releases and news conferences.

8.1.1.3 Release of information about victims, witnesses, and suspects, as well as confidential agency investigations and operations.

8.1.1.4 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, when required.

Protocols should exist for routine and exigent circumstances, including the absence of the CEO and/or designated public information officer. In those cases, all information released should be forwarded to the CEO/PIO as soon as practicable.

A comprehensive policy should govern 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, statement, or contents thereof, made by the suspect, or his/her failure/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: May 02, 2016 Last Updated: May 02, 2016

8.1.2 Media Access

A written directive governs the access of media representatives, including photographers, in the following situations:

8.1.2.1 At the scene of major events such as fires, natural disasters, or other catastrophes.

8.1.2.2 Inside the perimeter of a crime scene.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 2008

9.1.3 Emergency Calls for Service by Telephone

The agency provides 24-hour, toll-free access for emergency calls for service or other area-wide, single police emergency numbers, such as 911.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

9.1.4 Continuous Communications with On-Duty Officers

The agency has continuous communication between the communications center and officers on duty.

Context

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: December 10, 2012

9.1.6 Radio Communications To and From Field Personnel

A written directive governs 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: May 02, 2016 Last Updated: December 10, 2012

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) of 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: May 02, 2016 Last Updated: May 02, 2016

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

9.1.9 Criminal Justice Information Systems

The agency utilizes local, state, and federal criminal justice information systems.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

9.1.10 Inter-Jurisdictional Communications

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: May 02, 2016 Last Updated: December 10, 2012

9.1.11 Misdirected Emergency Calls

A written directive requires prompt handling and appropriate routing of misdirected emergency calls.

Last Reviewed: May 02, 2016 Last Updated: October 1, 2008

9.1.12 Private Security Alarms

A written directive requires procedures for monitoring and responding to private security alarms.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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 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: May 02, 2016 Last Updated: December 10, 2012

9.1.14 Communications Center Security

The agency employs security measures for the communications center 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 can include a combination of physical design features (location and 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: May 02, 2016 Last Updated: December 10, 2012

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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 include, at a minimum:

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 agency files, to include access limitations.

Context

§48.396 and §938.396, Wis. Stats., require records of juveniles to be kept separate from records of adults. The records system should distinguish between adult and juvenile criminal records. If the agency specifically identifies juvenile records and adult records to prevent unauthorized access and release they will be in compliance with this standard. This identification may include special marking of juvenile records, computer files that are marked and/or access restricted, or files that are physically separated. (WILEAG interpretation – 03/29/1999)

The agency should have procedures in place for access, security, and release of records.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

10.1.2 Access to Records by Personnel

The agency ensures that central records information is available to operations personnel at all times.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

10.1.3 Field Reports

A written directive establishes 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 Information required.

10.1.3.4 Procedures, including timelines for completion and submission of reports.

Context

The agency should adopt forms to standardize field reporting. The reports should be 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 should address both paper and electronic reporting.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

10.1.5 Case Numbering System

A written directive requires the agency to use a case numbering system with 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: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 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: May 02, 2016 Last Updated: October 1, 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 assigned to officers or blocks of electronic citations loaded onto an electronic device.

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. This may be accounted for through the BadgerTraCS software or other paperless accounting systems.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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).

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

10.1.10 Warrant and Wanted Person Files

A written directive requires the agency to have a system governing warrant and wanted persons files, to include:

10.1.10.1 Entry of locally generated information in agency files and regional, state, and federal information systems.

10.1.10.2 Receipt and entry of information from other jurisdictions.

10.1.10.3 Verification of information.

10.1.10.4 Cancellation of information.

10.1.10.5 Requirement for 24-hour access to the agency's warrant and wanted person information.

Context

The system is intended to ensure such records are current and immediately accessible to all agency personnel.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

Section #2 – Release of Records

10.2.1 Open Records

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).

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

10.2.2 Records Retention

A written directive establishes a records retention schedule and procedures for the destruction of public records that are in conformance with §19.21, Wis. Stats

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

11.1.2 Evidence Collection

A written directive establishes guidelines and procedures for the collection, processing, and preservation of physical evidence.

Context

To sustain a successful prosecution, agency personnel must utilize acceptable methods for field and lab processing of potential evidence, including maintenance of the chain of custody 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: May 02, 2016 Last Updated: May 02, 2016

11.1.3 Photographic Evidence

A written directive establishes procedures for photography and video recording as part of the evidence collection process. The directive should specify the type of information to be captured by photography or video recording, as well as guidelines for storing the images.

Context

Photographs and/or video recordings are critically important as evidence. When possible, they should be taken by a trained photographer.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

11.1.4 Fingerprint Processing

A written directive governs the processing, developing, lifting, labeling and storage of all fingerprints collected as evidence.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

11.1.5 DNA (Deoxyribonucleic acid) Evidence

A written directive establishes procedures for collection of 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.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

11.1.6 Computer/Electronic Evidence

A written directive establishes procedures for the evidentiary collection of computers 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/electronic evidence.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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

Documentation should include the date and time of transfer, the name of the person transferring the property, the name/title/agency of the person receiving the property, the laboratory name and location (if applicable), the reason for the transfer, whether any processing is required, and a brief synopsis of the case.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

11.1.8 Transmittal of Evidence to a Lab

A written directive governs the submission of evidence to forensic laboratories, and includes the following:

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 custody.

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: May 02, 2016 Last Updated: May 02, 2016

Section #2 – Maintenance of Evidence/Property

11.2.1 Receipt of Evidence/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 Properly referenced to case numbers and described in a written report that also explains how the property came into the agency's possession.

11.2.1.4	Properly packaged and labeled prior to being put in storage.
11.2.1.5	Properly secured, with additional precautions taken for high value, sensitive or high-risk property, such as currency, jewelry, narcotics, firearms, or biohazards.
11.2.1.6	Researched for ownership, with an attempt 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 into its possession including a special duty to maintain a chain of custody when called for. Policies and procedures should be designed and function to protect the rights of owners of legal property as well as agency personnel and the agency itself.

A supervisor must approve any 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 property storage. Policy should prohibit personal use of any property.

An exception shall exist for large-scale drug drop-off programs, which should be conducted in accordance with state and federal guidelines for such initiatives.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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: May 02, 2016 Last Updated: October 1, 2008

11.2.3 After Hours Temporary Storage of Property

A written directive establishes procedures and provisions for storage of property or evidence when the property room is closed.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

11.2.4 Authorized Access to Property Storage

A written directive limits access to designated evidence storage areas to authorized personnel.

Context

Access to property storage areas is restricted to ensure the integrity of all property and to maintain the chain of custody of evidence.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

11.2.5 Records Status

The agency requires that records reflect the status and location of all property under agency control.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

11.2.6 System Integrity

The agency requires that periodic and event-specific inspections, audits, and inventories be completed and results documented and forwarded to the agency CEO. Such inspections, audits, and inventories shall include, but are 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), intended to assess compliance with policies and procedures governing property and evidence management and control. These inspections must be conducted independent of any other required inspections or audits. The "person in charge of the property and evidence control function" implies an individual in the organization who oversees the person(s) performing the property and evidence control function.
11.2.6.2	An annual audit of property and evidence conducted by a supervisor not directly associated with the property control function. This audit must be conducted independent of other required audits or inspections. It should focus on high risk items; e.g., money, drugs, jewelry, firearms, but may be expanded to include other items. To ensure the integrity of the system and accountability for all property and evidence, the audit should incorporate a one-tailed test of statistical significance to test accuracy within a 95% degree of confidence and a +/- error rate of 4%. The appropriate sample size for such a test can be found in the table located in the context.
11.2.6.3	Random, unannounced inspections and/or audits are conducted at the discretion of the agency's chief executive officer. At least one random inspection and/or audit will occur annually. In the event of a random audit, the size of the sample to be audited will be determined by the chief executive officer.
11.2.6.4	A comprehensive audit of property and evidence whenever the primary person responsible for property and evidence control is replaced for any reason. The audit should be conducted jointly by the new property custodian and a person designated by the CEO. To ensure the integrity of the system and accountability for all property and evidence, the audit should incorporate a two-tailed test of statistical significance to test accuracy within a 95% degree of

confidence and a +/- error rate of 4%. The appropriate sample size for such a test can be found in the table located in the context. An error rate that exceeds 5% of the sample size will require a full inventory of all high risk property and evidence.

Context

This 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, inspection means, to examine the property/evidence function for the purpose of determining whether policies and procedures are being followed. An inspection can include tracing a few items of property/evidence to verify they are stored in the proper location. An audit refers the selection of a random sample of items of property/evidence to determine whether they can be properly accounted for. This process enables the auditor to draw conclusions about the integrity of the entire inventory of property/evidence. An inventory means a complete listing or record of every item of property/evidence the agency has in its custody or every item within a particular category, such as high risk items.

The following table depicts the appropriate sample sizes required to conduct a one-tail or two tail test of statistical significance as outlined in 11.2.6.2 and 11.2.6.4, above.

Total Number of High Risk Items {Money, drugs, jewelry, firearms }	*Sample Size – 1 Tail Test*	*Sample Size – 2 Tail Test*
25	*20*	*25*
50	*34*	*47*
100	*50*	*86*
150	*59*	*121*
200	*65*	*151*
250	*70*	*177*
300	*73*	*201*
350	*76*	*222*
400	*78*	*241*
450	*79*	*258*
500	*81*	*274*
1000	*88*	*376*
2500	*92*	*485*
5000	*94*	*537*
10000	*95*	*567*

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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 the performance of official duties. 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 them being carried. The process is administered 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 off duty. Clear guidelines are provided for the 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: May 02, 2016 Last Updated: May 02, 2016

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: May 02, 2016 Last Updated: October 1, 2008

12.1.3 Lethal Weapons Training and Qualification

At least annually, all agency personnel authorized to carry weapons are required to receive in-service training on the agency's deadly force policy and demonstrate proficiency with all approved lethal weapons that the employee is authorized to use.

12.1.3.1 A certified weapons instructor must monitor proficiency training.

12.1.3.2 Training and proficiency must be documented.

12.1.3.3 Where a course of fire or curriculum is established by the State of Wisconsin, officers must satisfy these requirements.

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.

Context

The deadly force policy refresher training 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 firearms 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: December 10, 2012 Last Updated: December 10, 2012

12.1.4 Less Lethal Weapons/Techniques Training

At least biennially, training for less lethal weapons shall occur for employees authorized to use such weapons. If the agency authorizes neck restraints or similar weaponless control techniques with a potential for serious injury, training on such techniques is included in this requirement.

Context

There is no requirement that techniques not authorized by the department be expressly prohibited in a written directive. For example, the agency need not establish in a directive that neck restraints are prohibited if the technique has not been authorized.

Last Reviewed: May 02, 2016 Last Updated: May 02, 2016

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: May 02, 2016 Last Updated: October 1, 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

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: May 02, 2016 Last Updated: December 10, 2012

12.2.3 Recruit Training

The agency requires that all sworn officers satisfactorily complete the Wisconsin law enforcement officer preparatory training or the Wisconsin Department of Justice, Training and Standards Bureau Reciprocity Examination, 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 a weapon.

Trainees participating in the formal field-training program are considered to be supervised for purposes of this standard.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

12.2.4 Field Training

A written directive requires a field-training program for newly sworn officers. The program shall incorporate a comprehensive curriculum comprised of organizational policy and procedure for handling high frequency tasks/assignments, as well as low frequency, but high risk/liability tasks and assignments, and include:

12.2.4.1 A minimum duration of four weeks.

12.2.4.2 A rotation of field training assignments to ensure broad experience.

12.2.4.3 Structured evaluation of, and reporting on, a recruit's performance by field training officers.

12.2.4.4 Selection and training criteria for field training officers.

12.2.4.5 Active supervision of field training officers.

Context

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 should include an evaluation process and training for the FTO as well as for the trainee.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 2008

12.2.6 Career Development

The agency provides knowledge and skill development to all personnel, which includes:

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 position specific training to officers receiving promotion or assignment to specialized positions.

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 his or her new position.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

12.2.7 Tactical/Negotiator Training

If the agency has a tactical and/or negotiation team, or appoints personnel to another agency's team, all assigned agency 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 they have the ability to function effectively as a team. Effectiveness is dependent 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: May 02, 2016 Last Updated: December 10, 2012

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: May 02, 2016 Last Updated: October 1, 2008

12.2.9 Remedial Training

A written directive establishes remedial training requirements for the agency, including situations requiring remedial training, timelines for completion of the training and consequences for failure to successfully complete remedial training.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

Chapter 13 – Critical Incidents

Section #1 – Operations

13.1.1 All Hazard Plan

The agency has a written plan for responding to critical incidents. The plan incorporates ICS protocols and addresses such incidents 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.

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 be able to place full emphasis on incident management when a critical incident occurs-whether terrorism or natural disaster.

Last Reviewed: May 02, 201 Last Updated: December 10, 2012

13.1.2 Special Operations

A written directive establishes procedures for tactical operations, to include:

13.1.2.1 Access to a tactical team.

13.1.2.2 Guidelines for deployment of a tactical team to supplement field units.

13.1.2.3 The responsibilities of operational personnel prior to the arrival of the tactical team.

13.1.2.4 Coordination between the tactical team and other operational units.

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: May 02, 2016 Last Updated: December 10, 2012

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 team, or participates in a multi-jurisdictional team.

Context

Special screening and training is required because of the inherent physical and psychological stressors impacting tactical operations personnel.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

13.1.4 Specialized Equipment

An agency provides specialized equipment for all personnel assigned to a tactical team.

Context

To ensure acceptable quality, uniformity, and interchangeability of special equipment, it is provided by the agency.

Last reviewed: May 02, 2016 Last Updated: December 10, 2012

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 or appoints them to a multi-jurisdictional team.

Context

Special screening and training is required because of the inherent psychological and physical stressors impacting hostage negotiators.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

13.1.6 Search and Rescue Teams

If the agency has a specialized search/rescue unit, a written directive addresses the following:

13.1.6.1 Nature and scope of permitted search and rescue operations.

13.1.6.2 Availability of necessary equipment/resources.

13.1.6.3 Required training/certification for officers conducting search and rescue operations.

Context

For the purpose of this standard, search and rescue operations represent a coordinated effort to locate individuals missing in wooded or wilderness terrain, large bodies of water, or other environments presenting similar challenges. It often involves the use of special vehicles, such as boats, aircraft, or ATV's, specially trained personnel, such as scuba divers or trackers, service animals, such as K9 or mounted units, and organized volunteers.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

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 to the agency's chief executive officer on critical incidents. 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: May 02, 2016 Last Updated: October 1, 2008

13.2.2 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: May 02, 2016 Last Updated: December 10, 2012

13.2.3 Annual Training

A written directive provides for documented annual training on the agency's all-hazard plan 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: May 02, 2016 Last Updated: December 10, 2012

Chapter 14 – Victim/Witness Assistance

Section #1 – Victim/Witness Assistance

14.1.1 Victim and Witness Rights

A written directive establishes the agency's philosophy regarding crime victims and ensures all victims and witnesses of crime are treated with dignity, respect, courtesy and sensitivity, as intended by the State of Wisconsin Victim's Bill of Rights, §950.01, Wis. Stats.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012

14.1.2 Victim and Witness Services

A written directive identifies the information law enforcement must provide to crime victims, as outlined in §950.08(2g), Wis. Stats., including:

14.1.2.1	A list of rights of victims under §950.04(1v).
14.1.2.2	The availability of compensation and the address and telephone number at which to contact the department for information concerning compensation.
14.1.2.3	The address and telephone number of the intake worker, corporation counsel, or district attorney whom the victim may contact to obtain information concerning the rights of victims and to request notice of court proceedings and the opportunity to confer.
14.1.2.4	The address and telephone number of the custodial agency that the victim may contact to obtain information concerning the arrest and/or custody of a suspect in connection with the crime of which he or she is a victim.
14.1.2.5	The address and telephone number of the custodial agency the victim may contact for information concerning release of a person arrested or taken into custody for the crime of which he or she is a victim.
14.1.2.6	Suggested procedures for the victim to follow if he or she is subject to threats or intimidation arising out of his or her cooperation with law enforcement and prosecution efforts relating to a crime of which he or she is a victim.
14.1.2.7	The address and telephone number at which the victim may contact the department or any local agency that provides victim assistance in order to obtain further information about services available for victims, including medical services.

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.

Last Reviewed: May 02, 2016 Last Updated: December 10, 2012